

AMENDED IN ASSEMBLY JUNE 2, 2014

**SENATE BILL**

**No. 1466**

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**Introduced by Committee on Business, Professions and Economic Development (Senators Lieu (Chair), Berryhill, Block, Corbett, Galgiani, Hernandez, Hill, Padilla, ~~Wyland, and Yee~~) and Wyland)**

March 25, 2014

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An act to amend Sections 27, 655.2, 2023.5, 2089.5, 2240, 2530.5, 2532.2, 2532.7, 2936, 4021.5, 4053, 4980, 4980.36, 4980.37, 4980.399, 4980.41, 4980.43, 4980.55, 4980.72, 4980.78, 4987.5, 4989.16, 4989.22, 4992.09, 4996.17, 4996.23, 4998, 4999.55, 4999.58, 4999.59, 4999.60, and 4999.123 of, and to amend the heading of Chapter 13 (commencing with Section 4980) of Division 2 of, to add Section 2023 to, and to repeal Sections 2930.5 and 2987.3 of, the Business and Professions Code, and to amend Section 14132.55 of the Welfare and Institutions Code, relating to health care professionals.

LEGISLATIVE COUNSEL'S DIGEST

SB 1466, as amended, Committee on Business, Professions and Economic Development. Health care professionals.

*(1) Existing law prohibits a physician and surgeon, licensed medical corporation, or any audiologist who is not a licensed hearing aid dispenser from employing a licensed hearing aid dispenser for the purpose of fitting or selling hearing aids.*

*This bill would prohibit a licensed hearing aid dispenser from employing a physician and surgeon or any audiologist who is not a licensed dispensing audiologist or hearing aid dispenser, or contracting with a licensed medical corporation, for the purpose of fitting or selling hearing aids.*

(2) Existing law, the Medical Practice Act, provides for the licensure and regulation of physicians and surgeons by the Medical Board of California. Existing law requires the Medical Board of California to review issues and problems surrounding the use of laser or intense light pulse devices for elective cosmetic procedures, in conjunction with the Board of Registered Nursing and in consultation with other specified groups. Existing law requires the board and the Board of Registered Nursing to adopt regulations, by January 1, 2009, with regard to the use of laser or intense pulse light devices for elective cosmetic procedures, as specified. Existing law requires the board to adopt regulations, by January 1, 2013, regarding the appropriate level of physician availability needed within clinics or other settings using laser or intense pulse light devices for elective cosmetic procedures.

This bill would delete the provisions that require the board to adopt regulations by January 1, 2009, and January 1, 2013. The bill would instead require the board to adopt regulations, by January 1, 2016, regarding the appropriate level of physician availability needed within all clinics or other settings.

(1)

(3) Existing law requires a physician and surgeon who performs a scheduled medical procedure outside of a general acute care hospital that results in the death of any patient on whom that medical treatment was performed by the physician and surgeon, or by a person acting under the physician and surgeon's orders or supervision, to report, in writing on a form prescribed by the board, that occurrence to the board within 15 days after the occurrence. A person who violates this requirement is guilty of a misdemeanor.

This bill would make that provision applicable without regard to whether the procedure was scheduled. By expanding the scope of a crime, the bill would impose a state-mandated local program.

(2)

(4) Existing law provides for the licensing and regulation of persons who are engaged in the practice of speech-language pathology or audiology, as specified, and vests the enforcement of these provisions in the Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board. Among other requirements, an applicant for licensure as a speech-language pathologist or audiologist is required to submit transcripts from an educational institution approved by the board evidencing completion of specified coursework, and submit evidence of the satisfactory completion of supervised clinical practice with

individuals representative of a wide spectrum of ages and communication disorders. Existing law requires the board to establish by regulation the required number of clock hours, not to exceed 300 clock hours, of supervised clinical practice necessary for the applicant.

This bill would delete the requirement that the applicant submit transcripts from an educational institution approved by the board evidencing completion of specified coursework and would increase the maximum number of clock hours that the board may establish by regulation to 375.

*(5) Existing law, the Psychology Licensing Law, provides for the licensure and regulation of psychologists by the Board of Psychology. Under certain circumstances, existing law authorizes the board to issue a fictitious-name permit to a psychologist, as specified.*

*This bill would repeal the provision that authorizes the issuance of a fictitious-name permit, and would make conforming changes with regard to that repeal. The bill would make other changes to update a provision related to consumer notices, as specified.*

~~(3)~~

*(6) Existing law, the Pharmacy Law, governs the regulation of the practice of pharmacy and establishes the California State Board of Pharmacy to administer and enforce these provisions. The law authorizes the board to issue a license to an individual to serve as a designated representative to provide sufficient and qualified supervision in a wholesaler or veterinary food-animal drug retailer, as specified, and requires the licensee to protect the public health and safety in the handling, storage, and shipment of dangerous drugs and dangerous devices in the wholesaler or veterinary food-animal drug retailer. The law also defines a correctional pharmacy to mean a pharmacy, licensed by the board, located within a state correctional facility, as specified.*

This bill would require an individual who applies for a designated representative license to be at least 18 years of age. The bill would also revise the definition of a correctional pharmacy to mean a pharmacy, licensed by the board, located within a correctional facility, without regard to whether the facility is a state or local correctional facility.

*(7) Existing law, the Licensed Marriage and Family Therapist Act, provides for the licensure and regulation of marriage and family therapists by the Board of Behavioral Sciences. Existing law sets forth the educational and training requirements for licensure as a marriage and family therapist. Existing law, among other requirements, requires*

*an applicant for licensure to complete 75 hours of client centered advocacy or face-to-face counseling, as specified.*

*This bill would authorize an applicant for licensure to meet this requirement by completing 75 hours of client centered advocacy or face-to-face counseling, or any combination thereof.*

*(8) Existing law, the Educational Psychologist Practice Act, provides for the licensure and regulation of educational psychologists by the Board of Behavioral Sciences. Existing law authorizes an applicant for examination who has passed the standard written examination to take a clinical vignette written examination for licensure if that applicant is the subject of a complaint or under investigation by the board, as specified.*

*This bill would eliminate the clinical vignette written examination for those purposes, and would make conforming changes to other provisions.*

~~(4)~~

*(9) Existing law requires an applicant for a license as a marriage and family therapist, clinical social worker, or professional clinical counselor, to participate in and obtain a passing score on a board-administered California law and ethics examination in order to qualify for a license or renewal of a license.*

*This bill would permit an applicant who holds a registration eligible for renewal, with an expiration date no later than June 30, 2016, and who applies for renewal of that registration between January 1, 2016, and June 30, 2016, if eligible, to renew the registration without first participating in the California law and ethics examination. The bill would require the applicant to pass that examination prior to licensure or issuance of a subsequent registration number. The bill would also permit an applicant who holds or has held a registration, with an expiration date no later than January 1, 2017, and who applies for a subsequent registration number between January 1, 2016, and January 1, 2017, if eligible, to obtain the subsequent registration number without first passing the California law and ethics examination, if he or she passes the law and ethics examination at during the next renewal period or prior to licensure, whichever occurs first.*

*This bill would make other changes relating to licensed licensure as a marriage and family therapists and licensed therapist, clinical social worker, or a professional clinical counselors counselor.*

*The bill would also make other technical, conforming, and clarifying changes.*

(5)

(10) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 27 of the Business and Professions Code  
2 is amended to read:

3 27. (a) Each entity specified in subdivisions (c), (d), and (e)  
4 shall provide on the Internet information regarding the status of  
5 every license issued by that entity in accordance with the California  
6 Public Records Act (Chapter 3.5 (commencing with Section 6250)  
7 of Division 7 of Title 1 of the Government Code) and the  
8 Information Practices Act of 1977 (Chapter 1 (commencing with  
9 Section 1798) of Title 1.8 of Part 4 of Division 3 of the Civil Code).  
10 The public information to be provided on the Internet shall include  
11 information on suspensions and revocations of licenses issued by  
12 the entity and other related enforcement action, including  
13 accusations filed pursuant to the Administrative Procedure Act  
14 (Chapter 3.5 (commencing with Section 11340) of Part 1 of  
15 Division 3 of Title 2 of the Government Code) taken by the entity  
16 relative to persons, businesses, or facilities subject to licensure or  
17 regulation by the entity. The information may not include personal  
18 information, including home telephone number, date of birth, or  
19 social security number. Each entity shall disclose a licensee's  
20 address of record. However, each entity shall allow a licensee to  
21 provide a post office box number or other alternate address, instead  
22 of his or her home address, as the address of record. This section  
23 shall not preclude an entity from also requiring a licensee, who  
24 has provided a post office box number or other alternative mailing  
25 address as his or her address of record, to provide a physical  
26 business address or residence address only for the entity's internal  
27 administrative use and not for disclosure as the licensee's address  
28 of record or disclosure on the Internet.

1 (b) In providing information on the Internet, each entity specified  
2 in subdivisions (c) and (d) shall comply with the Department of  
3 Consumer Affairs' guidelines for access to public records.

4 (c) Each of the following entities within the Department of  
5 Consumer Affairs shall comply with the requirements of this  
6 section:

7 (1) The Board for Professional Engineers, Land Surveyors, and  
8 Geologists shall disclose information on its registrants and  
9 licensees.

10 (2) The Bureau of Automotive Repair shall disclose information  
11 on its licensees, including auto repair dealers, smog stations, lamp  
12 and brake stations, smog check technicians, and smog inspection  
13 certification stations.

14 (3) The Bureau of Electronic and Appliance Repair, Home  
15 Furnishings, and Thermal Insulation shall disclose information on  
16 its licensees and registrants, including major appliance repair  
17 dealers, combination dealers (electronic and appliance), electronic  
18 repair dealers, service contract sellers, and service contract  
19 administrators.

20 (4) The Cemetery and Funeral Bureau shall disclose information  
21 on its licensees, including cemetery brokers, cemetery salespersons,  
22 cemetery managers, crematory managers, cemetery authorities,  
23 crematories, cremated remains disposers, embalmers, funeral  
24 establishments, and funeral directors.

25 (5) The Professional Fiduciaries Bureau shall disclose  
26 information on its licensees.

27 (6) The Contractors' State License Board shall disclose  
28 information on its licensees and registrants in accordance with  
29 Chapter 9 (commencing with Section 7000) of Division 3. In  
30 addition to information related to licenses as specified in  
31 subdivision (a), the board shall also disclose information provided  
32 to the board by the Labor Commissioner pursuant to Section 98.9  
33 of the Labor Code.

34 (7) The Bureau for Private Postsecondary Education shall  
35 disclose information on private postsecondary institutions under  
36 its jurisdiction, including disclosure of notices to comply issued  
37 pursuant to Section 94935 of the Education Code.

38 (8) The California Board of Accountancy shall disclose  
39 information on its licensees and registrants.

1 (9) The California Architects Board shall disclose information  
2 on its licensees, including architects and landscape architects.

3 (10) The State Athletic Commission shall disclose information  
4 on its licensees and registrants.

5 (11) The State Board of Barbering and Cosmetology shall  
6 disclose information on its licensees.

7 (12) The State Board of Guide Dogs for the Blind shall disclose  
8 information on its licensees and registrants.

9 (13) The Acupuncture Board shall disclose information on its  
10 licensees.

11 (14) The Board of Behavioral Sciences shall disclose  
12 information on its licensees, including licensed marriage and family  
13 therapists, licensed clinical social workers, licensed educational  
14 psychologists, and licensed professional clinical counselors.

15 (15) The Dental Board of California shall disclose information  
16 on its licensees.

17 (16) The State Board of Optometry shall disclose information  
18 regarding certificates of registration to practice optometry,  
19 statements of licensure, optometric corporation registrations, branch  
20 office licenses, and fictitious name permits of its licensees.

21 (17) The Board of Psychology shall disclose information on its  
22 licensees, including psychologists, psychological assistants, and  
23 registered psychologists.

24 (d) The State Board of Chiropractic Examiners shall disclose  
25 information on its licensees.

26 (e) The Structural Pest Control Board shall disclose information  
27 on its licensees, including applicators, field representatives, and  
28 operators in the areas of fumigation, general pest and wood  
29 destroying pests and organisms, and wood roof cleaning and  
30 treatment.

31 (f) “Internet” for the purposes of this section has the meaning  
32 set forth in paragraph (6) of subdivision (f) of Section 17538.

33 *SEC. 2. Section 655.2 of the Business and Professions Code*  
34 *is amended to read:*

35 655.2. (a) (1) No physician and surgeon or medical  
36 corporation licensed under Chapter 5 (commencing with Section  
37 2000), nor any audiologist who is not a licensed *dispensing*  
38 *audiologist or* hearing aid dispenser shall employ any individual  
39 licensed pursuant to ~~Chapter 7.5 (commencing with Section 3300)~~

1 Article 8 (commencing with Section 2538.10) of Chapter 5.3 for  
2 the purpose of fitting or selling hearing aids.

3 (2) No individual licensed pursuant to Article 8 (commencing  
4 with Section 2538.10) of Chapter 5.3 shall employ any physician  
5 and surgeon or any audiologist who is not a licensed dispensing  
6 audiologist or hearing aid dispenser, or contract with a medical  
7 corporation licensed under Chapter 5 (commencing with Section  
8 2000), for the purpose of fitting or selling hearing aids.

9 ~~This~~

10 (b) This section shall not apply to any physician and surgeon  
11 or medical corporation ~~which~~ that contracts with or is affiliated  
12 with a comprehensive group practice health care service plan  
13 licensed pursuant to the Knox-Keene Health Care Service Plan  
14 Act, as set forth in Chapter 2.2 (commencing with Section 1340)  
15 of Division 2 of the Health and Safety Code.

16 SEC. 3. Section 2023 is added to the Business and Professions  
17 Code, to read:

18 2023. On or before January 1, 2016, the board shall adopt  
19 regulations regarding the appropriate level of physician  
20 availability needed within clinics or other settings.

