

AMENDED IN ASSEMBLY SEPTEMBER 3, 2015

AMENDED IN ASSEMBLY JULY 16, 2015

AMENDED IN ASSEMBLY JULY 13, 2015

AMENDED IN ASSEMBLY JUNE 8, 2015

AMENDED IN SENATE APRIL 20, 2015

**SENATE BILL**

**No. 800**

---

---

**Introduced by Committee on Business, Professions and Economic Development (Senators Hill (Chair), Bates, Berryhill, Block, Galgiani, Hernandez, Jackson, Mendoza, and Wieckowski)**

March 18, 2015

---

---

An act to amend Sections 28, 146, 500, 650.2, 800, 1603a, 1618.5, 1640.1, 1648.10, 1650, 1695, 1695.1, 1905.1, 1944, 2054, 2401, 2428, 2529, 2650, 2770, 2770.1, 2770.2, 2770.7, 2770.8, 2770.10, 2770.11, 2770.12, 2770.13, 2835.5, 3057, 3509.5, 4836.2, 4887, 4938, 4939, 4980.399, 4980.43, 4980.54, 4984.01, 4989.34, 4992.09, 4996.2, 4996.22, 4996.28, 4999.1, 4999.2, 4999.3, 4999.4, 4999.5, 4999.7, 4999.45, 4999.46, 4999.55, 4999.76, and 4999.100 of, to amend the heading of Article 3.1 (commencing with Section 2770) of Chapter 6 of Division 2 of, and to repeal Section 1917.2 of, the Business and Professions Code, relating to healing arts.

LEGISLATIVE COUNSEL'S DIGEST

SB 800, as amended, Committee on Business, Professions and Economic Development. Healing arts.

Under existing law, the Department of Consumer Affairs is comprised of various ~~boards, bureaus, commissions, committees, and similarly constituted agencies~~ *boards* that license and regulate the practice of

various professions and vocations, including those relating to the healing arts:

(1) Existing law requires persons applying for initial licensure or renewal of a license as a psychologist, clinical social worker, professional clinical counselor, or marriage and family therapist to have completed prescribed coursework or training in child abuse assessment and reporting. Existing law requires the training to have been obtained from an accredited or approved educational institution, a continuing education provider approved by the responsible board, or a course sponsored or offered by a professional association or a local, county, or state department of health or mental health for continuing education and approved by the responsible board.

This bill would require the responsible board to specify a continuing education provider for child abuse assessment and reporting coursework by regulation, and would permit the responsible board to approve or accept a sponsored or offered course.

(2) Existing law relating to unlicensed activity enforcement lists specified provisions that require registration, licensure, certification, or other authorization in order to engage in certain businesses or professions regulated by the department and, notwithstanding any other law, makes a violation of a listed provision punishable as an infraction under specified circumstances.

This bill would include in those listed provisions an existing requirement for the registration of individuals as certified polysomnographic technologists, polysomnographic technicians, and polysomnographic trainees.

The bill would also include in those listed provisions a provision of the Educational Psychologist Practice Act that makes it unlawful for any person to practice educational psychology or use any title or letters that imply that he or she is a licensed educational psychologist unless, at the time of so doing, he or she holds a valid, unexpired, and unrevoked license under that act, the violation of which is a misdemeanor. The bill would further include in those listed provisions existing requirements of the Licensed Professional Clinical Counselor Act that a person not practice or advertise the performance of professional clinical counseling services without a license issued by the board, and pay the license fee, as required by that act, the violation of which is a misdemeanor.

By creating new infractions, this bill would impose a state-mandated local program.

(3) The Dental Practice Act provides for the licensure and regulation of dentists by the Dental Board of California. For purposes of the act, any reference to the Board of Dental Examiners is deemed a reference to the Dental Board of California.

This bill would delete certain existing references to the Board of Dental Examiners and, instead, refer to the Dental Board of California.

(4) Existing law provides for the regulation of dental hygienists by the Dental Hygiene Committee of California, within the jurisdiction of the Dental Board of California. Existing law authorizes the committee, until January 1, 2010, to contract with the dental board to carry out any of specified provisions relating to the regulation of dental hygienists, and, on and after January 1, 2010, to contract with the dental board to perform investigations of applicants and ~~licensees under those provisions. Existing law requires the committee to establish fees that relate to the licensing of a registered dental hygienist, subject to specified limitations, including fees for curriculum review and site evaluation for accreditation of educational programs.~~ *licensees. Existing law requires a new educational program for registered dental hygienists to submit a specified feasibility study. Existing law limits the fee for each curriculum review and site evaluation for these programs to a specified amount.*

This bill would require the Dental Hygiene Committee of California to create and maintain a central file of the names of licensees, to provide an individual historical record with information on acts of licensee misconduct and discipline. The bill would remove the limiting dates from the contracting provisions, thereby authorizing the committee to contract with the dental board *indefinitely* to carry out any of specified provisions relating to the regulation of dental hygienists, including performing investigations of applicants and licensees. ~~This bill, with regard to fees for accreditation of educational programs, would add a maximum fee for feasibility study review. The bill would additionally limit the fee for each feasibility study review to that same specified amount.~~

(5) The Medical Practice Act provides for the licensure and regulation of physicians and surgeons by the Medical Board of California. Under existing law, the board issues a physician and surgeon's certificate to a licensed physician surgeon. The act prohibits a person who fails to renew his or her license within 5 years after its expiration from renewing it, and prohibits the license from being reissued, reinstated, or restored

thereafter, although the act authorizes a person to apply for and obtain a new license under specified circumstances.

This bill would recast that renewal provision to prohibit renewal by a person who voluntarily cancels his or her license or who fails to renew it as described, and would authorize that person to apply for and obtain a license under those specified circumstances, without regard to reissuance, reinstatement, or restoration.

(6) Existing law relating to research psychoanalysts authorizes certain students and graduates in psychoanalysis to engage in psychoanalysis under prescribed circumstances if they register with the Medical Board of California and present evidence of their student or graduate status. Existing law authorizes that board to suspend or revoke the exemption of those persons from licensure for unprofessional conduct for, among other things, repeated acts of clearly excessive prescribing, furnishing, dispensing, or administering of drugs or treatment, use of diagnostic procedures, or use of diagnostic or treatment facilities.