21 SEC. 4. Section 2023.5 of the Business and Professions Code  
22 is amended to read:

23 2023.5. (a) The board, in conjunction with the Board of  
24 Registered Nursing, and in consultation with the Physician  
25 Assistant Committee and professionals in the field, shall review  
26 issues and problems surrounding the use of laser or intense light  
27 pulse devices for elective cosmetic procedures by physicians and  
28 surgeons, nurses, and physician assistants. The review shall include,  
29 but need not be limited to, all of the following:

- 30 (1) The appropriate level of physician supervision needed.
- 31 (2) The appropriate level of training to ensure competency.
- 32 (3) Guidelines for standardized procedures and protocols that  
33 address, at a minimum, all of the following:
  - 34 (A) Patient selection.
  - 35 (B) Patient education, instruction, and informed consent.
  - 36 (C) Use of topical agents.
  - 37 (D) Procedures to be followed in the event of complications or  
38 side effects from the treatment.
  - 39 (E) Procedures governing emergency and urgent care situations.

1 ~~(b) On or before January 1, 2009, the board and the Board of~~  
2 ~~Registered Nursing shall promulgate regulations to implement~~  
3 ~~changes determined to be necessary with regard to the use of laser~~  
4 ~~or intense pulse light devices for elective cosmetic procedures by~~  
5 ~~physicians and surgeons, nurses, and physician assistants.~~

6 ~~(c) On or before January 1, 2013, the board shall adopt~~  
7 ~~regulations regarding the appropriate level of physician availability~~  
8 ~~needed within clinics or other settings using laser or intense pulse~~  
9 ~~light devices for elective cosmetic procedures. However, these~~  
10 ~~regulations shall not apply to laser or intense pulse light devices~~  
11 ~~approved by the federal Food and Drug Administration for~~  
12 ~~over-the-counter use by a health care practitioner or by an~~  
13 ~~unlicensed person on himself or herself.~~

14 ~~(d)~~

15 ~~(b) Nothing in this section shall be construed to modify the~~  
16 ~~prohibition against the unlicensed practice of medicine.~~

17 ~~SEC. 2.~~

18 *SEC. 5.* Section 2089.5 of the Business and Professions Code  
19 is amended to read:

20 2089.5. (a) Clinical instruction in the subjects listed in  
21 subdivision (b) of Section 2089 shall meet the requirements of this  
22 section and shall be considered adequate if the requirements of  
23 subdivision (a) of Section 2089 and the requirements of this section  
24 are satisfied.

25 (b) Instruction in the clinical courses shall total a minimum of  
26 72 weeks in length.

27 (c) Instruction in the core clinical courses of surgery, medicine,  
28 family medicine, pediatrics, obstetrics and gynecology, and  
29 psychiatry shall total a minimum of 40 weeks in length with a  
30 minimum of eight weeks instruction in surgery, eight weeks in  
31 medicine, six weeks in pediatrics, six weeks in obstetrics and  
32 gynecology, a minimum of four weeks in family medicine, and  
33 four weeks in psychiatry.

34 (d) Of the instruction required by subdivision (b), including all  
35 of the instruction required by subdivision (c), 54 weeks shall be  
36 performed in a hospital that sponsors the instruction and shall meet  
37 one of the following:

38 (1) Is a formal part of the medical school or school of  
39 osteopathic medicine.

- 1 (2) Has a residency program, approved by the Accreditation  
2 Council for Graduate Medical Education (ACGME) or the Royal  
3 College of Physicians and Surgeons of Canada (RCPSC), in family  
4 practice or in the clinical area of the instruction for which credit  
5 is being sought.
- 6 (3) Is formally affiliated with an approved medical school or  
7 school of osteopathic medicine located in the United States or  
8 Canada. If the affiliation is limited in nature, credit shall be given  
9 only in the subject areas covered by the affiliation agreement.
- 10 (4) Is formally affiliated with a medical school or a school of  
11 osteopathic medicine located outside the United States or Canada.
- 12 (e) If the institution, specified in subdivision (d), is formally  
13 affiliated with a medical school or a school of osteopathic medicine  
14 located outside the United States or Canada, it shall meet the  
15 following:
  - 16 (1) The formal affiliation shall be documented by a written  
17 contract detailing the relationship between the medical school, or  
18 a school of osteopathic medicine, and hospital and the  
19 responsibilities of each.
  - 20 (2) The school and hospital shall provide to the board a  
21 description of the clinical program. The description shall be in  
22 sufficient detail to enable the board to determine whether or not  
23 the program provides students an adequate medical education. The  
24 board shall approve the program if it determines that the program  
25 provides an adequate medical education. If the board does not  
26 approve the program, it shall provide its reasons for disapproval  
27 to the school and hospital in writing specifying its findings about  
28 each aspect of the program that it considers to be deficient and the  
29 changes required to obtain approval.
  - 30 (3) The hospital, if located in the United States, shall be  
31 accredited by the Joint Commission on Accreditation of Hospitals,  
32 or the American Osteopathic Association’s Healthcare Facilities  
33 Accreditation Program, and if located in another country, shall be  
34 accredited in accordance with the law of that country.
  - 35 (4) The clinical instruction shall be supervised by a full-time  
36 director of medical education, and the head of the department for  
37 each core clinical course shall hold a full-time faculty appointment  
38 of the medical school or school of osteopathic medicine and shall  
39 be board certified or eligible, or have an equivalent credential in

1 that specialty area appropriate to the country in which the hospital  
2 is located.

3 (5) The clinical instruction shall be conducted pursuant to a  
4 written program of instruction provided by the school.

5 (6) The school shall supervise the implementation of the  
6 program on a regular basis, documenting the level and extent of  
7 its supervision.

8 (7) The hospital-based faculty shall evaluate each student on a  
9 regular basis and shall document the completion of each aspect of  
10 the program for each student.

11 (8) The hospital shall ensure a minimum daily census adequate  
12 to meet the instructional needs of the number of students enrolled  
13 in each course area of clinical instruction, but not less than 15  
14 patients in each course area of clinical instruction.

15 (9) The board, in reviewing the application of a foreign medical  
16 graduate, may require the applicant to submit a description of the  
17 clinical program, if the board has not previously approved the  
18 program, and may require the applicant to submit documentation  
19 to demonstrate that the applicant's clinical training met the  
20 requirements of this subdivision.

21 (10) The medical school or school of osteopathic medicine shall  
22 bear the reasonable cost of any site inspection by the board or its  
23 agents necessary to determine whether the clinical program offered  
24 is in compliance with this subdivision.

25 ~~SEC. 3.~~

26 *SEC. 6.* Section 2240 of the Business and Professions Code is  
27 amended to read:

28 2240. (a) A physician and surgeon who performs a medical  
29 procedure outside of a general acute care hospital, as defined in  
30 subdivision (a) of Section 1250 of the Health and Safety Code,  
31 that results in the death of any patient on whom that medical  
32 treatment was performed by the physician and surgeon, or by a  
33 person acting under the physician and surgeon's orders or  
34 supervision, shall report, in writing on a form prescribed by the  
35 board, that occurrence to the board within 15 days after the  
36 occurrence.

37 (b) A physician and surgeon who performs a scheduled medical  
38 procedure outside of a general acute care hospital, as defined in  
39 subdivision (a) of Section 1250 of the Health and Safety Code,  
40 that results in the transfer to a hospital or emergency center for

1 medical treatment for a period exceeding 24 hours, of any patient  
2 on whom that medical treatment was performed by the physician  
3 and surgeon, or by a person acting under the physician and  
4 surgeon's orders or supervision, shall report, in writing, on a form  
5 prescribed by the board that occurrence, within 15 days after the  
6 occurrence. The form shall contain all of the following information:

- 7 (1) Name of the patient's physician in the outpatient setting.
- 8 (2) Name of the physician with hospital privileges.
- 9 (3) Name of the patient and patient identifying information.
- 10 (4) Name of the hospital or emergency center where the patient  
11 was transferred.
- 12 (5) Type of outpatient procedures being performed.
- 13 (6) Events triggering the transfer.
- 14 (7) Duration of the hospital stay.
- 15 (8) Final disposition or status, if not released from the hospital,  
16 of the patient.
- 17 (9) Physician's practice specialty and ABMS certification, if  
18 applicable.

19 (c) The form described in subdivision (b) shall be constructed  
20 in a format to enable the physician and surgeon to transmit the  
21 information in paragraphs (5) to (9), inclusive, to the board in a  
22 manner that the physician and surgeon and the patient are  
23 anonymous and their identifying information is not transmitted to  
24 the board. The entire form containing information described in  
25 paragraphs (1) to (9), inclusive, shall be placed in the patient's  
26 medical record.

27 (d) The board shall aggregate the data and publish an annual  
28 report on the information collected pursuant to subdivisions (a)  
29 and (b).

30 (e) On and after January 1, 2002, the data required in subdivision  
31 (b) shall be sent to the Office of Statewide Health Planning and  
32 Development (OSHPD) instead of the board. OSHPD may revise  
33 the reporting requirements to fit state and national standards, as  
34 applicable. The board shall work with OSHPD in developing the  
35 reporting mechanism to satisfy the data collection requirements  
36 of this section.

37 (f) The failure to comply with this section constitutes  
38 unprofessional conduct.

1 ~~SEC. 4.~~

2 *SEC. 7.* Section 2530.5 of the Business and Professions Code  
3 is amended to read:

4 2530.5. (a) Nothing in this chapter shall be construed as  
5 restricting hearing testing conducted by licensed physicians and  
6 surgeons or by persons conducting hearing tests under the direct  
7 supervision of a physician and surgeon.

8 (b) Nothing in this chapter shall be construed to prevent a  
9 licensed hearing aid dispenser from engaging in testing of hearing  
10 and other practices and procedures used solely for the fitting and  
11 selling of hearing aids nor does this chapter restrict persons  
12 practicing their licensed profession and operating within the scope  
13 of their licensed profession or employed by someone operating  
14 within the scope of their licensed professions, including persons  
15 fitting and selling hearing aids who are properly licensed or  
16 registered under the laws of the State of California.

17 (c) Nothing in this chapter shall be construed as restricting or  
18 preventing the practice of speech-language pathology or audiology  
19 by personnel holding the appropriate credential from the  
20 Commission on Teacher Credentialing as long as the practice is  
21 conducted within the confines of or under the jurisdiction of a  
22 public preschool, elementary, or secondary school by which they  
23 are employed and those persons do not either offer to render or  
24 render speech-language pathology or audiology services to the  
25 public for compensation over and above the salary they receive  
26 from the ~~public-preschool elementary~~ *preschool, elementary,* or  
27 secondary school by which they are employed for the performance  
28 of their official duties.

29 (d) Nothing in this chapter shall be construed as restricting the  
30 activities and services of a student or speech-language pathology  
31 intern in speech-language pathology pursuing a course of study  
32 leading to a degree in speech-language pathology at an accredited  
33 or approved college or university or an approved clinical training  
34 facility, provided that these activities and services constitute a part  
35 of his or her supervised course of study and that those persons are  
36 designated by the title as “speech-language pathology intern,”  
37 “speech-language pathology trainee,” or other title clearly  
38 indicating the training status appropriate to his or her level of  
39 training.

1 (e) Nothing in this chapter shall be construed as restricting the  
2 activities and services of a student or audiology intern in audiology  
3 pursuing a course of study leading to a degree in audiology at an  
4 accredited or approved college or university or an approved clinical  
5 training facility, provided that these activities and services  
6 constitute a part of his or her supervised course of study and that  
7 those persons are designated by the title as “audiology intern,”  
8 “audiology trainee,” or other title clearly indicating the training  
9 status appropriate to his or her level of training.

10 (f) Nothing in this chapter shall be construed as restricting the  
11 practice of an applicant who is obtaining the required professional  
12 experience specified in subdivision (c) of Section 2532.2 and who  
13 has been issued a temporary license pursuant to Section 2532.7.  
14 The number of applicants who may be supervised by a licensed  
15 speech-language pathologist or a speech-language pathologist  
16 having qualifications deemed equivalent by the board shall be  
17 determined by the board. The supervising speech-language  
18 pathologist shall register with the board the name of each applicant  
19 working under his or her supervision, and shall submit to the board  
20 a description of the proposed professional responsibilities of the  
21 applicant working under his or her supervision. The number of  
22 applicants who may be supervised by a licensed audiologist or an  
23 audiologist having qualifications deemed equivalent by the board  
24 shall be determined by the board. The supervising audiologist shall  
25 register with the board the name of each applicant working under  
26 his or her supervision, and shall submit to the board a description  
27 of the proposed professional responsibilities of the applicant  
28 working under his or her supervision.

29 (g) Nothing in this chapter shall be construed as restricting  
30 hearing screening services in public or private elementary or  
31 secondary schools so long as these screening services are provided  
32 by persons registered as qualified school audiometrists pursuant  
33 to Sections 1685 and 1686 of the Health and Safety Code or hearing  
34 screening services supported by the State Department of Health  
35 *Care Services* so long as these screening services are provided by  
36 appropriately trained or qualified personnel.

37 (h) Persons employed as speech-language pathologists or  
38 audiologists by a federal agency shall be exempt from this chapter.

39 (i) Nothing in this chapter shall be construed as restricting  
40 consultation or the instructional or supervisory activities of a

1 faculty member of an approved or accredited college or university  
2 for the first 60 days following appointment after the effective date  
3 of this subdivision.

4 ~~SEC. 5.~~

5 *SEC. 8.* Section 2532.2 of the Business and Professions Code  
6 is amended to read:

7 2532.2. Except as required by Section 2532.25, to be eligible  
8 for licensure by the board as a speech-language pathologist or  
9 audiologist, the applicant shall possess all of the following  
10 qualifications:

11 (a) Possess at least a master's degree in speech-language  
12 pathology or audiology from an educational institution approved  
13 by the board or qualifications deemed equivalent by the board.

14 (b) (1) Submit evidence of the satisfactory completion of  
15 supervised clinical practice with individuals representative of a  
16 wide spectrum of ages and communication disorders. The board  
17 shall establish by regulation the required number of clock hours,  
18 not to exceed 375 clock hours, of supervised clinical practice  
19 necessary for the applicant.