This bill would substitute, for those described bases for suspension or revocation of the exemption, the commission of any act of sexual abuse, misconduct, or relations with a patient, client, or customer.

(7) The Physical Therapy Practice Act provides for the ~~licensure, approval,~~ *licensure* and regulation of physical therapists and physical therapist assistants by the Physical Therapy Board of California. The act establishes education requirements for a physical therapist assistant, including subject matter instruction through a combination of didactic and clinical experiences, and requires the clinical experience to include at least 18 weeks of full-time experience with a variety of patients.

This bill would delete that 18-week full-time experience requirement for physical therapist assistant education.

(8) The Nursing Practice Act provides for the licensure and regulation of *registered nurses and* nurse practitioners by the Board of Registered Nursing. The act, on and after January 1, 2008, requires an applicant for initial qualification or certification as a nurse practitioner ~~under the act~~ who has not been qualified or certified as a nurse practitioner to meet specified requirements. Certain provisions allow the board to find ~~other persons in practice~~ *registered nurses* qualified to use the title of “nurse practitioner.”

This bill would delete those title provisions.

~~(9) The~~

*The Nursing Practice Act* provides for a diversion program to identify and rehabilitate registered nurses whose competency may be impaired due to abuse of alcohol and other drugs, or due to mental illness.

This bill would instead refer to the program as an intervention program.

~~(10)~~

(9) *The Optometry Practice Act* provides for the licensure and regulation of optometrists by the State Board of Optometry. The act prescribes license eligibility requirements, including, but not limited to, submitting proof that the person is licensed in good standing as of the date of application in every state where he or she holds a license, including compliance with continuing education requirements, submitting proof that the person has been in active practice in a state in which he or she is licensed for a total of at least 5,000 hours in 5 of the 7 consecutive years immediately preceding the date of his or her application, and has never had his or her license to practice optometry revoked or suspended. For purposes of those provisions, “in good standing” includes the requirement that the person has not been found mentally incompetent by a physician so that the person is unable to undertake the practice of optometry in a manner consistent with the safety of a patient or the public.

This bill would delete that active practice requirement and would require that the license have never been revoked or suspended in any state where the person holds a license. The bill, with regard to making such a finding of mental incompetence, would replace a finding by a physician with a finding by a licensed psychologist or licensed psychiatrist.

~~(11)~~

(10) *The Physician Assistant Practice Act* requires the Physician Assistant Board to annually elect a chairperson and vice chairperson from among its members.

This bill would require the annual election of a president and vice president.

~~(12)~~

(11) Existing law relating to veterinary medicine requires a veterinary assistant to obtain a controlled substance permit from the Veterinary Medical Board in order to administer a controlled substance, and authorizes the board to deny, revoke, or suspend the permit, after notice and hearing, for any of specified causes. Existing law authorizes the board to revoke or suspend a permit for the same.

This bill would, instead, authorize the board to suspend or revoke the controlled substance permit of a veterinary assistant, after notice and hearing, for any of specified causes, and to deny, revoke, or suspend a permit for the same.

~~(13)~~

(12) The Acupuncture Licensure Act provides for the licensure and regulation of the practice of acupuncture by the Acupuncture Board. The act requires the board to issue a license to practice acupuncture to a person who meets prescribed requirements. The act requires, in the case of an applicant who has completed education and training outside the United States and Canada, documented educational training and clinical experience that meets certain standards established by the board. Existing law, commencing January 1, 2017, specifically requires the board to establish standards for the approval of educational training and clinical experience received outside the United States and Canada.

This bill would remove Canada from those provisions, thereby applying the same standards to all training and clinical experience completed outside the United States.

*(13) The Board of Behavioral Sciences is responsible for administering the Licensed Marriage and Family Therapist Act, the Educational Psychologist Practice Act, the Clinical Social Worker Practice Act, and the Licensed Professional Clinical Counselor Act.*

~~(14) The~~

*The Licensed Marriage and Family Therapist Act provides for the licensure and regulation of marriage and family therapists by the Board of Behavioral Sciences. The act sets forth the educational and training requirements for licensure as a marriage and family therapist, including certain supervised-experience requirements whereby a prospective licensee is required to work a specified number of hours in a clinical setting under the supervision of experienced professionals. The act requires all persons to register with the board as an intern in order to be credited for postdegree hours of supervised experience gained toward licensure. The act, with regard to interns, requires all postdegree hours of experience to be credited toward licensure, except when employed in a private practice setting, if certain conditions are met. The act limits the number of hours applicants for a marriage and family therapist license may provide counseling services via telehealth.*

~~This~~

*The bill would require postdegree hours of experience to be credited toward licensure if certain conditions are met. The bill would prohibit*

an applicant for licensure as a marriage and family therapist from being employed or volunteering in a private practice until registered as an intern by the board. The bill would similarly prohibit an applicant for professional clinical counselor under the Licensed Professional Clinical Counselor Act from being employed or volunteering in a private practice until registered as an intern by the board.

*The bill would authorize a marriage and family therapist intern and trainee to provide services via telehealth if he or she is supervised as required by the act, and is acting within the scope authorized by the act and in accordance with any regulations governing the use of telehealth promulgated by the Board of Behavioral Sciences.*

*The Licensed Marriage and Family Therapist Act and the Licensed Professional Clinical Counselor Act require applicants for licensure under those acts to comply with specified educational and experience requirements, including, but not limited to, hours of supervised experience, and sets forth terms, conditions, and limitations for those hours of experience, as specified.*

*The bill would revise those experience requirements and provide that individuals who submit applications for examination eligibility between January 1, 2016, and December 31, 2020, may alternatively qualify under the current requirements.*

~~(15) The~~

*The Licensed Marriage and Family Therapist Act, the Educational Psychologist Practice Act, the Clinical Social Worker Practice Act, and the Licensed Professional Clinical Counselor Act require the Board of Behavioral Sciences to approve continuing education providers for specified educational courses relating to licensure for marriage and family therapists, educational psychologists, clinical social workers, and professional clinical counselors.*

*This bill would modify those acts to require the Board of Behavioral Sciences to identify, by regulation, acceptable continuing education providers.*

~~(16) The~~

*The Licensed Marriage and Family Therapist Act and the Licensed Professional Clinical Counselor Act provide for the registration of interns and allow a maximum of possible renewals after initial registration, after which a new registration number is required to be obtained. The Clinical Social Worker Practice Act provides similarly for the registration and renewal of registration of associate clinical social*

workers. An applicant who is issued a subsequent number is barred from employment or volunteering in a private practice.