20 (2) The clinical practice shall be under the direction of an  
21 educational institution approved by the board.

22 (c) Submit evidence of no less than 36 weeks of satisfactorily  
23 completed supervised professional full-time experience or 72 weeks  
24 of professional part-time experience obtained under the supervision  
25 of a licensed speech-language pathologist or audiologist or a  
26 speech-language pathologist or audiologist having qualifications  
27 deemed equivalent by the board. This experience shall be evaluated  
28 and approved by the board. The required professional experience  
29 shall follow completion of the requirements listed in subdivisions  
30 (a) and (b). Full time is defined as at least 36 weeks in a calendar  
31 year and a minimum of 30 hours per week. Part time is defined as  
32 a minimum of 72 weeks and a minimum of 15 hours per week.

33 (d) (1) Pass an examination or examinations approved by the  
34 board. The board shall determine the subject matter and scope of  
35 the examinations and may waive the examination upon evidence  
36 that the applicant has successfully completed an examination  
37 approved by the board. Written examinations may be supplemented  
38 by oral examinations as the board shall determine. An applicant  
39 who fails his or her examination may be reexamined at a

1 subsequent examination upon payment of the reexamination fee  
2 required by this chapter.

3 (2) A speech-language pathologist or audiologist who holds a  
4 license from another state or territory of the United States or who  
5 holds equivalent qualifications as determined by the board and  
6 who has completed no less than one year of full-time continuous  
7 employment as a speech-language pathologist or audiologist within  
8 the past three years is exempt from the supervised professional  
9 experience in subdivision (c).

10 (e) As applied to licensure as an audiologist, this section shall  
11 apply to applicants who graduated from an approved educational  
12 institution on or before December 31, 2007.

13 ~~SEC. 6.~~

14 *SEC. 9.* Section 2532.7 of the Business and Professions Code  
15 is amended to read:

16 2532.7. (a) Upon approval of an application filed pursuant to  
17 Section 2532.1, and upon payment of the fee prescribed by Section  
18 2534.2, the board may issue a required professional experience  
19 (RPE) temporary license for a period to be determined by the board  
20 to an applicant who is obtaining the required professional  
21 experience specified in subdivision (c) of Section 2532.2 or  
22 paragraph (2) of subdivision (b) of Section 2532.25.

23 (b) Effective July 1, 2003, no person shall obtain the required  
24 professional experience for licensure in either an exempt or  
25 nonexempt setting, as defined in Section 2530.5, unless he or she  
26 is licensed in accordance with this section or is completing the  
27 final clinical externship of a board-approved audiology doctoral  
28 training program in accordance with paragraph (2) of subdivision  
29 (b) of Section 2532.25 in another state.

30 (c) A person who obtains an RPE temporary license outside the  
31 State of California shall not be required to hold a temporary license  
32 issued pursuant to subdivision (a) if the person is completing the  
33 final clinical externship of an audiology doctoral training program  
34 in accordance with paragraph (2) of subdivision (b) of Section  
35 2532.25.

36 (d) Any experience obtained in violation of this act shall not be  
37 approved by the board.

38 (e) An RPE temporary license shall terminate upon notice  
39 thereof by certified mail, return receipt requested, if it is issued by  
40 mistake or if the application for permanent licensure is denied.

1 (f) Upon written application, the board may reissue an RPE  
2 temporary license for a period to be determined by the board to  
3 an applicant who is obtaining the required professional experience  
4 specified in subdivision (c) of Section 2532.2 or paragraph (2) of  
5 subdivision (b) of Section 2532.25.

6 *SEC. 10. Section 2930.5 of the Business and Professions Code*  
7 *is repealed.*

8 ~~2930.5.—(a) Any psychologist, who as a sole proprietor, or in~~  
9 ~~a partnership, group, or professional corporation, desires to practice~~  
10 ~~under any name that would otherwise be a violation of subdivision~~  
11 ~~(r) of Section 2960 may practice under that name if the proprietor,~~  
12 ~~partnership, group, or corporation obtains and maintains in current~~  
13 ~~status a fictitious-name permit issued by the committee under this~~  
14 ~~section.~~

15 ~~(b) The committee shall issue a fictitious-name permit~~  
16 ~~authorizing the holder thereof to use the name specified in the~~  
17 ~~permit in connection with his, her, or its practice if the committee~~  
18 ~~finds to its satisfaction that:~~

19 ~~(1) The applicant or applicants or shareholders of the~~  
20 ~~professional corporation hold valid and current licenses and no~~  
21 ~~charges of unprofessional conduct are pending against any such~~  
22 ~~licensed person.~~

23 ~~(2) The place, or portion thereof, in which the applicant's or~~  
24 ~~applicants' practice, is owned or leased by the applicant or~~  
25 ~~applicants.~~

26 ~~(3) The professional practice of the applicant or applicants is~~  
27 ~~wholly owned and entirely controlled by the applicant or applicants.~~

28 ~~(4) The name under which the applicant or applicants propose~~  
29 ~~to practice contains one of the following designations: "psychology~~  
30 ~~group" or "psychology clinic."~~

31 ~~(e) Fictitious-name permits issued by the committee shall be~~  
32 ~~subject to Article 7 (commencing with Section 2980) pertaining~~  
33 ~~to renewal of licenses.~~

34 ~~(d) The committee may revoke or suspend any permit issued if~~  
35 ~~it finds that the holder or holders of the permit are not in~~  
36 ~~compliance with this section or any regulations adopted pursuant~~  
37 ~~to this section. A proceeding to revoke or suspend a fictitious-name~~  
38 ~~permit shall be conducted in accordance with Section 2965.~~

39 ~~(e) The committee may also proceed to revoke the~~  
40 ~~fictitious-name permit of a licensee whose license has been~~

1 ~~revoked, but no proceeding may be commenced unless and until~~  
 2 ~~the charges of unprofessional conduct against the licensee have~~  
 3 ~~resulted in revocation of the license.~~

4 ~~(f) The committee may delegate to the executive director, or to~~  
 5 ~~another official of the board, its authority to review and approve~~  
 6 ~~applications for fictitious-name permits and to issue those permits.~~

7 *SEC. 11. Section 2936 of the Business and Professions Code*  
 8 *is amended to read:*

9 2936. The board shall adopt a program of consumer and  
 10 professional education in matters relevant to the ethical practice  
 11 of psychology. The board shall establish as its standards of ethical  
 12 conduct relating to the practice of psychology, the “Ethical  
 13 Principles and Code of Conduct” published by the American  
 14 Psychological Association (APA). Those standards shall be applied  
 15 by the board as the accepted standard of care in all licensing  
 16 examination development and in all board enforcement policies  
 17 and disciplinary case evaluations.

18 To facilitate consumers in receiving appropriate psychological  
 19 services, all licensees and registrants shall be required to post, in  
 20 a conspicuous location in their principal psychological business  
 21 office, a notice which reads as follows:

22  
 23 “NOTICE TO CONSUMERS: The Department of Consumer  
 24 Affairs’s Board of Psychology receives and responds to questions  
 25 and complaints regarding the practice of psychology. If you have  
 26 questions or complaints, you may contact the board *by email at*  
 27 *bopmail@dca.ca.gov*, on the Internet at *www.psychboard.ca.gov*  
 28 *www.psychology.ca.gov*, by calling 1-866-503-3221, or by  
 29 writing to the following address:

30 Board of Psychology  
 31 ~~2005 Evergreen Street, Suite 1400-1625 North Market~~  
 32 ~~Boulevard, Suite -215~~  
 33 ~~Sacramento, California 95815-3894” 95834”~~  
 34

35 *SEC. 12. Section 2987.3 of the Business and Professions Code*  
 36 *is repealed.*

37 ~~2987.3. The following fees apply to fictitious-name permits~~  
 38 ~~issued under Section 2930.5.~~

39 ~~(a) The initial permit fee is an amount equal to the renewal fee~~  
 40 ~~in effect at the beginning of the current renewal cycle. If the permit~~

1 ~~will expire less than one year after its issuance, then the initial~~  
2 ~~permit fee is an amount equal to 50 percent of the fee in effect at~~  
3 ~~the beginning of the current renewal cycle.~~

4 ~~(b) The biennial renewal fee shall be fixed by the committee at~~  
5 ~~an amount not to exceed fifty dollars (\$50). The amount of this~~  
6 ~~fee shall not exceed the actual cost of issuing a fictitious name~~  
7 ~~permit.~~

8 ~~(c) The delinquency fee is twenty dollars (\$20).~~

9 ~~SEC. 7.~~

10 ~~SEC. 13.~~ Section 4021.5 of the Business and Professions Code  
11 is amended to read:

12 4021.5. “Correctional pharmacy” means a pharmacy, licensed  
13 by the board, located within a correctional facility for the purpose  
14 of providing pharmaceutical care to inmates of the correctional  
15 facility.

16 ~~SEC. 8.~~

17 ~~SEC. 14.~~ Section 4053 of the Business and Professions Code  
18 is amended to read:

19 4053. (a) Notwithstanding Section 4051, the board may issue  
20 a license as a designated representative to provide sufficient and  
21 qualified supervision in a wholesaler or veterinary food-animal  
22 drug retailer. The designated representative shall protect the public  
23 health and safety in the handling, storage, and shipment of  
24 dangerous drugs and dangerous devices in the wholesaler or  
25 veterinary food-animal drug retailer.

26 (b) An individual who is at least 18 years of age may apply for  
27 a designated representative license. In order to obtain and maintain  
28 that license, the individual shall meet all of the following  
29 requirements:

30 (1) He or she shall be a high school graduate or possess a general  
31 education development certificate equivalent.

32 (2) He or she shall have a minimum of one year of paid work  
33 experience in a licensed pharmacy, or with a drug wholesaler, drug  
34 distributor, or drug manufacturer, in the past three years, related  
35 to the distribution or dispensing of dangerous drugs or dangerous  
36 devices or meet all of the prerequisites to take the examination  
37 required for licensure as a pharmacist by the board.

38 (3) He or she shall complete a training program approved by  
39 the board that, at a minimum, addresses each of the following  
40 subjects:

1 (A) Knowledge and understanding of California law and federal  
2 law relating to the distribution of dangerous drugs and dangerous  
3 devices.

4 (B) Knowledge and understanding of California law and federal  
5 law relating to the distribution of controlled substances.

6 (C) Knowledge and understanding of quality control systems.

7 (D) Knowledge and understanding of the United States  
8 Pharmacopoeia standards relating to the safe storage and handling  
9 of drugs.

10 (E) Knowledge and understanding of prescription terminology,  
11 abbreviations, dosages, and format.

12 (4) The board may, by regulation, require training programs to  
13 include additional material.

14 (5) The board may not issue a license as a designated  
15 representative until the applicant provides proof of completion of  
16 the required training to the board.

17 (c) The veterinary food-animal drug retailer or wholesaler shall  
18 not operate without a pharmacist or a designated representative  
19 on its premises.

20 (d) Only a pharmacist or a designated representative shall  
21 prepare and affix the label to veterinary food-animal drugs.

22 (e) Section 4051 shall not apply to any laboratory licensed under  
23 Section 351 of Title III of the Public Health Service Act (Public  
24 Law 78-410).

25 ~~SEC. 9.~~

26 *SEC. 15.* The heading of Chapter 13 (commencing with Section  
27 4980) of Division 2 of the Business and Professions Code is  
28 amended to read:

29  
30 CHAPTER 13. LICENSED MARRIAGE AND FAMILY THERAPISTS

31  
32 ~~SEC. 10.~~

33 *SEC. 16.* Section 4980 of the Business and Professions Code  
34 is amended to read:

35 4980. (a) (1) Many California families and many individual  
36 Californians are experiencing difficulty and distress, and are in  
37 need of wise, competent, caring, compassionate, and effective  
38 counseling in order to enable them to improve and maintain healthy  
39 family relationships.

1 (2) Healthy individuals and healthy families and healthy  
2 relationships are inherently beneficial and crucial to a healthy  
3 society, and are our most precious and valuable natural resource.  
4 Licensed marriage and family therapists provide a crucial support  
5 for the well-being of the people and the State of California.

6 (b) No person may engage in the practice of marriage and family  
7 therapy as defined by Section 4980.02, unless he or she holds a  
8 valid license as a marriage and family therapist, or unless he or  
9 she is specifically exempted from that requirement, nor may any  
10 person advertise himself or herself as performing the services of  
11 a marriage, family, child, domestic, or marital consultant, or in  
12 any way use these or any similar titles, including the letters  
13 “L.M.F.T.” “M.F.T.,” or “M.F.C.C.,” or other name, word initial,  
14 or symbol in connection with or following his or her name to imply  
15 that he or she performs these services without a license as provided  
16 by this chapter. Persons licensed under Article 4 (commencing  
17 with Section 4996) of Chapter 14 of Division 2, or under Chapter  
18 6.6 (commencing with Section 2900) may engage in such practice  
19 or advertise that they practice marriage and family therapy but  
20 may not advertise that they hold the marriage and family therapist’s  
21 license.

22 ~~SEC. 11.~~

23 *SEC. 17.* Section 4980.36 of the Business and Professions Code  
24 is amended to read:

25 4980.36. (a) This section shall apply to the following:

26 (1) Applicants for licensure or registration who begin graduate  
27 study before August 1, 2012, and do not complete that study on  
28 or before December 31, 2018.

29 (2) Applicants for licensure or registration who begin graduate  
30 study before August 1, 2012, and who graduate from a degree  
31 program that meets the requirements of this section.

32 (3) Applicants for licensure or registration who begin graduate  
33 study on or after August 1, 2012.

34 (b) To qualify for a license or registration, applicants shall  
35 possess a doctoral or master’s degree meeting the requirements of  
36 this section in marriage, family, and child counseling, marriage  
37 and family therapy, couple and family therapy, psychology, clinical  
38 psychology, counseling psychology, or counseling with an  
39 emphasis in either marriage, family, and child counseling or  
40 marriage and family therapy, obtained from a school, college, or

1 university approved by the Bureau for Private Postsecondary  
2 Education, or accredited by either the Commission on Accreditation  
3 for Marriage and Family Therapy Education, or a regional  
4 accrediting agency that is recognized by the United States  
5 Department of Education. The board has the authority to make the  
6 final determination as to whether a degree meets all requirements,  
7 including, but not limited to, course requirements, regardless of  
8 accreditation or approval.

9 (c) A doctoral or master's degree program that qualifies for  
10 licensure or registration shall do the following:

11 (1) Integrate all of the following throughout its curriculum:

12 (A) Marriage and family therapy principles.

13 (B) The principles of mental health recovery-oriented care and  
14 methods of service delivery in recovery-oriented practice  
15 environments, among others.

16 (C) An understanding of various cultures and the social and  
17 psychological implications of socioeconomic position, and an  
18 understanding of how poverty and social stress impact an  
19 individual's mental health and recovery.

20 (2) Allow for innovation and individuality in the education of  
21 marriage and family therapists.

22 (3) Encourage students to develop the personal qualities that  
23 are intimately related to effective practice, including, but not  
24 limited to, integrity, sensitivity, flexibility, insight, compassion,  
25 and personal presence.

26 (4) Permit an emphasis or specialization that may address any  
27 one or more of the unique and complex array of human problems,  
28 symptoms, and needs of Californians served by marriage and  
29 family therapists.

30 (5) Provide students with the opportunity to meet with various  
31 consumers and family members of consumers of mental health  
32 services to enhance understanding of their experience of mental  
33 illness, treatment, and recovery.

34 (d) The degree described in subdivision (b) shall contain no less  
35 than 60 semester or 90 quarter units of instruction that includes,  
36 but is not limited to, the following requirements:

37 (1) Both of the following:

38 (A) No less than 12 semester or 18 quarter units of coursework  
39 in theories, principles, and methods of a variety of  
40 psychotherapeutic orientations directly related to marriage and

1 family therapy and marital and family systems approaches to  
2 treatment and how these theories can be applied therapeutically  
3 with individuals, couples, families, adults, including elder adults,  
4 children, adolescents, and groups to improve, restore, or maintain  
5 healthy relationships.

6 (B) Practicum that involves direct client contact, as follows:

7 (i) A minimum of six semester or nine quarter units of practicum  
8 in a supervised clinical placement that provides supervised  
9 fieldwork experience.

10 (ii) A minimum of 150 hours of face-to-face experience  
11 counseling individuals, couples, families, or groups.

12 (iii) A student must be enrolled in a practicum course while  
13 counseling clients, except as specified in subdivision (c) of Section  
14 4980.42.

15 (iv) The practicum shall provide training in all of the following  
16 areas:

17 (I) Applied use of theory and psychotherapeutic techniques.

18 (II) Assessment, diagnosis, and prognosis.

19 (III) Treatment of individuals and premarital, couple, family,  
20 and child relationships, including trauma and abuse, dysfunctions,  
21 healthy functioning, health promotion, illness prevention, and  
22 working with families.

23 (IV) Professional writing, including documentation of services,  
24 treatment plans, and progress notes.

25 (V) How to connect people with resources that deliver the  
26 quality of services and support needed in the community.

27 (v) Educational institutions are encouraged to design the  
28 practicum required by this subparagraph to include marriage and  
29 family therapy experience in low income and multicultural mental  
30 health settings.

31 (vi) In addition to the 150 hours required in clause (ii), 75 hours  
32 of either of the following, *or a combination thereof*:

33 (I) Client centered advocacy, as defined in Section 4980.03.

34 (II) Face-to-face experience counseling individuals, couples,  
35 families, or groups.

36 (2) Instruction in all of the following:

37 (A) Diagnosis, assessment, prognosis, and treatment of mental  
38 disorders, including severe mental disorders, evidence-based  
39 practices, psychological testing, psychopharmacology, and

1 promising mental health practices that are evaluated in peer  
2 reviewed literature.

3 (B) Developmental issues from infancy to old age, including  
4 instruction in all of the following areas:

5 (i) The effects of developmental issues on individuals, couples,  
6 and family relationships.

7 (ii) The psychological, psychotherapeutic, and health  
8 implications of developmental issues and their effects.

9 (iii) Aging and its biological, social, cognitive, and  
10 psychological aspects. This coursework shall include instruction  
11 on the assessment and reporting of, as well as treatment related  
12 to, elder and dependent adult abuse and neglect.

13 (iv) A variety of cultural understandings of human development.

14 (v) The understanding of human behavior within the social  
15 context of socioeconomic status and other contextual issues  
16 affecting social position.

17 (vi) The understanding of human behavior within the social  
18 context of a representative variety of the cultures found within  
19 California.

20 (vii) The understanding of the impact that personal and social  
21 insecurity, social stress, low educational levels, inadequate housing,  
22 and malnutrition have on human development.

23 (C) The broad range of matters and life events that may arise  
24 within marriage and family relationships and within a variety of  
25 California cultures, including instruction in all of the following:

26 (i) A minimum of seven contact hours of training or coursework  
27 in child abuse assessment and reporting as specified in Section 28,  
28 and any regulations promulgated thereunder.

29 (ii) Spousal or partner abuse assessment, detection, intervention  
30 strategies, and same gender abuse dynamics.

31 (iii) Cultural factors relevant to abuse of partners and family  
32 members.

33 (iv) Childbirth, child rearing, parenting, and stepparenting.

34 (v) Marriage, divorce, and blended families.

35 (vi) Long-term care.

36 (vii) End of life and grief.

37 (viii) Poverty and deprivation.

38 (ix) Financial and social stress.

39 (x) Effects of trauma.

1 (xi) The psychological, psychotherapeutic, community, and  
2 health implications of the matters and life events described in  
3 clauses (i) to (x), inclusive.

4 (D) Cultural competency and sensitivity, including a familiarity  
5 with the racial, cultural, linguistic, and ethnic backgrounds of  
6 persons living in California.

7 (E) Multicultural development and cross-cultural interaction,  
8 including experiences of race, ethnicity, class, spirituality, sexual  
9 orientation, gender, and disability, and their incorporation into the  
10 psychotherapeutic process.

11 (F) The effects of socioeconomic status on treatment and  
12 available resources.

13 (G) Resilience, including the personal and community qualities  
14 that enable persons to cope with adversity, trauma, tragedy, threats,  
15 or other stresses.

16 (H) Human sexuality, including the study of physiological,  
17 psychological, and social cultural variables associated with sexual  
18 behavior and gender identity, and the assessment and treatment of  
19 psychosexual dysfunction.

20 (I) Substance use disorders, cooccurring disorders, and addiction,  
21 including, but not limited to, instruction in all of the following:

22 (i) The definition of substance use disorders, cooccurring  
23 disorders, and addiction. For purposes of this subparagraph,  
24 “cooccurring disorders” means a mental illness and substance  
25 abuse diagnosis occurring simultaneously in an individual.

26 (ii) Medical aspects of substance use disorders and cooccurring  
27 disorders.

28 (iii) The effects of psychoactive drug use.

29 (iv) Current theories of the etiology of substance abuse and  
30 addiction.

31 (v) The role of persons and systems that support or compound  
32 substance abuse and addiction.

33 (vi) Major approaches to identification, evaluation, and treatment  
34 of substance use disorders, cooccurring disorders, and addiction,  
35 including, but not limited to, best practices.

36 (vii) Legal aspects of substance abuse.

37 (viii) Populations at risk with regard to substance use disorders  
38 and cooccurring disorders.

39 (ix) Community resources offering screening, assessment,  
40 treatment, and followup for the affected person and family.

- 1 (x) Recognition of substance use disorders, cooccurring  
2 disorders, and addiction, and appropriate referral.
- 3 (xi) The prevention of substance use disorders and addiction.
- 4 (J) California law and professional ethics for marriage and  
5 family therapists, including instruction in all of the following areas  
6 of study:
- 7 (i) Contemporary professional ethics and statutory, regulatory,  
8 and decisional laws that delineate the scope of practice of marriage  
9 and family therapy.
- 10 (ii) The therapeutic, clinical, and practical considerations  
11 involved in the legal and ethical practice of marriage and family  
12 therapy, including, but not limited to, family law.
- 13 (iii) The current legal patterns and trends in the mental health  
14 professions.
- 15 (iv) The psychotherapist-patient privilege, confidentiality, the  
16 patient dangerous to self or others, and the treatment of minors  
17 with and without parental consent.
- 18 (v) A recognition and exploration of the relationship between  
19 a practitioner's sense of self and human values and his or her  
20 professional behavior and ethics.
- 21 (vi) Differences in legal and ethical standards for different types  
22 of work settings.
- 23 (vii) Licensing law and licensing process.
- 24 (e) The degree described in subdivision (b) shall, in addition to  
25 meeting the requirements of subdivision (d), include instruction  
26 in case management, systems of care for the severely mentally ill,  
27 public and private services and supports available for the severely  
28 mentally ill, community resources for persons with mental illness  
29 and for victims of abuse, disaster and trauma response, advocacy  
30 for the severely mentally ill, and collaborative treatment. This  
31 instruction may be provided either in credit level coursework or  
32 through extension programs offered by the degree-granting  
33 institution.
- 34 (f) The changes made to law by this section are intended to  
35 improve the educational qualifications for licensure in order to  
36 better prepare future licentiates for practice, and are not intended  
37 to expand or restrict the scope of practice for marriage and family  
38 therapists.

1 ~~SEC. 12.~~

2 *SEC. 18.* Section 4980.37 of the Business and Professions Code  
3 is amended to read:

4 4980.37. (a) This section shall apply to applicants for licensure  
5 or registration who begin graduate study before August 1, 2012,  
6 and complete that study on or before December 31, 2018. Those  
7 applicants may alternatively qualify under paragraph (2) of  
8 subdivision (a) of Section 4980.36.

9 (b) To qualify for a license or registration, applicants shall  
10 possess a doctor's or master's degree in marriage, family, and child  
11 counseling, marriage and family therapy, couple and family  
12 therapy, psychology, clinical psychology, counseling psychology,  
13 or counseling with an emphasis in either marriage, family, and  
14 child counseling or marriage and family therapy, obtained from a  
15 school, college, or university accredited by a regional accrediting  
16 agency that is recognized by the United States Department of  
17 Education or approved by the Bureau for Private Postsecondary  
18 Education. The board has the authority to make the final  
19 determination as to whether a degree meets all requirements,  
20 including, but not limited to, course requirements, regardless of  
21 accreditation or approval. In order to qualify for licensure pursuant  
22 to this section, a doctor's or master's degree program shall be a  
23 single, integrated program primarily designed to train marriage  
24 and family therapists and shall contain no less than 48 semester  
25 or 72 quarter units of instruction. This instruction shall include no  
26 less than 12 semester units or 18 quarter units of coursework in  
27 the areas of marriage, family, and child counseling, and marital  
28 and family systems approaches to treatment. The coursework shall  
29 include all of the following areas:

30 (1) The salient theories of a variety of psychotherapeutic  
31 orientations directly related to marriage and family therapy, and  
32 marital and family systems approaches to treatment.

33 (2) Theories of marriage and family therapy and how they can  
34 be utilized in order to intervene therapeutically with couples,  
35 families, adults, children, and groups.

36 (3) Developmental issues and life events from infancy to old  
37 age and their effect on individuals, couples, and family  
38 relationships. This may include coursework that focuses on specific  
39 family life events and the psychological, psychotherapeutic, and  
40 health implications that arise within couples and families,

1 including, but not limited to, childbirth, child rearing, childhood,  
2 adolescence, adulthood, marriage, divorce, blended families,  
3 stepparenting, abuse and neglect of older and dependent adults,  
4 and geropsychology.

5 (4) A variety of approaches to the treatment of children.

6 The board shall, by regulation, set forth the subjects of instruction  
7 required in this subdivision.

8 (c) (1) In addition to the 12 semester or 18 quarter units of  
9 coursework specified in subdivision (b), the doctor's or master's  
10 degree program shall contain not less than six semester or nine  
11 quarter units of supervised practicum in applied psychotherapeutic  
12 technique, assessments, diagnosis, prognosis, and treatment of  
13 premarital, couple, family, and child relationships, including  
14 dysfunctions, healthy functioning, health promotion, and illness  
15 prevention, in a supervised clinical placement that provides  
16 supervised fieldwork experience within the scope of practice of a  
17 marriage and family therapist.

18 (2) For applicants who enrolled in a degree program on or after  
19 January 1, 1995, the practicum shall include a minimum of 150  
20 hours of face-to-face experience counseling individuals, couples,  
21 families, or groups.

22 (3) The practicum hours shall be considered as part of the 48  
23 semester or 72 quarter unit requirement.

24 (d) As an alternative to meeting the qualifications specified in  
25 subdivision (b), the board shall accept as equivalent degrees those  
26 master's or doctor's degrees granted by educational institutions  
27 whose degree program is approved by the Commission on  
28 Accreditation for Marriage and Family Therapy Education.

29 (e) In order to provide an integrated course of study and  
30 appropriate professional training, while allowing for innovation  
31 and individuality in the education of marriage and family therapists,  
32 a degree program that meets the educational qualifications for  
33 licensure or registration under this section shall do all of the  
34 following:

35 (1) Provide an integrated course of study that trains students  
36 generally in the diagnosis, assessment, prognosis, and treatment  
37 of mental disorders.

38 (2) Prepare students to be familiar with the broad range of  
39 matters that may arise within marriage and family relationships.

1 (3) Train students specifically in the application of marriage  
2 and family relationship counseling principles and methods.

3 (4) Encourage students to develop those personal qualities that  
4 are intimately related to the counseling situation such as integrity,  
5 sensitivity, flexibility, insight, compassion, and personal presence.

6 (5) Teach students a variety of effective psychotherapeutic  
7 techniques and modalities that may be utilized to improve, restore,  
8 or maintain healthy individual, couple, and family relationships.