This bill would revise those provisions to refer throughout to subsequent registration numbers.

~~(17)~~

(14) Existing law provides for the registration of telephone medical advice services. Existing law imposes requirements for obtaining and maintaining registration, including a requirement that medical advice services be provided by specified licensed, registered, or certified health care professionals.

This bill would expand the specified health care professionals to include naturopathic doctors and licensed professional clinical counselors. The bill would require a service to notify the department of certain business changes, and to submit quarterly reports.

~~(18)~~

(15) This bill would additionally delete or update obsolete provisions and make conforming or nonsubstantive changes.

*(16) This bill would incorporate additional changes to Section 1944 of the Business and Professions Code made by this bill and AB 483 to take effect if both bills are chaptered and this bill is chaptered last.*

~~(19)~~

(17) 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 28 of the Business and Professions Code
- 2 is amended to read:
- 3 28. (a) The Legislature finds that there is a need to ensure that
- 4 professionals of the healing arts who have demonstrable contact
- 5 with victims and potential victims of child, elder, and dependent
- 6 adult abuse, and abusers and potential abusers of children, elders,
- 7 and dependent adults are provided with adequate and appropriate
- 8 training regarding the assessment and reporting of child, elder,
- 9 and dependent adult abuse that will ameliorate, reduce, and

1 eliminate the trauma of abuse and neglect and ensure the reporting  
2 of abuse in a timely manner to prevent additional occurrences.

3 (b) The Board of Psychology and the Board of Behavioral  
4 Sciences shall establish required training in the area of child abuse  
5 assessment and reporting for all persons applying for initial  
6 licensure and renewal of a license as a psychologist, clinical social  
7 worker, professional clinical counselor, or marriage and family  
8 therapist. This training shall be required one time only for all  
9 persons applying for initial licensure or for licensure renewal.

10 (c) All persons applying for initial licensure or renewal of a  
11 license as a psychologist, clinical social worker, professional  
12 clinical counselor, or marriage and family therapist shall, in  
13 addition to all other requirements for licensure or renewal, have  
14 completed coursework or training in child abuse assessment and  
15 reporting that meets the requirements of this section, including  
16 detailed knowledge of the Child Abuse and Neglect Reporting Act  
17 (Article 2.5 (commencing with Section 11164) of Chapter 2 of  
18 Title 1 of Part 4 of the Penal Code). The training shall meet all of  
19 the following requirements:

20 (1) Be obtained from one of the following sources:

21 (A) An accredited or approved educational institution, as defined  
22 in Sections 2902, 4980.36, 4980.37, 4996.18, and 4999.12,  
23 including extension courses offered by those institutions.

24 (B) A continuing education provider as specified by the  
25 responsible board by regulation.

26 (C) A course sponsored or offered by a professional association  
27 or a local, county, or state department of health or mental health  
28 for continuing education and approved or accepted by the  
29 responsible board.

30 (2) Have a minimum of seven contact hours.

31 (3) Include the study of the assessment and method of reporting  
32 of sexual assault, neglect, severe neglect, general neglect, willful  
33 cruelty or unjustifiable punishment, corporal punishment or injury,  
34 and abuse in out-of-home care. The training shall also include  
35 physical and behavioral indicators of abuse, crisis counseling  
36 techniques, community resources, rights and responsibilities of  
37 reporting, consequences of failure to report, caring for a child's  
38 needs after a report is made, sensitivity to previously abused  
39 children and adults, and implications and methods of treatment  
40 for children and adults.

1 (4) An applicant shall provide the appropriate board with  
2 documentation of completion of the required child abuse training.

3 (d) The Board of Psychology and the Board of Behavioral  
4 Sciences shall exempt an applicant who applies for an exemption  
5 from this section and who shows to the satisfaction of the board  
6 that there would be no need for the training in his or her practice  
7 because of the nature of that practice.

8 (e) It is the intent of the Legislature that a person licensed as a  
9 psychologist, clinical social worker, professional clinical counselor,  
10 or marriage and family therapist have minimal but appropriate  
11 training in the areas of child, elder, and dependent adult abuse  
12 assessment and reporting. It is not intended that, by solely  
13 complying with this section, a practitioner is fully trained in the  
14 subject of treatment of child, elder, and dependent adult abuse  
15 victims and abusers.

16 (f) The Board of Psychology and the Board of Behavioral  
17 Sciences are encouraged to include coursework regarding the  
18 assessment and reporting of elder and dependent adult abuse in  
19 the required training on aging and long-term care issues prior to  
20 licensure or license renewal.

21 SEC. 2. Section 146 of the Business and Professions Code is  
22 amended to read:

23 146. (a) Notwithstanding any other provision of law, a  
24 violation of any code section listed in subdivision (c) is an  
25 infraction subject to the procedures described in Sections 19.6 and  
26 19.7 of the Penal Code when either of the following applies:

27 (1) A complaint or a written notice to appear in court pursuant  
28 to Chapter 5c (commencing with Section 853.5) of Title 3 of Part  
29 2 of the Penal Code is filed in court charging the offense as an  
30 infraction unless the defendant, at the time he or she is arraigned,  
31 after being advised of his or her rights, elects to have the case  
32 proceed as a misdemeanor.

33 (2) The court, with the consent of the defendant and the  
34 prosecution, determines that the offense is an infraction in which  
35 event the case shall proceed as if the defendant has been arraigned  
36 on an infraction complaint.

37 (b) Subdivision (a) does not apply to a violation of the code  
38 sections listed in subdivision (c) if the defendant has had his or  
39 her license, registration, or certificate previously revoked or  
40 suspended.