9 (6) Permit an emphasis or specialization that may address any  
10 one or more of the unique and complex array of human problems,  
11 symptoms, and needs of Californians served by marriage and  
12 family therapists.

13 (7) Prepare students to be familiar with cross-cultural mores  
14 and values, including a familiarity with the wide range of racial  
15 and ethnic backgrounds common among California's population,  
16 including, but not limited to, Blacks, Hispanics, Asians, and Native  
17 Americans.

18 (f) Educational institutions are encouraged to design the  
19 practicum required by this section to include marriage and family  
20 therapy experience in low income and multicultural mental health  
21 settings.

22 (g) This section shall remain in effect only until January 1, 2019,  
23 and as of that date is repealed, unless a later enacted statute, that  
24 is enacted before January 1, 2019, deletes or extends that date.

25 ~~SEC. 13.~~

26 *SEC. 19.* Section 4980.399 of the Business and Professions  
27 Code is amended to read:

28 4980.399. (a) Except as provided in subdivision (a) of Section  
29 4980.398, each applicant and registrant shall obtain a passing score  
30 on a board-administered California law and ethics examination in  
31 order to qualify for licensure.

32 (b) A registrant shall participate in a board-administered  
33 California law and ethics examination prior to his or her registration  
34 renewal.

35 (c) Notwithstanding subdivision (b), an applicant who holds a  
36 registration eligible for renewal, *with an expiration date no later*  
37 *than June 30, 2016*, and who applies for renewal of that registration  
38 between January 1, 2016, and June 30, 2016, shall, if eligible, be  
39 allowed to renew the registration without first participating in the  
40 California law and ethics examination. These applicants shall

1 participate in the California law and ethics examination in the next  
2 renewal cycle, and shall pass the examination prior to licensure or  
3 issuance of a subsequent registration number, as specified in this  
4 section.

5 (d) If an applicant fails the California law and ethics  
6 examination, he or she may retake the examination, upon payment  
7 of the required fees, without further application except as provided  
8 in subdivision (e).

9 (e) If a registrant fails to obtain a passing score on the California  
10 law and ethics examination described in subdivision (a) within his  
11 or her ~~first~~ renewal period on or after the operative date of this  
12 section, he or she shall complete, at a minimum, a 12-hour course  
13 in California law and ethics in order to be eligible to participate  
14 in the California law and ethics examination. Registrants shall only  
15 take the 12-hour California law and ethics course once during a  
16 renewal period. The 12-hour law and ethics course required by  
17 this section shall be taken through a board-approved continuing  
18 education provider, a county, state or governmental entity, or a  
19 college or university.

20 (f) The board shall not issue a subsequent registration number  
21 unless the registrant has passed the California law and ethics  
22 examination.

23 (g) Notwithstanding subdivision (f), an applicant who holds or  
24 has held a registration, *with an expiration date no later than*  
25 *January 1, 2017*, and who applies for a subsequent registration  
26 number between January 1, 2016, and January 1, 2017, shall, if  
27 eligible, be allowed to obtain the subsequent registration number  
28 without first passing the California law and ethics examination, ~~if~~  
29 ~~the applicant passes examination. These applicants shall pass the~~  
30 ~~California law and ethics examination at during the next renewal~~  
31 ~~period or prior to licensure, whichever occurs first.~~

32 (h) This section shall become operative on January 1, 2016.

33 ~~SEC. 14.~~

34 ~~SEC. 20.~~ Section 4980.41 of the Business and Professions Code  
35 is amended to read:

36 4980.41. (a) An applicant for licensure whose education  
37 qualifies him or her under Section 4980.37 shall complete the  
38 following coursework or training in order to be eligible to sit for  
39 the licensing examinations as specified in subdivision (d) of Section  
40 4980.40:

1 (1) A two semester or three quarter unit course in California  
2 law and professional ethics for marriage and family therapists,  
3 which shall include, but not be limited to, the following areas of  
4 study:

5 (A) Contemporary professional ethics and statutory, regulatory,  
6 and decisional laws that delineate the profession's scope of  
7 practice.

8 (B) The therapeutic, clinical, and practical considerations  
9 involved in the legal and ethical practice of marriage and family  
10 therapy, including family law.

11 (C) The current legal patterns and trends in the mental health  
12 profession.

13 (D) The psychotherapist-patient privilege, confidentiality, the  
14 patient dangerous to self or others, and the treatment of minors  
15 with and without parental consent.

16 (E) A recognition and exploration of the relationship between  
17 a practitioner's sense of self and human values and his or her  
18 professional behavior and ethics.

19 This course may be considered as part of the 48 semester or 72  
20 quarter unit requirements contained in Section 4980.37.

21 (2) A minimum of seven contact hours of training or coursework  
22 in child abuse assessment and reporting as specified in Section 28  
23 and any regulations promulgated thereunder.

24 (3) A minimum of 10 contact hours of training or coursework  
25 in human sexuality as specified in Section 25, and any regulations  
26 promulgated thereunder. When coursework in a master's or  
27 doctor's degree program is acquired to satisfy this requirement, it  
28 shall be considered as part of the 48 semester or 72 quarter unit  
29 requirement contained in Section 4980.37.

30 (4) For persons who began graduate study on or after January  
31 1, 1986, a master's or doctor's degree qualifying for licensure shall  
32 include specific instruction in alcoholism and other chemical  
33 substance dependency as specified by regulation. When coursework  
34 in a master's or doctor's degree program is acquired to satisfy this  
35 requirement, it shall be considered as part of the 48 semester or  
36 72 quarter unit requirement contained in Section 4980.37.  
37 Coursework required under this paragraph may be satisfactory if  
38 taken either in fulfillment of other educational requirements for  
39 licensure or in a separate course. The applicant may satisfy this  
40 requirement by successfully completing this coursework from a

1 master's or doctoral degree program at an accredited or approved  
2 institution, as described in subdivision (b) of Section 4980.37, or  
3 from a board-accepted provider of continuing education, as  
4 described in Section 4980.54.

5 (5) For persons who began graduate study during the period  
6 commencing on January 1, 1995, and ending on December 31,  
7 2003, a master's or doctor's degree qualifying for licensure shall  
8 include coursework in spousal or partner abuse assessment,  
9 detection, and intervention. For persons who began graduate study  
10 on or after January 1, 2004, a master's or doctor's degree qualifying  
11 for licensure shall include a minimum of 15 contact hours of  
12 coursework in spousal or partner abuse assessment, detection, and  
13 intervention strategies, including knowledge of community  
14 resources, cultural factors, and same gender abuse dynamics.  
15 Coursework required under this paragraph may be satisfactory if  
16 taken either in fulfillment of other educational requirements for  
17 licensure or in a separate course. The applicant may satisfy this  
18 requirement by successfully completing this coursework from a  
19 master's or doctoral degree program at an accredited or approved  
20 institution, as described in subdivision (b) of Section 4980.37, or  
21 from a board-accepted provider of continuing education, as  
22 described in Section 4980.54.

23 (6) For persons who began graduate study on or after January  
24 1, 2001, an applicant shall complete a minimum of a two semester  
25 or three quarter unit survey course in psychological testing. When  
26 coursework in a master's or doctor's degree program is acquired  
27 to satisfy this requirement, it may be considered as part of the 48  
28 semester or 72 quarter unit requirement of Section 4980.37.

29 (7) For persons who began graduate study on or after January  
30 1, 2001, an applicant shall complete a minimum of a two semester  
31 or three quarter unit survey course in psychopharmacology. When  
32 coursework in a master's or doctor's degree program is acquired  
33 to satisfy this requirement, it may be considered as part of the 48  
34 semester or 72 quarter unit requirement of Section 4980.37.

35 (8) The requirements added by paragraphs (6) and (7) are  
36 intended to improve the educational qualifications for licensure in  
37 order to better prepare future licentiates for practice and are not  
38 intended in any way to expand or restrict the scope of practice for  
39 licensed marriage and family therapists.

1 (b) This section shall remain in effect only until January 1, 2019,  
2 and as of that date is repealed, unless a later enacted statute, that  
3 is enacted before January 1, 2019, deletes or extends that date.

4 ~~SEC. 15.~~

5 *SEC. 21.* Section 4980.43 of the Business and Professions Code  
6 is amended to read:

7 4980.43. (a) Prior to applying for licensure examinations, each  
8 applicant shall complete experience that shall comply with the  
9 following:

10 (1) A minimum of 3,000 hours completed during a period of at  
11 least 104 weeks.

12 (2) Not more than 40 hours in any seven consecutive days.

13 (3) Not less than 1,700 hours of supervised experience  
14 completed subsequent to the granting of the qualifying master's  
15 or doctoral degree.

16 (4) (A) Not more than 1,300 hours of supervised experience  
17 obtained prior to completing a master's or doctoral degree.

18 (B) The applicant shall not be credited with more than 750 hours  
19 of counseling and direct supervisor contact prior to completing  
20 the master's or doctoral degree.

21 (5) No hours of experience may be gained prior to completing  
22 either 12 semester units or 18 quarter units of graduate instruction  
23 and becoming a trainee except for personal psychotherapy.

24 (6) No hours of experience may be gained more than six years  
25 prior to the date the application for examination eligibility was  
26 filed, except that up to 500 hours of clinical experience gained in  
27 the supervised practicum required by subdivision (c) of Section  
28 4980.37 and subparagraph (B) of paragraph (1) of subdivision (d)  
29 of Section 4980.36 shall be exempt from this six-year requirement.

30 (7) Not more than a combined total of 1,000 hours of experience  
31 in the following:

32 (A) Direct supervisor contact.

33 (B) Professional enrichment activities. For purposes of this  
34 chapter, "professional enrichment activities" include the following:

35 (i) Workshops, seminars, training sessions, or conferences  
36 directly related to marriage and family therapy attended by the  
37 applicant that are approved by the applicant's supervisor. An  
38 applicant shall have no more than 250 hours of verified attendance  
39 at these workshops, seminars, training sessions, or conferences.

1 (ii) Participation by the applicant in personal psychotherapy,  
2 which includes group, marital or conjoint, family, or individual  
3 psychotherapy by an appropriately licensed professional. An  
4 applicant shall have no more than 100 hours of participation in  
5 personal psychotherapy. The applicant shall be credited with three  
6 hours of experience for each hour of personal psychotherapy.

7 (8) Not more than 500 hours of experience providing group  
8 therapy or group counseling.

9 (9) For all hours gained on or after January 1, 2012, not more  
10 than 500 hours of experience in the following:

11 (A) Experience administering and evaluating psychological  
12 tests, writing clinical reports, writing progress notes, or writing  
13 process notes.

14 (B) Client centered advocacy.

15 (10) Not less than 500 total hours of experience in diagnosing  
16 and treating couples, families, and children. For up to 150 hours  
17 of treating couples and families in conjoint therapy, the applicant  
18 shall be credited with two hours of experience for each hour of  
19 therapy provided.

20 (11) Not more than 375 hours of experience providing personal  
21 psychotherapy, crisis counseling, or other counseling services via  
22 telehealth in accordance with Section 2290.5.

23 (12) It is anticipated and encouraged that hours of experience  
24 will include working with elders and dependent adults who have  
25 physical or mental limitations that restrict their ability to carry out  
26 normal activities or protect their rights.

27 This subdivision shall only apply to hours gained on and after  
28 January 1, 2010.

29 (b) All applicants, trainees, and registrants shall be at all times  
30 under the supervision of a supervisor who shall be responsible for  
31 ensuring that the extent, kind, and quality of counseling performed  
32 is consistent with the training and experience of the person being  
33 supervised, and who shall be responsible to the board for  
34 compliance with all laws, rules, and regulations governing the  
35 practice of marriage and family therapy. Supervised experience  
36 shall be gained by interns and trainees only as an employee or as  
37 a volunteer. The requirements of this chapter regarding gaining  
38 hours of experience and supervision are applicable equally to  
39 employees and volunteers. Experience shall not be gained by  
40 interns or trainees as an independent contractor.

1 (1) If employed, an intern shall provide the board with copies  
2 of the corresponding W-2 tax forms for each year of experience  
3 claimed upon application for licensure.

4 (2) If volunteering, an intern shall provide the board with a letter  
5 from his or her employer verifying the intern’s employment as a  
6 volunteer upon application for licensure.

7 (c) Except for experience gained pursuant to subparagraph (B)  
8 of paragraph (7) of subdivision (a), supervision shall include at  
9 least one hour of direct supervisor contact in each week for which  
10 experience is credited in each work setting, as specified:

11 (1) A trainee shall receive an average of at least one hour of  
12 direct supervisor contact for every five hours of client contact in  
13 each setting.

14 (2) An individual supervised after being granted a qualifying  
15 degree shall receive at least one additional hour of direct supervisor  
16 contact for every week in which more than 10 hours of client  
17 contact is gained in each setting. No more than five hours of  
18 supervision, whether individual or group, shall be credited during  
19 any single week.

20 (3) For purposes of this section, “one hour of direct supervisor  
21 contact” means one hour per week of face-to-face contact on an  
22 individual basis or two hours per week of face-to-face contact in  
23 a group.

24 (4) Direct supervisor contact shall occur within the same week  
25 as the hours claimed.

26 (5) Direct supervisor contact provided in a group shall be  
27 provided in a group of not more than eight supervisees and in  
28 segments lasting no less than one continuous hour.

29 (6) Notwithstanding paragraph (3), an intern working in a  
30 governmental entity, a school, a college, or a university, or an  
31 institution that is both nonprofit and charitable may obtain the  
32 required weekly direct supervisor contact via two-way, real-time  
33 videoconferencing. The supervisor shall be responsible for ensuring  
34 that client confidentiality is upheld.

35 (7) All experience gained by a trainee shall be monitored by the  
36 supervisor as specified by regulation.

37 (d) (1) A trainee may be credited with supervised experience  
38 completed in any setting that meets all of the following:

39 (A) Lawfully and regularly provides mental health counseling  
40 or psychotherapy.

1 (B) Provides oversight to ensure that the trainee’s work at the  
2 setting meets the experience and supervision requirements set forth  
3 in this chapter and is within the scope of practice for the profession  
4 as defined in Section 4980.02.

5 (C) Is not a private practice owned by a licensed marriage and  
6 family therapist, a licensed professional clinical counselor, a  
7 licensed psychologist, a licensed clinical social worker, a licensed  
8 physician and surgeon, or a professional corporation of any of  
9 those licensed professions.

10 (2) Experience may be gained by the trainee solely as part of  
11 the position for which the trainee volunteers or is employed.

12 (e) (1) An intern may be credited with supervised experience  
13 completed in any setting that meets both of the following:

14 (A) Lawfully and regularly provides mental health counseling  
15 or psychotherapy.

16 (B) Provides oversight to ensure that the intern’s work at the  
17 setting meets the experience and supervision requirements set forth  
18 in this chapter and is within the scope of practice for the profession  
19 as defined in Section 4980.02.

20 (2) An applicant shall not be employed or volunteer in a private  
21 practice, as defined in subparagraph (C) of paragraph (1) of  
22 subdivision (d), until registered as an intern.

23 (3) While an intern may be either a paid employee or a  
24 volunteer, employers are encouraged to provide fair remuneration  
25 to interns.

26 (4) Except for periods of time during a supervisor’s vacation or  
27 sick leave, an intern who is employed or volunteering in private  
28 practice shall be under the direct supervision of a licensee that has  
29 satisfied the requirements of subdivision (g) of Section 4980.03.  
30 The supervising licensee shall either be employed by and practice  
31 at the same site as the intern’s employer, or shall be an owner or  
32 shareholder of the private practice. Alternative supervision may  
33 be arranged during a supervisor’s vacation or sick leave if the  
34 supervision meets the requirements of this section.

35 (5) Experience may be gained by the intern solely as part of the  
36 position for which the intern volunteers or is employed.

37 (f) Except as provided in subdivision (g), all persons shall  
38 register with the board as an intern in order to be credited for  
39 postdegree hours of supervised experience gained toward licensure.

1 (g) Except when employed in a private practice setting, all  
2 postdegree hours of experience shall be credited toward licensure  
3 so long as the applicant applies for the intern registration within  
4 90 days of the granting of the qualifying master's or doctoral  
5 degree and is thereafter granted the intern registration by the board.

6 (h) Trainees, interns, and applicants shall not receive any  
7 remuneration from patients or clients, and shall only be paid by  
8 their employers.

9 (i) Trainees, interns, and applicants shall only perform services  
10 at the place where their employers regularly conduct business,  
11 which may include performing services at other locations, so long  
12 as the services are performed under the direction and control of  
13 their employer and supervisor, and in compliance with the laws  
14 and regulations pertaining to supervision. Trainees and interns  
15 shall have no proprietary interest in their employers' businesses  
16 and shall not lease or rent space, pay for furnishings, equipment,  
17 or supplies, or in any other way pay for the obligations of their  
18 employers.

19 (j) Trainees, interns, or applicants who provide volunteered  
20 services or other services, and who receive no more than a total,  
21 from all work settings, of five hundred dollars (\$500) per month  
22 as reimbursement for expenses actually incurred by those trainees,  
23 interns, or applicants for services rendered in any lawful work  
24 setting other than a private practice shall be considered an  
25 employee and not an independent contractor. The board may audit  
26 applicants who receive reimbursement for expenses, and the  
27 applicants shall have the burden of demonstrating that the payments  
28 received were for reimbursement of expenses actually incurred.

29 (k) Each educational institution preparing applicants for  
30 licensure pursuant to this chapter shall consider requiring, and  
31 shall encourage, its students to undergo individual, marital or  
32 conjoint, family, or group counseling or psychotherapy, as  
33 appropriate. Each supervisor shall consider, advise, and encourage  
34 his or her interns and trainees regarding the advisability of  
35 undertaking individual, marital or conjoint, family, or group  
36 counseling or psychotherapy, as appropriate. Insofar as it is deemed  
37 appropriate and is desired by the applicant, the educational  
38 institution and supervisors are encouraged to assist the applicant  
39 in locating that counseling or psychotherapy at a reasonable cost.

1     ~~SEC. 16.~~

2     *SEC. 22.* Section 4980.55 of the Business and Professions Code  
3 is amended to read:

4     4980.55. As a model for all therapeutic professions, and to  
5 acknowledge respect and regard for the consuming public, all  
6 licensed marriage and family therapists are encouraged to provide  
7 to each client, at an appropriate time and within the context of the  
8 psychotherapeutic relationship, an accurate and informative  
9 statement of the therapist’s experience, education, specialities,  
10 professional orientation, and any other information deemed  
11 appropriate by the licensee.

12     ~~SEC. 17.~~

13     *SEC. 23.* Section 4980.72 of the Business and Professions Code  
14 is amended to read:

15     4980.72. (a) This section applies to persons who are licensed  
16 outside of California and apply for licensure on or after January  
17 1, 2016.

18     (b) The board may issue a license to a person who, at the time  
19 of submitting an application for a license pursuant to this chapter,  
20 holds a valid license in good standing issued by a board of marriage  
21 counselor examiners, board of marriage and family therapists, or  
22 corresponding authority, of any state or country, if all of the  
23 following conditions are satisfied:

24     (1) The applicant’s education is substantially equivalent, as  
25 defined in Section 4980.78. The applicant’s degree title need not  
26 be identical to that required by Section 4980.36 or 4980.37.

27     (2) The applicant complies with Section 4980.76, if applicable.

28     (3) The applicant’s supervised experience is substantially  
29 equivalent to that required for a license under this chapter. The  
30 board shall consider hours of experience obtained outside of  
31 California during the six-year period immediately preceding the  
32 date the applicant initially obtained the license described above.

33     (4) The applicant passes the California law and ethics  
34 examination.

35     (5) The applicant passes a clinical examination designated by  
36 the board. An applicant who obtained his or her license or  
37 registration under another jurisdiction may apply for licensure with  
38 the board without taking the clinical examination if both of the  
39 following conditions are met:

1 (A) The applicant obtained a passing score on the licensing  
2 examination set forth in regulation as accepted by the board.

3 (B) The applicant’s license or registration in that jurisdiction is  
4 in good standing at the time of his or her application and is not  
5 revoked, suspended, surrendered, denied, or otherwise restricted  
6 or encumbered.

7 ~~SEC. 18.~~

8 *SEC. 24.* Section 4980.78 of the Business and Professions Code  
9 is amended to read:

10 4980.78. (a) This section applies to persons who apply for  
11 licensure or registration on or after January 1, 2016.

12 (b) For purposes of Sections 4980.72 and 4980.74, education  
13 is substantially equivalent if all of the following requirements are  
14 met:

15 (1) The degree is obtained from a school, college, or university  
16 accredited by an accrediting agency that is recognized by the  
17 United States Department of Education and consists of, at a  
18 minimum, 48 semester or 72 quarter units, including, but not  
19 limited to, both of the following:

20 (A) Six semester or nine quarter units of practicum, including,  
21 but not limited to, a minimum of 150 hours of face-to-face  
22 counseling.

23 (B) Twelve semester or 18 quarter units in the areas of marriage,  
24 family, and child counseling and marital and family systems  
25 approaches to treatment, as specified in subparagraph (A) of  
26 paragraph (1) of subdivision (d) of Section 4980.36.

27 (2) The applicant completes any units and course content  
28 requirements under subdivision (d) of Section 4980.36 not already  
29 completed in his or her education.

30 (3) The applicant completes credit level coursework from a  
31 degree-granting institution that provides all of the following:

32 (A) Instruction regarding the principles of mental health  
33 recovery-oriented care and methods of service delivery in recovery  
34 model practice environments.

35 (B) An understanding of various California cultures and the  
36 social and psychological implications of socioeconomic position.

37 (C) Structured meeting with various consumers and family  
38 members of consumers of mental health services to enhance  
39 understanding of their experience of mental illness, treatment, and  
40 recovery.

1 (D) Instruction in addiction and cooccurring substance abuse  
2 and mental health disorders, as specified in subparagraph (I) of  
3 paragraph (2) of subdivision (d) of Section 4980.36.

4 (4) The applicant completes an 18-hour course in California  
5 law and professional ethics. The content of the course shall include,  
6 but not be limited to, advertising, scope of practice, scope of  
7 competence, treatment of minors, confidentiality, dangerous  
8 patients, psychotherapist-patient privilege, recordkeeping, patient  
9 access to records, state and federal laws relating to confidentiality  
10 of patient health information, dual relationships, child abuse, elder  
11 and dependent adult abuse, online therapy, insurance  
12 reimbursement, civil liability, disciplinary actions and  
13 unprofessional conduct, ethics complaints and ethical standards,  
14 termination of therapy, standards of care, relevant family law,  
15 therapist disclosures to patients, differences in legal and ethical  
16 standards in different types of work settings, and licensing law  
17 and licensing process.

18 (5) The applicant's degree title need not be identical to that  
19 required by subdivision (b) of Section 4980.36.

20 ~~SEC. 19:~~

21 *SEC. 25.* Section 4987.5 of the Business and Professions Code  
22 is amended to read:

23 4987.5. A marriage and family therapy corporation is a  
24 corporation that is authorized to render professional services, as  
25 defined in Section 13401 of the Corporations Code, so long as that  
26 corporation and its shareholders, officers, directors, and employees  
27 rendering professional services who are licensed marriage and  
28 family therapists, physicians and surgeons, psychologists, licensed  
29 professional clinical counselors, licensed clinical social workers,  
30 registered nurses, chiropractors, or acupuncturists are in compliance  
31 with the Moscone-Knox Professional Corporation Act (Part 4  
32 (commencing with Section 13400) of Division 3 of Title 1 of the  
33 Corporations Code), this article, and any other statute or regulation  
34 pertaining to that corporation and the conduct of its affairs. With  
35 respect to a marriage and family therapy corporation, the  
36 governmental agency referred to in the Moscone-Knox Professional  
37 Corporation Act is the Board of Behavioral Sciences.

38 *SEC. 26.* Section 4989.16 of the Business and Professions Code  
39 is amended to read:

1 4989.16. (a) A person appropriately credentialed by the  
2 Commission on Teacher Credentialing may perform the functions  
3 authorized by that credential in a public school without a license  
4 issued under this chapter by the board.

5 (b) Nothing in this chapter shall be construed to constrict, limit,  
6 or withdraw the Medical Practice Act (Chapter 5 (commencing  
7 with Section 2000)), the Nursing Practice Act (Chapter 6  
8 (commencing with Section 2700)), the Psychology Licensing Law  
9 (Chapter 6.6 (commencing with Section 2900)), the Licensed  
10 Marriage and Family Therapist Practice Act (Chapter 13  
11 (commencing with Section 4980)), ~~or~~ the Clinical Social Worker  
12 Practice Act (Chapter 14 (commencing with Section 4991)), *or*  
13 *the Licensed Professional Clinical Counselor Act (Chapter 16*  
14 *(commencing with Section 4999.10)).*

15 *SEC. 27. Section 4989.22 of the Business and Professions Code*  
16 *is amended to read:*

17 4989.22. (a) Only persons who satisfy the requirements of  
18 Section 4989.20 are eligible to take the licensure examination.

19 (b) An applicant who fails the written examination may, within  
20 one year from the notification date of failure, retake the  
21 examination as regularly scheduled without further application.  
22 Thereafter, the applicant shall not be eligible for further  
23 examination until he or she files a new application, meets all  
24 current requirements, and pays all fees required.

25 (c) Notwithstanding any other provision of law, the board may  
26 destroy all examination materials two years after the date of an  
27 examination.

28 (d) The board shall not deny any applicant, whose application  
29 for licensure is complete, admission to the ~~standard~~ written  
30 examination, nor shall the board postpone or delay any applicant's  
31 ~~standard~~ written examination or delay informing the candidate of  
32 the results of the ~~standard~~ written examination, solely upon the  
33 receipt by the board of a complaint alleging acts or conduct that  
34 would constitute grounds to deny licensure.

35 ~~(e) If an applicant for examination who has passed the standard~~  
36 ~~written examination is the subject of a complaint or is under board~~  
37 ~~investigation for acts or conduct that, if proven to be true, would~~  
38 ~~constitute grounds for the board to deny licensure, the board shall~~  
39 ~~permit the applicant to take the clinical vignette written~~  
40 ~~examination for licensure, but may withhold the results of the~~

1 ~~examination or notify the applicant that licensure will not be~~  
2 ~~granted pending completion of the investigation.~~

3 ~~(f)~~

4 (e) Notwithstanding Section 135, the board may deny any  
5 applicant who has previously failed either the standard written or  
6 ~~clinical vignette~~ written examination permission to retake either  
7 the examination pending completion of the investigation of any  
8 complaint against the applicant. Nothing in this section shall  
9 prohibit the board from denying an applicant admission to any  
10 examination, withholding the results, or refusing to issue a license  
11 to any applicant when an accusation or statement of issues has  
12 been filed against the applicant pursuant to Section 11503 or 11504  
13 of the Government Code, or the applicant has been denied in  
14 accordance with subdivision (b) of Section 485.

15 ~~SEC. 20.~~

16 *SEC. 28.* Section 4992.09 of the Business and Professions Code  
17 is amended to read:

18 4992.09. (a) Except as provided in subdivision (a) of Section  
19 4992.07, an applicant and registrant shall obtain a passing score  
20 on a board-administered California law and ethics examination in  
21 order to qualify for licensure.

22 (b) A registrant shall participate in a board-administered  
23 California law and ethics examination prior to his or her registration  
24 renewal.

25 (c) Notwithstanding subdivision (b), an applicant who holds a  
26 registration eligible for renewal, *with an expiration date no later*  
27 *than June 30, 2016*, and who applies for renewal of that registration  
28 between January 1, 2016, and June 30, 2016, shall, if eligible, be  
29 allowed to renew the registration without first participating in the  
30 California law and ethics examination. These applicants shall  
31 participate in the California law and ethics examination in the next  
32 renewal cycle, and shall pass the examination prior to licensure or  
33 issuance of a subsequent registration number, as specified in this  
34 section.