1 (c) The following sections require registration, licensure,  
2 certification, or other authorization in order to engage in certain  
3 businesses or professions regulated by this code:

- 4 (1) Sections 2052 and 2054.
- 5 (2) Section 2630.
- 6 (3) Section 2903.
- 7 (4) Section 3575.
- 8 (5) Section 3660.
- 9 (6) Sections 3760 and 3761.
- 10 (7) Section 4080.
- 11 (8) Section 4825.
- 12 (9) Section 4935.
- 13 (10) Section 4980.
- 14 (11) Section 4989.50.
- 15 (12) Section 4996.
- 16 (13) Section 4999.30.
- 17 (14) Section 5536.
- 18 (15) Section 6704.
- 19 (16) Section 6980.10.
- 20 (17) Section 7317.
- 21 (18) Section 7502 or 7592.
- 22 (19) Section 7520.
- 23 (20) Section 7617 or 7641.
- 24 (21) Subdivision (a) of Section 7872.
- 25 (22) Section 8016.
- 26 (23) Section 8505.
- 27 (24) Section 8725.
- 28 (25) Section 9681.
- 29 (26) Section 9840.
- 30 (27) Subdivision (c) of Section 9891.24.
- 31 (28) Section 19049.

32 (d) Notwithstanding any other law, a violation of any of the  
33 sections listed in subdivision (c), which is an infraction, is  
34 punishable by a fine of not less than two hundred fifty dollars  
35 (\$250) and not more than one thousand dollars (\$1,000). No portion  
36 of the minimum fine may be suspended by the court unless as a  
37 condition of that suspension the defendant is required to submit  
38 proof of a current valid license, registration, or certificate for the  
39 profession or vocation that was the basis for his or her conviction.

1 SEC. 3. Section 500 of the Business and Professions Code is  
2 amended to read:

3 500. If the register or book of registration of the Medical Board  
4 of California, the Dental Board of California, or the California  
5 State Board of Pharmacy is destroyed by fire or other public  
6 calamity, the board, whose duty it is to keep the register or book,  
7 may reproduce it so that there may be shown as nearly as possible  
8 the record existing in the original at the time of destruction.

9 SEC. 4. Section 650.2 of the Business and Professions Code  
10 is amended to read:

11 650.2. (a) Notwithstanding Section 650 or any other provision  
12 of law, it shall not be unlawful for a person licensed pursuant to  
13 Chapter 4 (commencing with Section 1600) of Division 2 or any  
14 other person, to participate in or operate a group advertising and  
15 referral service for dentists if all of the following conditions are  
16 met:

17 (1) The patient referrals by the service result from  
18 patient-initiated responses to service advertising.

19 (2) The service advertises, if at all, in conformity with Section  
20 651 and subdivisions (i) and (l) of Section 1680.

21 (3) The service does not employ a solicitor within the meaning  
22 of subdivision (j) of Section 1680.

23 (4) The service does not impose a fee on the member dentists  
24 dependent upon the number of referrals or amount of professional  
25 fees paid by the patient to the dentist.

26 (5) Participating dentists charge no more than their usual and  
27 customary fees to any patient referred.

28 (6) The service registers with the Dental Board of California,  
29 providing its name and address.

30 (7) The service files with the Dental Board of California a copy  
31 of the standard form contract that regulates its relationship with  
32 member dentists, which contract shall be confidential and not open  
33 to public inspection.

34 (8) If more than 50 percent of its referrals are made to one  
35 individual, association, partnership, corporation, or group of three  
36 or more dentists, the service discloses that fact in all public  
37 communications, including, but not limited to, communication by  
38 means of television, radio, motion picture, newspaper, book, or  
39 list or directory of healing arts practitioners.

1 (9) When member dentists pay any fee to the service, any  
2 advertisement by the service shall clearly and conspicuously  
3 disclose that fact by including a statement as follows: “Paid for  
4 by participating dentists.” In print advertisements, the required  
5 statement shall be in at least 9-point type. In radio advertisements,  
6 the required statement shall be articulated so as to be clearly  
7 audible and understandable by the radio audience. In television  
8 advertisements, the required statement shall be either clearly  
9 audible and understandable to the television audience, or displayed  
10 in a written form that remains clearly visible for at least five  
11 seconds to the television audience. This subdivision shall be  
12 operative on and after July 1, 1994.

13 (b) The Dental Board of California may adopt regulations  
14 necessary to enforce and administer this section.

15 (c) The Dental Board of California may suspend or revoke the  
16 registration of any service that fails to comply with paragraph (9)  
17 of subdivision (a). No service may reregister with the board if it  
18 has a registration that is currently under suspension for a violation  
19 of paragraph (9) of subdivision (a), nor may a service reregister  
20 with the board if it had a registration revoked by the board for a  
21 violation of paragraph (9) of subdivision (a) less than one year  
22 after that revocation.

23 (d) The Dental Board of California may petition the superior  
24 court of any county for the issuance of an injunction restraining  
25 any conduct that constitutes a violation of this section.

26 (e) It is unlawful and shall constitute a misdemeanor for a person  
27 to operate a group advertising and referral service for dentists  
28 without providing its name and address to the Dental Board of  
29 California.

30 (f) It is the intent of the Legislature in enacting this section not  
31 to otherwise affect the prohibitions provided in Section 650. The  
32 Legislature intends to allow the pooling of resources by dentists  
33 for the purposes of advertising.

34 (g) This section shall not be construed to authorize a referral  
35 service to engage in the practice of dentistry.

36 SEC. 5. Section 800 of the Business and Professions Code is  
37 amended to read:

38 800. (a) The Medical Board of California, the Board of  
39 Psychology, the Dental Board of California, the Dental Hygiene  
40 Committee of California, the Osteopathic Medical Board of

1 California, the State Board of Chiropractic Examiners, the Board  
2 of Registered Nursing, the Board of Vocational Nursing and  
3 Psychiatric Technicians of the State of California, the State Board  
4 of Optometry, the Veterinary Medical Board, the Board of  
5 Behavioral Sciences, the Physical Therapy Board of California,  
6 the California State Board of Pharmacy, the Speech-Language  
7 Pathology and Audiology and Hearing Aid Dispensers Board, the  
8 California Board of Occupational Therapy, the Acupuncture Board,  
9 and the Physician Assistant Board shall each separately create and  
10 maintain a central file of the names of all persons who hold a  
11 license, certificate, or similar authority from that board. Each  
12 central file shall be created and maintained to provide an individual  
13 historical record for each licensee with respect to the following  
14 information:

15 (1) Any conviction of a crime in this or any other state that  
16 constitutes unprofessional conduct pursuant to the reporting  
17 requirements of Section 803.

18 (2) Any judgment or settlement requiring the licensee or his or  
19 her insurer to pay any amount of damages in excess of three  
20 thousand dollars (\$3,000) for any claim that injury or death was  
21 proximately caused by the licensee's negligence, error or omission  
22 in practice, or by rendering unauthorized professional services,  
23 pursuant to the reporting requirements of Section 801 or 802.

24 (3) Any public complaints for which provision is made pursuant  
25 to subdivision (b).

26 (4) Disciplinary information reported pursuant to Section 805,  
27 including any additional exculpatory or explanatory statements  
28 submitted by the licensee pursuant to subdivision (f) of Section  
29 805. If a court finds, in a final judgment, that the peer review  
30 resulting in the 805 report was conducted in bad faith and the  
31 licensee who is the subject of the report notifies the board of that  
32 finding, the board shall include that finding in the central file. For  
33 purposes of this paragraph, "peer review" has the same meaning  
34 as defined in Section 805.

35 (5) Information reported pursuant to Section 805.01, including  
36 any explanatory or exculpatory information submitted by the  
37 licensee pursuant to subdivision (b) of that section.

38 (b) (1) Each board shall prescribe and promulgate forms on  
39 which members of the public and other licensees or certificate  
40 holders may file written complaints to the board alleging any act

1 of misconduct in, or connected with, the performance of  
2 professional services by the licensee.

3 (2) If a board, or division thereof, a committee, or a panel has  
4 failed to act upon a complaint or report within five years, or has  
5 found that the complaint or report is without merit, the central file  
6 shall be purged of information relating to the complaint or report.

7 (3) Notwithstanding this subdivision, the Board of Psychology,  
8 the Board of Behavioral Sciences, and the Respiratory Care Board  
9 of California shall maintain complaints or reports as long as each  
10 board deems necessary.

11 (c) (1) The contents of any central file that are not public  
12 records under any other provision of law shall be confidential  
13 except that the licensee involved, or his or her counsel or  
14 representative, shall have the right to inspect and have copies made  
15 of his or her complete file except for the provision that may  
16 disclose the identity of an information source. For the purposes of  
17 this section, a board may protect an information source by  
18 providing a copy of the material with only those deletions necessary  
19 to protect the identity of the source or by providing a  
20 comprehensive summary of the substance of the material.  
21 Whichever method is used, the board shall ensure that full  
22 disclosure is made to the subject of any personal information that  
23 could reasonably in any way reflect or convey anything detrimental,  
24 disparaging, or threatening to a licensee's reputation, rights,  
25 benefits, privileges, or qualifications, or be used by a board to  
26 make a determination that would affect a licensee's rights, benefits,  
27 privileges, or qualifications. The information required to be  
28 disclosed pursuant to Section 803.1 shall not be considered among  
29 the contents of a central file for the purposes of this subdivision.

30 (2) The licensee may, but is not required to, submit any  
31 additional exculpatory or explanatory statement or other  
32 information that the board shall include in the central file.

33 (3) Each board may permit any law enforcement or regulatory  
34 agency when required for an investigation of unlawful activity or  
35 for licensing, certification, or regulatory purposes to inspect and  
36 have copies made of that licensee's file, unless the disclosure is  
37 otherwise prohibited by law.

38 (4) These disclosures shall effect no change in the confidential  
39 status of these records.

1 SEC. 6. Section 1603a of the Business and Professions Code  
2 is amended to read:

3 1603a. A member of the Dental Board of California who has  
4 served two terms shall not be eligible for reappointment to the  
5 board. In computing two terms hereunder, that portion of an  
6 unexpired term that a member fills as a result of a vacancy shall  
7 be excluded.

8 SEC. 7. Section 1618.5 of the Business and Professions Code  
9 is amended to read:

10 1618.5. (a) The board shall provide to the Director of the  
11 Department of Managed Health Care a copy of any accusation  
12 filed with the Office of Administrative Hearings pursuant to  
13 Chapter 5 (commencing with Section 11500) of Part 1 of Division  
14 3 of Title 2 of the Government Code, when the accusation is filed,  
15 for a violation of this chapter relating to the quality of care of any  
16 dental provider of a health care service plan, as defined in Section  
17 1345 of the Health and Safety Code. There shall be no liability on  
18 the part of, and no cause of action shall arise against, the State of  
19 California, the Dental Board of California, the Department of  
20 Managed Health Care, the director of that department, or any  
21 officer, agent, employee, consultant, or contractor of the state or  
22 the board or the department for the release of any false or  
23 unauthorized information pursuant to this section, unless the release  
24 is made with knowledge and malice.

25 (b) The board and its executive officer and staff shall maintain  
26 the confidentiality of any nonpublic reports provided by the  
27 Director of the Department of Managed Health Care pursuant to  
28 subdivision (i) of Section 1380 of the Health and Safety Code.

29 SEC. 8. Section 1640.1 of the Business and Professions Code  
30 is amended to read:

31 1640.1. As used in this article, the following definitions shall  
32 apply:

33 (a) "Specialty" means an area of dental practice approved by  
34 the American Dental Association and recognized by the board.

35 (b) "Discipline" means an advanced dental educational program  
36 in an area of dental practice not approved as a specialty by the  
37 American Dental Association; but offered from a dental college  
38 approved by the board.

39 (c) "Dental college approved by the board" means a dental  
40 school or college that is approved by the Commission on Dental

1 Accreditation of the American Dental Association, that is  
2 accredited by a body that has a reciprocal accreditation agreement  
3 with that commission, or that has been approved by the Dental  
4 Board of California through its own approval process.