35 (d) If an applicant fails the California law and ethics  
36 examination, he or she may retake the examination, upon payment  
37 of the required fees, without further application except for as  
38 provided in subdivision (e).

39 (e) If a registrant fails to obtain a passing score on the California  
40 law and ethics examination described in subdivision (a) within his

1 or her ~~first~~ renewal period on or after the operative date of this  
2 section, he or she shall complete, at a minimum, a 12-hour course  
3 in California law and ethics in order to be eligible to participate  
4 in the California law and ethics examination. Registrants shall only  
5 take the 12-hour California law and ethics course once during a  
6 renewal period. The 12-hour law and ethics course required by  
7 this section shall be taken through a board-approved continuing  
8 education provider, a county, state or governmental entity, or a  
9 college or university.

10 (f) The board shall not issue a subsequent registration number  
11 unless the registrant has passed the California law and ethics  
12 examination.

13 (g) Notwithstanding subdivision (f), an applicant who holds or  
14 has held a registration, *with an expiration date no later than*  
15 *January 1, 2017*, and who applies for a subsequent registration  
16 number between January 1, 2016, and January 1, 2017, shall, if  
17 eligible, be allowed to obtain the subsequent registration number  
18 without first passing the California law and ethics examination, ~~if~~  
19 ~~the applicant passes examination.~~ *These applicants shall pass the*  
20 *California law and ethics examination at during* the next renewal  
21 period or prior to licensure, whichever occurs first.

22 (h) This section shall become operative on January 1, 2016.

23 *SEC. 29. Section 4996.17 of the Business and Professions Code*  
24 *is amended to read:*

25 4996.17. (a) (1) Experience gained outside of California shall  
26 be accepted toward the licensure requirements if it is substantially  
27 the equivalent of the requirements of this chapter.

28 (2) Commencing January 1, 2014, an applicant with ~~experience~~  
29 *education* gained outside of California shall complete an 18-hour  
30 course in California law and professional ethics. The content of  
31 the course shall include, but not be limited to, the following:  
32 advertising, scope of practice, scope of competence, treatment of  
33 minors, confidentiality, dangerous patients, psychotherapist-patient  
34 privilege, recordkeeping, patient access to records, state and federal  
35 laws related to confidentiality of patient health information, dual  
36 relationships, child abuse, elder and dependent adult abuse, online  
37 therapy, insurance reimbursement, civil liability, disciplinary  
38 actions and unprofessional conduct, ethics complaints and ethical  
39 standards, termination of therapy, standards of care, relevant family  
40 law, therapist disclosures to patients, differences in legal and ethical

1 standards in different types of work settings, and licensing law  
2 and process.

3 (b) The board may issue a license to any person who, at the time  
4 of application, holds a valid active clinical social work license  
5 issued by a board of clinical social work examiners or  
6 corresponding authority of any state, if the person passes, or has  
7 passed, the licensing examinations as specified in Section 4996.1  
8 and pays the required fees. Issuance of the license is conditioned  
9 upon all of the following:

10 (1) The applicant has supervised experience that is substantially  
11 the equivalent of that required by this chapter. If the applicant has  
12 less than 3,200 hours of qualifying supervised experience, time  
13 actively licensed as a clinical social worker shall be accepted at a  
14 rate of 100 hours per month up to a maximum of 1,200 hours.

15 (2) Completion of the following coursework or training in or  
16 out of this state:

17 (A) A minimum of seven contact hours of training or coursework  
18 in child abuse assessment and reporting as specified in Section 28,  
19 and any regulations promulgated thereunder.

20 (B) A minimum of 10 contact hours of training or coursework  
21 in human sexuality as specified in Section 25, and any regulations  
22 promulgated thereunder.

23 (C) A minimum of 15 contact hours of training or coursework  
24 in alcoholism and other chemical substance dependency, as  
25 specified by regulation.

26 (D) A minimum of 15 contact hours of coursework or training  
27 in spousal or partner abuse assessment, detection, and intervention  
28 strategies.

29 (3) Commencing January 1, 2014, completion of an 18-hour  
30 course in California law and professional ethics. The content of  
31 the course shall include, but not be limited to, the following:  
32 advertising, scope of practice, scope of competence, treatment of  
33 minors, confidentiality, dangerous patients, psychotherapist-patient  
34 privilege, recordkeeping, patient access to records, state and federal  
35 laws related to confidentiality of patient health information, dual  
36 relationships, child abuse, elder and dependent adult abuse, online  
37 therapy, insurance reimbursement, civil liability, disciplinary  
38 actions and unprofessional conduct, ethics complaints and ethical  
39 standards, termination of therapy, standards of care, relevant family  
40 law, therapist disclosures to patients, differences in legal and ethical

1 standards in different types of work settings, and licensing law  
2 and process.

3 (4) The applicant's license is not suspended, revoked, restricted,  
4 sanctioned, or voluntarily surrendered in any state.

5 (5) The applicant is not currently under investigation in any  
6 other state, and has not been charged with an offense for any act  
7 substantially related to the practice of social work by any public  
8 agency, entered into any consent agreement or been subject to an  
9 administrative decision that contains conditions placed by an  
10 agency upon an applicant's professional conduct or practice,  
11 including any voluntary surrender of license, or been the subject  
12 of an adverse judgment resulting from the practice of social work  
13 that the board determines constitutes evidence of a pattern of  
14 incompetence or negligence.

15 (6) The applicant shall provide a certification from each state  
16 where he or she holds a license pertaining to licensure, disciplinary  
17 action, and complaints pending.

18 (7) The applicant is not subject to denial of licensure under  
19 Section 480, 4992.3, 4992.35, or 4992.36.

20 (c) The board may issue a license to any person who, at the time  
21 of application, holds a valid, active clinical social work license  
22 issued by a board of clinical social work examiners or a  
23 corresponding authority of any state, if the person has held that  
24 license for at least four years immediately preceding the date of  
25 application, the person passes, or has passed, the licensing  
26 examinations as specified in Section 4996.1, and the person pays  
27 the required fees. Issuance of the license is conditioned upon all  
28 of the following:

29 (1) Completion of the following coursework or training in or  
30 out of state:

31 (A) A minimum of seven contact hours of training or coursework  
32 in child abuse assessment and reporting as specified in Section 28,  
33 and any regulations promulgated thereunder.

34 (B) A minimum of 10 contact hours of training or coursework  
35 in human sexuality as specified in Section 25, and any regulations  
36 promulgated thereunder.

37 (C) A minimum of 15 contact hours of training or coursework  
38 in alcoholism and other chemical substance dependency, as  
39 specified by regulation.

1 (D) A minimum of 15 contact hours of coursework or training  
2 in spousal or partner abuse assessment, detection, and intervention  
3 strategies.

4 (2) Commencing January 1, 2014, completion of an 18-hour  
5 course in California law and professional ethics. The content of  
6 the course shall include, but not be limited to, the following:  
7 advertising, scope of practice, scope of competence, treatment of  
8 minors, confidentiality, dangerous patients, psychotherapist-patient  
9 privilege, recordkeeping, patient access to records, state and federal  
10 laws related to confidentiality of patient health information, dual  
11 relationships, child abuse, elder and dependent adult abuse, online  
12 therapy, insurance reimbursement, civil liability, disciplinary  
13 actions and unprofessional conduct, ethics complaints and ethical  
14 standards, termination of therapy, standards of care, relevant family  
15 law, therapist disclosures to patients, differences in legal and ethical  
16 standards in different types of work settings, and licensing law  
17 and process.

18 (3) The applicant has been licensed as a clinical social worker  
19 continuously for a minimum of four years prior to the date of  
20 application.

21 (4) The applicant's license is not suspended, revoked, restricted,  
22 sanctioned, or voluntarily surrendered in any state.

23 (5) The applicant is not currently under investigation in any  
24 other state, and has not been charged with an offense for any act  
25 substantially related to the practice of social work by any public  
26 agency, entered into any consent agreement or been subject to an  
27 administrative decision that contains conditions placed by an  
28 agency upon an applicant's professional conduct or practice,  
29 including any voluntary surrender of license, or been the subject  
30 of an adverse judgment resulting from the practice of social work  
31 that the board determines constitutes evidence of a pattern of  
32 incompetence or negligence.

33 (6) The applicant provides a certification from each state where  
34 he or she holds a license pertaining to licensure, disciplinary action,  
35 and complaints pending.

36 (7) The applicant is not subject to denial of licensure under  
37 Section 480, 4992.3, 4992.35, or 4992.36.

38 (d) Commencing January 1, 2016, an applicant who obtained  
39 his or her license or registration under another jurisdiction may  
40 apply for licensure with the board without taking the clinical

1 examination specified in Section 4996.1 if the applicant obtained  
2 a passing score on the licensing examination set forth in regulation  
3 as accepted by the board.

4 ~~SEC. 21.~~

5 *SEC. 30.* Section 4996.23 of the Business and Professions Code  
6 is amended to read:

7 4996.23. The experience required by subdivision (c) of Section  
8 4996.2 shall meet the following criteria:

9 (a) All persons registered with the board on and after January  
10 1, 2002, shall have at least 3,200 hours of post-master's degree  
11 supervised experience providing clinical social work services as  
12 permitted by Section 4996.9. At least 1,700 hours shall be gained  
13 under the supervision of a licensed clinical social worker. The  
14 remaining required supervised experience may be gained under  
15 the supervision of a licensed mental health professional acceptable  
16 to the board as defined by a regulation adopted by the board. This  
17 experience shall consist of the following:

18 (1) A minimum of 2,000 hours in clinical psychosocial  
19 diagnosis, assessment, and treatment, including psychotherapy or  
20 counseling.

21 (2) A maximum of 1,200 hours in client-centered advocacy,  
22 consultation, evaluation, and research.

23 (3) Of the 2,000 clinical hours required in paragraph (1), no less  
24 than 750 hours shall be face-to-face individual or group  
25 psychotherapy provided to clients in the context of clinical social  
26 work services.

27 (4) A minimum of two years of supervised experience is required  
28 to be obtained over a period of not less than 104 weeks and shall  
29 have been gained within the six years immediately preceding the  
30 date on which the application for licensure was filed.

31 (5) Experience shall not be credited for more than 40 hours in  
32 any week.

33 (b) "Supervision" means responsibility for, and control of, the  
34 quality of clinical social work services being provided.  
35 Consultation or peer discussion shall not be considered to be  
36 supervision.

37 (c) (1) Prior to the commencement of supervision, a supervisor  
38 shall comply with all requirements enumerated in Section 1870 of  
39 Title 16 of the California Code of Regulations and shall sign under

1 penalty of perjury the “Responsibility Statement for Supervisors  
2 of an Associate Clinical Social Worker” form.

3 (2) Supervised experience shall include at least one hour of  
4 direct supervisor contact for a minimum of 104 weeks. For  
5 purposes of this subdivision, “one hour of direct supervisor contact”  
6 means one hour per week of face-to-face contact on an individual  
7 basis or two hours of face-to-face contact in a group conducted  
8 within the same week as the hours claimed.

9 (3) An associate shall receive at least one additional hour of  
10 direct supervisor contact for every week in which more than 10  
11 hours of face-to-face psychotherapy is performed in each setting  
12 in which experience is gained. No more than five hours of  
13 supervision, whether individual or group, shall be credited during  
14 any single week.

15 (4) Group supervision shall be provided in a group of not more  
16 than eight supervisees and shall be provided in segments lasting  
17 no less than one continuous hour.

18 (5) Of the 104 weeks of required supervision, 52 weeks shall  
19 be individual supervision, and of the 52 weeks of required  
20 individual supervision, not less than 13 weeks shall be supervised  
21 by a licensed clinical social worker.

22 (6) Notwithstanding paragraph (2), an associate clinical social  
23 worker working for a governmental entity, school, college, or  
24 university, or an institution that is both a nonprofit and charitable  
25 institution, may obtain the required weekly direct supervisor  
26 contact via live two-way videoconferencing. The supervisor shall  
27 be responsible for ensuring that client confidentiality is preserved.

28 (d) The supervisor and the associate shall develop a supervisory  
29 plan that describes the goals and objectives of supervision. These  
30 goals shall include the ongoing assessment of strengths and  
31 limitations and the assurance of practice in accordance with the  
32 laws and regulations. The associate shall submit to the board the  
33 initial original supervisory plan upon application for licensure.

34 (e) Experience shall only be gained in a setting that meets both  
35 of the following:

36 (1) Lawfully and regularly provides clinical social work, mental  
37 health counseling, or psychotherapy.

38 (2) Provides oversight to ensure that the associate’s work at the  
39 setting meets the experience and supervision requirements set forth

1 in this chapter and is within the scope of practice for the profession  
2 as defined in Section 4996.9.

3 (f) Experience shall not be gained until the applicant has been  
4 registered as an associate clinical social worker.

5 (g) Employment in a private practice as defined in subdivision  
6 (h) shall not commence until the applicant has been registered as

7 an associate clinical social worker.

8 (h) A private practice setting is a setting that is owned by a  
9 licensed clinical social worker, a licensed marriage and family  
10 therapist, a licensed psychologist, a licensed professional clinical  
11 counselor, a licensed physician and surgeon, or a professional  
12 corporation of any of those licensed professions.

13 (i) If volunteering, the associate shall provide the board with a  
14 letter from his or her employer verifying his or her voluntary status  
15 upon application for licensure.

16 (j) If employed, the associate shall provide the board with copies  
17 of his or her W-2 tax forms for each year of experience claimed  
18 upon application for licensure.

19 (k) While an associate may be either a paid employee or  
20 volunteer, employers are encouraged to provide fair remuneration  
21 to associates.

22 (l) An associate shall not do the following:

23 (1) Receive any remuneration from patients or clients and shall  
24 only be paid by his or her employer.

25 (2) Have any proprietary interest in the employer's business.

26 (3) Lease or rent space, pay for furnishings, equipment, or  
27 supplies, or in any other way pay for the obligations of his or her  
28 employer.