5 SEC. 9. Section 1648.10 of the Business and Professions Code  
6 is amended to read:

7 1648.10. (a) The Dental Board of California shall develop and  
8 distribute a fact sheet describing and comparing the risks and  
9 efficacy of the various types of dental restorative materials that  
10 may be used to repair a dental patient's oral condition or defect.  
11 The fact sheet shall include:

12 (1) A description of the groups of materials that are available  
13 to the profession for restoration of an oral condition or defect.

14 (2) A comparison of the relative benefits and detriments of each  
15 group of materials.

16 (3) A comparison of the cost considerations associated with  
17 each group of materials.

18 (4) A reference to encourage discussion between patient and  
19 dentist regarding materials and to inform the patient of his or her  
20 options.

21 (b) The fact sheet shall be made available by the Dental Board  
22 of California to all licensed dentists.

23 (c) The Dental Board of California shall update the fact sheet  
24 described in subdivision (a) as determined necessary by the board.

25 SEC. 10. Section 1650 of the Business and Professions Code  
26 is amended to read:

27 1650. Every person who is now or hereafter licensed to practice  
28 dentistry in this state shall register on forms prescribed by the  
29 board, his or her place of practice with the executive officer of the  
30 Dental Board of California, or, if he or she has more than one place  
31 of practice, all of the places of practice, or, if he or she has no place  
32 of practice, to so notify the executive officer of the board. A person  
33 licensed by the board shall register with the executive officer within  
34 30 days after the date of his or her license.

35 SEC. 11. Section 1695 of the Business and Professions Code  
36 is amended to read:

37 1695. It is the intent of the Legislature that the Dental Board  
38 of California seek ways and means to identify and rehabilitate  
39 licentiates whose competency may be impaired due to abuse of  
40 dangerous drugs or alcohol, so that licentiates so afflicted may be

1 treated and returned to the practice of dentistry in a manner that  
2 will not endanger the public health and safety. It is also the intent  
3 of the Legislature that the Dental Board of California shall  
4 implement this legislation in part by establishing a diversion  
5 program as a voluntary alternative approach to traditional  
6 disciplinary actions.

7 SEC. 12. Section 1695.1 of the Business and Professions Code  
8 is amended to read:

9 1695.1. As used in this article:

10 (a) "Board" means the Dental Board of California.

11 (b) "Committee" means a diversion evaluation committee  
12 created by this article.

13 (c) "Program manager" means the staff manager of the diversion  
14 program, as designated by the executive officer of the board. The  
15 program manager shall have background experience in dealing  
16 with substance abuse issues.

17 SEC. 13. Section 1905.1 of the Business and Professions Code  
18 is amended to read:

19 1905.1. The committee may contract with the dental board to  
20 carry out this article. The committee may contract with the dental  
21 board to perform investigations of applicants and licensees under  
22 this article.

23 SEC. 14. Section 1917.2 of the Business and Professions Code  
24 is repealed.

25 SEC. 15. Section 1944 of the Business and Professions Code  
26 is amended to read:

27 1944. (a) The committee shall establish by resolution the  
28 amount of the fees that relate to the licensing of a registered dental  
29 hygienist, a registered dental hygienist in alternative practice, and  
30 a registered dental hygienist in extended functions. The fees  
31 established by board resolution in effect on June 30, 2009, as they  
32 relate to the licensure of registered dental hygienists, registered  
33 dental hygienists in alternative practice, and registered dental  
34 hygienists in extended functions, shall remain in effect until  
35 modified by the committee. The fees are subject to the following  
36 limitations:

37 (1) The application fee for an original license and the fee for  
38 issuance of an original license shall not exceed two hundred fifty  
39 dollars (\$250).

1 (2) The fee for examination for licensure as a registered dental  
2 hygienist shall not exceed the actual cost of the examination.

3 (3) The fee for examination for licensure as a registered dental  
4 hygienist in extended functions shall not exceed the actual cost of  
5 the examination.

6 (4) The fee for examination for licensure as a registered dental  
7 hygienist in alternative practice shall not exceed the actual cost of  
8 administering the examination.

9 (5) The biennial renewal fee shall not exceed one hundred sixty  
10 dollars (\$160).

11 (6) The delinquency fee shall not exceed one-half of the renewal  
12 fee. Any delinquent license may be restored only upon payment  
13 of all fees, including the delinquency fee, and compliance with all  
14 other applicable requirements of this article.

15 (7) The fee for issuance of a duplicate license to replace one  
16 that is lost or destroyed, or in the event of a name change, shall  
17 not exceed twenty-five dollars (\$25) or one-half of the renewal  
18 fee, whichever is greater.

19 (8) The fee for certification of licensure shall not exceed one-half  
20 of the renewal fee.

21 (9) The fee for each curriculum review, feasibility study review,  
22 and site evaluation for educational programs for dental hygienists  
23 who are not accredited by a committee-approved agency shall not  
24 exceed two thousand one hundred dollars (\$2,100).

25 (10) The fee for each review or approval of course requirements  
26 for licensure or procedures that require additional training shall  
27 not exceed seven hundred fifty dollars (\$750).

28 (11) The initial application and biennial fee for a provider of  
29 continuing education shall not exceed five hundred dollars (\$500).

30 (12) The amount of fees payable in connection with permits  
31 issued under Section 1962 is as follows:

32 (A) The initial permit fee is an amount equal to the renewal fee  
33 for the applicant's license to practice dental hygiene in effect on  
34 the last regular renewal date before the date on which the permit  
35 is issued.

36 (B) If the permit will expire less than one year after its issuance,  
37 then the initial permit fee is an amount equal to 50 percent of the  
38 renewal fee in effect on the last regular renewal date before the  
39 date on which the permit is issued.

1 (b) The renewal and delinquency fees shall be fixed by the  
2 committee by resolution at not more than the current amount of  
3 the renewal fee for a license to practice under this article nor less  
4 than five dollars (\$5).

5 (c) Fees fixed by the committee by resolution pursuant to this  
6 section shall not be subject to the approval of the Office of  
7 Administrative Law.

8 (d) Fees collected pursuant to this section shall be collected by  
9 the committee and deposited into the State Dental Hygiene Fund,  
10 which is hereby created. All money in this fund shall, upon  
11 appropriation by the Legislature in the annual Budget Act, be used  
12 to implement this article.

13 (e) No fees or charges other than those listed in this section shall  
14 be levied by the committee in connection with the licensure of  
15 registered dental hygienists, registered dental hygienists in  
16 alternative practice, or registered dental hygienists in extended  
17 functions.

18 (f) The fee for registration of an extramural dental facility shall  
19 not exceed two hundred fifty dollars (\$250).

20 (g) The fee for registration of a mobile dental hygiene unit shall  
21 not exceed one hundred fifty dollars (\$150).

22 (h) The biennial renewal fee for a mobile dental hygiene unit  
23 shall not exceed two hundred fifty dollars (\$250).

24 (i) The fee for an additional office permit shall not exceed two  
25 hundred fifty dollars (\$250).

26 (j) The biennial renewal fee for an additional office as described  
27 in Section 1926.4 shall not exceed two hundred fifty dollars (\$250).

28 (k) The initial application and biennial special permit fee is an  
29 amount equal to the biennial renewal fee specified in paragraph  
30 (6) of subdivision (a).

31 (l) The fees in this section shall not exceed an amount sufficient  
32 to cover the reasonable regulatory cost of carrying out this article.

33 *SEC. 15.5. Section 1944 of the Business and Professions Code*  
34 *is amended to read:*

35 1944. (a) The committee shall establish by resolution the  
36 amount of the fees that relate to the licensing of a registered dental  
37 hygienist, a registered dental hygienist in alternative practice, and  
38 a registered dental hygienist in extended functions. The fees  
39 established by board resolution in effect on June 30, 2009, as they  
40 relate to the licensure of registered dental hygienists, registered

1 dental hygienists in alternative practice, and registered dental  
2 hygienists in extended functions, shall remain in effect until  
3 modified by the committee. The fees are subject to the following  
4 limitations:

5 (1) The application fee for an original license and the fee for  
6 *the* issuance of an original license shall not exceed two hundred  
7 fifty dollars (\$250). *Commencing July 1, 2017, the fee for the*  
8 *issuance of an original license shall be prorated on the monthly*  
9 *basis.*

10 (2) The fee for examination for licensure as a registered dental  
11 hygienist shall not exceed the actual cost of the examination.

12 ~~(3) For third- and fourth-year dental students, the fee for~~  
13 ~~examination for licensure as a registered dental hygienist shall not~~  
14 ~~exceed the actual cost of the examination.~~

15 ~~(4)~~

16 (3) The fee for examination for licensure as a registered dental  
17 hygienist in extended functions shall not exceed the actual cost of  
18 the examination.

19 ~~(5)~~

20 (4) The fee for examination for licensure as a registered dental  
21 hygienist in alternative practice shall not exceed the actual cost of  
22 administering the examination.

23 ~~(6)~~

24 (5) The biennial renewal fee shall not exceed one hundred sixty  
25 dollars (\$160).

26 ~~(7)~~

27 (6) The delinquency fee shall not exceed one-half of the renewal  
28 fee. Any delinquent license may be restored only upon payment  
29 of all fees, including the delinquency fee, and compliance with all  
30 other applicable requirements of this article.

31 ~~(8)~~

32 (7) The fee for issuance of a duplicate license to replace one  
33 that is lost or destroyed, or in the event of a name change, shall  
34 not exceed twenty-five dollars (\$25) or one-half of the renewal  
35 fee, whichever is greater.

36 ~~(9)~~

37 (8) The fee for certification of licensure shall not exceed one-half  
38 of the renewal fee.

39 ~~(10)~~

1 (9) The fee for each curriculum ~~review~~ *review, feasibility study*  
2 *review*, and site evaluation for educational programs for dental  
3 hygienists who are not accredited by a committee-approved agency  
4 shall not exceed two thousand one hundred dollars (\$2,100).  
5 ~~(11)~~  
6 (10) The fee for each review or approval of course requirements  
7 for licensure or procedures that require additional training shall  
8 not exceed seven hundred fifty dollars (\$750).  
9 ~~(12)~~  
10 (11) The initial application and biennial fee for a provider of  
11 continuing education shall not exceed five hundred dollars (\$500).  
12 ~~(13)~~  
13 (12) The amount of fees payable in connection with permits  
14 issued under Section 1962 is as follows:  
15 (A) The initial permit fee is an amount equal to the renewal fee  
16 for the applicant’s license to practice dental hygiene in effect on  
17 the last regular renewal date before the date on which the permit  
18 is issued.  
19 (B) If the permit will expire less than one year after its issuance,  
20 then the initial permit fee is an amount equal to 50 percent of the  
21 renewal fee in effect on the last regular renewal date before the  
22 date on which the permit is issued.  
23 (b) The renewal and delinquency fees shall be fixed by the  
24 committee by resolution at not more than the current amount of  
25 the renewal fee for a license to practice under this article nor less  
26 than five dollars (\$5).  
27 (c) Fees fixed by the committee by resolution pursuant to this  
28 section shall not be subject to the approval of the Office of  
29 Administrative Law.  
30 (d) Fees collected pursuant to this section shall be collected by  
31 the committee and deposited into the State Dental Hygiene Fund,  
32 which is hereby created. All money in this fund shall, upon  
33 appropriation by the Legislature in the annual Budget Act, be used  
34 to implement ~~the provisions of~~ this article.  
35 (e) No fees or charges other than those listed in this section shall  
36 be levied by the committee in connection with the licensure of  
37 registered dental hygienists, registered dental hygienists in  
38 alternative practice, or registered dental hygienists in extended  
39 functions.

1 (f) The fee for registration of an extramural dental facility shall  
2 not exceed two hundred fifty dollars (\$250).

3 (g) The fee for registration of a mobile dental hygiene unit shall  
4 not exceed one hundred fifty dollars (\$150).

5 (h) The biennial renewal fee for a mobile dental hygiene unit  
6 shall not exceed two hundred fifty dollars (\$250).