29 (m) An associate, whether employed or volunteering, may obtain  
30 supervision from a person not employed by the associate's  
31 employer if that person has signed a written agreement with the  
32 employer to take supervisory responsibility for the associate's  
33 social work services.

34 (n) Notwithstanding any other provision of law, associates and  
35 applicants for examination shall receive a minimum of one hour  
36 of supervision per week for each setting in which he or she is  
37 working.

38 ~~SEC. 22.~~

39 *SEC. 31.* Section 4998 of the Business and Professions Code  
40 is amended to read:

1 4998. A licensed clinical social worker corporation is a  
2 corporation that is authorized to render professional services, as  
3 defined in Section 13401 of the Corporations Code, so long as that  
4 corporation and its shareholders, officers, directors, and employees  
5 rendering professional services who are licensed clinical social  
6 workers, physicians and surgeons, psychologists, licensed  
7 professional clinical counselors, licensed marriage and family  
8 therapists, registered nurses, chiropractors, or acupuncturists are  
9 in compliance with the Moscone-Knox Professional Corporation  
10 Act (Part 4 (commencing with Section 13400) of Division 3 of  
11 Title 1 of the Corporations Code), this article, and all other statutes  
12 and regulations now or hereafter enacted or adopted pertaining to  
13 that corporation and the conduct of its affairs. With respect to a  
14 licensed clinical social worker corporation, the governmental  
15 agency referred to in the Moscone-Knox Professional Corporation  
16 Act is the Board of Behavioral Sciences.

17 ~~SEC. 23.~~

18 *SEC. 32.* Section 4999.55 of the Business and Professions Code  
19 is amended to read:

20 4999.55. (a) Each applicant and registrant shall obtain a  
21 passing score on a board-administered California law and ethics  
22 examination in order to qualify for licensure.

23 (b) A registrant shall participate in a board-administered  
24 California law and ethics examination prior to his or her registration  
25 renewal.

26 (c) Notwithstanding subdivision (b), an applicant who holds a  
27 registration eligible for renewal, *with an expiration date no later*  
28 *than June 30, 2016*, and who applies for renewal of that registration  
29 between January 1, 2016, and June 30, 2016, shall, if eligible, be  
30 allowed to renew the registration without first participating in the  
31 California law and ethics examination. These applicants shall  
32 participate in the California law and ethics examination in the next  
33 renewal cycle, and shall pass the examination prior to licensure or  
34 issuance of a subsequent registration number, as specified in this  
35 section.

36 (d) If an applicant fails the California law and ethics  
37 examination, he or she may retake the examination, upon payment  
38 of the required fees, without further application, except as provided  
39 in subdivision (e).

1 (e) If a registrant fails to obtain a passing score on the California  
2 law and ethics examination described in subdivision (a) within his  
3 or her ~~first~~ renewal period on or after the operative date of this  
4 section, he or she shall complete, at minimum, a 12-hour course  
5 in California law and ethics in order to be eligible to participate  
6 in the California law and ethics examination. Registrants shall only  
7 take the 12-hour California law and ethics course once during a  
8 renewal period. The 12-hour law and ethics course required by  
9 this section shall be taken through a board-approved continuing  
10 education provider, a county, state, or governmental entity, or a  
11 college or university.

12 (f) The board shall not issue a subsequent registration number  
13 unless the registrant has passed the California law and ethics  
14 examination.

15 (g) Notwithstanding subdivision (f), an applicant who holds or  
16 has held a registration, *with an expiration date no later than*  
17 *January 1, 2017*, and who applies for a subsequent registration  
18 number between January 1, 2016, and January 1, 2017, shall, if  
19 eligible, be allowed to obtain the subsequent registration number  
20 without first passing the California law and ethics examination, if  
21 ~~the applicant passes examination. These applicants shall pass the~~  
22 *California law and ethics examination at during the next renewal*  
23 *period or prior to licensure, whichever occurs first.*

24 (h) This section shall become operative January 1, 2016.

25 ~~SEC. 24.~~

26 *SEC. 33.* Section 4999.58 of the Business and Professions Code  
27 is amended to read:

28 4999.58. (a) This section applies to a person who applies for  
29 examination eligibility between January 1, 2011, and December  
30 31, 2015, inclusive, and who meets both of the following  
31 requirements:

32 (1) At the time of application, holds a valid license as a  
33 professional clinical counselor, or other counseling license that  
34 allows the applicant to independently provide clinical mental health  
35 services, in another jurisdiction of the United States.

36 (2) Has held the license described in paragraph (1) for at least  
37 two years immediately preceding the date of application.

38 (b) The board may issue a license to a person described in  
39 subdivision (a) if all of the following requirements are satisfied:

1 (1) The education and supervised experience requirements of  
2 the other jurisdiction are substantially the equivalent of this chapter,  
3 as described in subdivision (e) and in Section 4999.46.

4 (2) The person complies with subdivision (b) of Section 4999.40,  
5 if applicable.

6 (3) The person successfully completes the examinations required  
7 by the board pursuant to paragraph (3) of subdivision (a) of Section  
8 4999.50. An applicant who obtained his or her license or  
9 registration under another jurisdiction by taking a national  
10 examination that is required by the board may apply for licensure  
11 with the board without retaking that examination if both of the  
12 following conditions are met:

13 (A) The applicant obtained a passing score on the national  
14 licensing examination that is required by the board.

15 (B) The applicant's license or registration in that jurisdiction is  
16 in good standing at the time of his or her application and is not  
17 revoked, suspended, surrendered, denied, or otherwise restricted  
18 or ~~encumbered~~. *encumbered*.

19 (4) The person pays the required fees.

20 (c) Experience gained outside of California shall be accepted  
21 toward the licensure requirements if it is substantially equivalent  
22 to that required by this chapter. The board shall consider hours of  
23 experience obtained in another state during the six-year period  
24 immediately preceding the applicant's initial licensure by that state  
25 as a licensed professional clinical counselor.

26 (d) Education gained while residing outside of California shall  
27 be accepted toward the licensure requirements if it is substantially  
28 equivalent to the education requirements of this chapter, and if the  
29 applicant has completed the training or coursework required under  
30 subdivision (e) of Section 4999.32, which includes, in addition to  
31 the course described in subparagraph (I) of paragraph (1) of  
32 subdivision (c) of Section 4999.32, an 18-hour course in California  
33 law and professional ethics for professional clinical counselors.

34 (e) For purposes of this section, the board may, in its discretion,  
35 accept education as substantially equivalent if the applicant's  
36 education meets the requirements of Section 4999.32. If the  
37 applicant's degree does not contain the content or the overall units  
38 required by Section 4999.32, the board may, in its discretion, accept  
39 the applicant's education as substantially equivalent if the following  
40 criteria are satisfied:

1 (1) The applicant's degree contains the required number of  
2 practicum units under paragraph (3) of subdivision (c) of Section  
3 4999.32.

4 (2) The applicant remediates his or her specific deficiency by  
5 completing the course content and units required by Section  
6 4999.32.

7 (3) The applicant's degree otherwise complies with this section.

8 (f) This section shall become inoperative on January 1, 2016,  
9 and as of that date is repealed, unless a later enacted statute, which  
10 is enacted before January 1, 2016, deletes or extends that date.

11 ~~SEC. 25.~~

12 *SEC. 34.* Section 4999.59 of the Business and Professions Code  
13 is amended to read:

14 4999.59. (a) This section applies to a person who applies for  
15 examination eligibility or registration between January 1, 2011,  
16 and December 31, 2015, inclusive, who meets both of the following  
17 requirements:

18 (1) At the time of application, holds a valid license described  
19 in paragraph (1) of subdivision (a) of Section 4999.58.

20 (2) Has held the license described in paragraph (1) for less than  
21 two years immediately preceding the date of application.

22 (b) Experience gained outside of California shall be accepted  
23 toward the licensure requirements if it is substantially equivalent  
24 to that required by this chapter, if the applicant complies with  
25 Section 4999.40, if applicable, and if the applicant has gained a  
26 minimum of 250 hours of supervised experience in direct  
27 counseling within California while registered as an intern with the  
28 board. The board shall consider hours of experience obtained in  
29 another state during the six-year period immediately preceding the  
30 applicant's initial licensure in that state as a professional clinical  
31 counselor.

32 (c) Education gained while residing outside of California shall  
33 be accepted toward the licensure requirements if it is substantially  
34 equivalent to the education requirements of this chapter, and if the  
35 applicant has completed the training or coursework required under  
36 subdivision (e) of Section 4999.32, which includes, in addition to  
37 the course described in subparagraph (I) of paragraph (1) of  
38 subdivision (c) of Section 4999.32, an 18-hour course in California  
39 law and professional ethics for professional clinical counselors.

1 (d) For purposes of this section, the board may, in its discretion,  
2 accept education as substantially equivalent if the applicant's  
3 education meets the requirements of Section 4999.32. If the  
4 applicant's degree does not contain the content or the overall units  
5 required by Section 4999.32, the board may, in its discretion, accept  
6 the applicant's education as substantially equivalent if the following  
7 criteria are satisfied:

8 (1) The applicant's degree contains the required number of  
9 practicum units under paragraph (3) of subdivision (c) of Section  
10 4999.32.

11 (2) The applicant remediates his or her specific deficiency by  
12 completing the course content and units required by Section  
13 4999.32.

14 (3) The applicant's degree otherwise complies with this section.

15 (e) An applicant who obtained his or her license or registration  
16 under another jurisdiction by taking a national examination that  
17 is required by the board may apply for licensure with the board  
18 without retaking that examination if both of the following  
19 conditions are met:

20 (1) The applicant obtained a passing score on the national  
21 licensing examination that is required by the board.

22 (2) The applicant's license or registration in that jurisdiction is  
23 in good standing at the time of his or her application and is not  
24 revoked, suspended, surrendered, denied, or otherwise restricted  
25 or encumbered.

26 (f) This section shall become inoperative on January 1, 2016,  
27 and as of that date is repealed, unless a later enacted statute, which  
28 is enacted before January 1, 2016, deletes or extends that date.

29 ~~SEC. 26.~~

30 *SEC. 35.* Section 4999.60 of the Business and Professions Code  
31 is amended to read:

32 4999.60. (a) This section applies to persons who are licensed  
33 outside of California and apply for examination eligibility on or  
34 after January 1, 2016.

35 (b) The board may issue a license to a person who, at the time  
36 of submitting an application for a license pursuant to this chapter,  
37 holds a valid license as a professional clinical counselor, or other  
38 counseling license that allows the applicant to independently  
39 provide clinical mental health services, in another jurisdiction of  
40 the United States, if all of the following conditions are satisfied:

1 (1) The applicant’s education is substantially equivalent, as  
2 defined in Section 4999.62.

3 (2) The applicant complies with subdivision (b) of Section  
4 4999.40, if applicable.

5 (3) The applicant’s supervised experience is substantially  
6 equivalent to that required for a license under this chapter. The  
7 board shall consider hours of experience obtained outside of  
8 California during the six-year period immediately preceding the  
9 date the applicant initially obtained the license described above.

10 (4) The applicant passes the examinations required to obtain a  
11 license under this chapter. An applicant who obtained his or her  
12 license or registration under another jurisdiction may apply for  
13 licensure with the board without taking the clinical examination  
14 if both of the following conditions are met:

15 (A) The applicant obtained a passing score on the licensing  
16 examination set forth in regulation as accepted by the board.

17 (B) The applicant’s license or registration in that jurisdiction is  
18 in good standing at the time of his or her application and is not  
19 revoked, suspended, surrendered, denied, or otherwise restricted  
20 or encumbered.

21 ~~SEC. 27.~~

22 *SEC. 36.* Section 4999.123 of the Business and Professions  
23 Code is amended to read:

24 4999.123. A professional clinical counselor corporation is a  
25 corporation that is authorized to render professional services, as  
26 defined in Section 13401 of the Corporations Code, so long as that  
27 corporation and its shareholders, officers, directors, and employees  
28 who are rendering professional services and who are licensed  
29 professional clinical counselors, licensed marriage and family  
30 therapists, physicians and surgeons, psychologists, licensed clinical  
31 social workers, registered nurses, chiropractors, or acupuncturists,  
32 are in compliance with the Moscone-Knox Professional  
33 Corporation Act (Part 4 (commencing with Section 13400) of  
34 Division 3 of Title 1 of the Corporations Code), this article, and  
35 any other statute or regulation pertaining to that corporation and  
36 the conduct of its affairs. With respect to a professional clinical  
37 counselor corporation, the term “governmental agency” in the  
38 Moscone-Knox Professional Corporation Act (Part 4 (commencing  
39 with Section 13400) of Division 3 of Title 1 of the Corporations  
40 Code) shall be construed to mean the Board of Behavioral Sciences.

1     ~~SEC. 28.~~

2     *SEC. 37.* Section 14132.55 of the Welfare and Institutions  
3 Code is amended to read:

4     14132.55. For the purposes of reimbursement under the  
5 Medi-Cal program, a speech pathologist or audiologist shall be  
6 licensed by the Speech-Language Pathology and Audiology  
7 Examining Committee of the Medical Board of California or  
8 similarly licensed by a comparable agency in the state in which  
9 he or she practices. Licensed speech-language pathologists or  
10 licensed audiologists are authorized to utilize and shall be  
11 reimbursed for the services of those personnel in the process of  
12 completing requirements under the provisions of subdivision (c)  
13 of Section 2532.2 of the Business and Professions Code.

14     ~~SEC. 29.~~

15     *SEC. 38.* No reimbursement is required by this act pursuant to  
16 Section 6 of Article XIII B of the California Constitution because  
17 the only costs that may be incurred by a local agency or school  
18 district will be incurred because this act creates a new crime or  
19 infraction, eliminates a crime or infraction, or changes the penalty  
20 for a crime or infraction, within the meaning of Section 17556 of  
21 the Government Code, or changes the definition of a crime within  
22 the meaning of Section 6 of Article XIII B of the California  
23 Constitution.