7 (i) The fee for an additional office permit shall not exceed two  
8 hundred fifty dollars (\$250).

9 (j) The biennial renewal fee for an additional office as described  
10 in Section 1926.4 shall not exceed two hundred fifty dollars (\$250).

11 (k) The initial application and biennial special permit fee is an  
12 amount equal to the biennial renewal fee specified in paragraph  
13 (6) of subdivision (a).

14 (l) The fees in this section shall not exceed an amount sufficient  
15 to cover the reasonable regulatory cost of carrying out ~~the~~  
16 ~~provisions of this article.~~

17 SEC. 16. Section 2054 of the Business and Professions Code  
18 is amended to read:

19 2054. (a) Any person who uses in any sign, business card, or  
20 letterhead, or, in an advertisement, the words “doctor” or  
21 “physician,” the letters or prefix “Dr.,” the initials “M.D.,” or any  
22 other terms or letters indicating or implying that he or she is a  
23 physician and surgeon, physician, surgeon, or practitioner under  
24 the terms of this or any other law, or that he or she is entitled to  
25 practice hereunder, or who represents or holds himself or herself  
26 out as a physician and surgeon, physician, surgeon, or practitioner  
27 under the terms of this or any other law, without having at the time  
28 of so doing a valid, unrevoked, and unsuspended certificate as a  
29 physician and surgeon under this chapter, is guilty of a  
30 misdemeanor.

31 (b) A holder of a valid, unrevoked, and unsuspended certificate  
32 to practice podiatric medicine may use the phrases “doctor of  
33 podiatric medicine,” “doctor of podiatry,” and “podiatric doctor,”  
34 or the initials “D.P.M.,” and shall not be in violation of subdivision  
35 (a).

36 (c) Notwithstanding subdivision (a), any of the following  
37 persons may use the words “doctor” or “physician,” the letters or  
38 prefix “Dr.,” or the initials “M.D.”:

1 (1) A graduate of a medical school approved or recognized by  
2 the board while enrolled in a postgraduate training program  
3 approved by the board.

4 (2) A graduate of a medical school who does not have a  
5 certificate as a physician and surgeon under this chapter if he or  
6 she meets all of the following requirements:

7 (A) If issued a license to practice medicine in any jurisdiction,  
8 has not had that license revoked or suspended by that jurisdiction.

9 (B) Does not otherwise hold himself or herself out as a physician  
10 and surgeon entitled to practice medicine in this state except to  
11 the extent authorized by this chapter.

12 (C) Does not engage in any of the acts prohibited by Section  
13 2060.

14 (3) A person authorized to practice medicine under Section 2111  
15 or 2113 subject to the limitations set forth in those sections.

16 SEC. 17. Section 2401 of the Business and Professions Code  
17 is amended to read:

18 2401. (a) Notwithstanding Section 2400, a clinic operated  
19 primarily for the purpose of medical education by a public or  
20 private nonprofit university medical school, which is approved by  
21 the board or the Osteopathic Medical Board of California, may  
22 charge for professional services rendered to teaching patients by  
23 licensees who hold academic appointments on the faculty of the  
24 university, if the charges are approved by the physician and surgeon  
25 in whose name the charges are made.

26 (b) Notwithstanding Section 2400, a clinic operated under  
27 subdivision (p) of Section 1206 of the Health and Safety Code  
28 may employ licensees and charge for professional services rendered  
29 by those licensees. However, the clinic shall not interfere with,  
30 control, or otherwise direct the professional judgment of a  
31 physician and surgeon in a manner prohibited by Section 2400 or  
32 any other provision of law.

33 (c) Notwithstanding Section 2400, a narcotic treatment program  
34 operated under Section 11876 of the Health and Safety Code and  
35 regulated by the State Department of Health Care Services, may  
36 employ licensees and charge for professional services rendered by  
37 those licensees. However, the narcotic treatment program shall  
38 not interfere with, control, or otherwise direct the professional  
39 judgment of a physician and surgeon in a manner prohibited by  
40 Section 2400 or any other provision of law.

1 (d) Notwithstanding Section 2400, a hospital that is owned and  
2 operated by a licensed charitable organization, that offers only  
3 pediatric subspecialty care, that, prior to January 1, 2013, employed  
4 licensees on a salary basis, and that has not charged for professional  
5 services rendered to patients may, commencing January 1, 2013,  
6 charge for professional services rendered to patients, provided the  
7 following conditions are met:

8 (1) The hospital does not increase the number of salaried  
9 licensees by more than five licensees each year.

10 (2) The hospital does not expand its scope of services beyond  
11 pediatric subspecialty care.

12 (3) The hospital accepts each patient needing its scope of  
13 services regardless of his or her ability to pay, including whether  
14 the patient has any form of health care coverage.

15 (4) The medical staff concur by an affirmative vote that the  
16 licensee's employment is in the best interest of the communities  
17 served by the hospital.

18 (5) The hospital does not interfere with, control, or otherwise  
19 direct a physician and surgeon's professional judgment in a manner  
20 prohibited by Section 2400 or any other provision of law.

21 SEC. 18. Section 2428 of the Business and Professions Code  
22 is amended to read:

23 2428. (a) A person who voluntarily cancels his or her license  
24 or who fails to renew his or her license within five years after its  
25 expiration shall not renew it, but that person may apply for and  
26 obtain a new license if he or she:

27 (1) Has not committed any acts or crimes constituting grounds  
28 for denial of licensure under Division 1.5 (commencing with  
29 Section 475).

30 (2) Takes and passes the examination, if any, which would be  
31 required of him or her if application for licensure was being made  
32 for the first time, or otherwise establishes to the satisfaction of the  
33 licensing authority that passes on the qualifications of applicants  
34 for the license that, with due regard for the public interest, he or  
35 she is qualified to practice the profession or activity for which the  
36 applicant was originally licensed.

37 (3) Pays all of the fees that would be required if application for  
38 licensure was being made for the first time.

1 The licensing authority may provide for the waiver or refund of  
2 all or any part of an examination fee in those cases in which a  
3 license is issued without an examination pursuant to this section.

4 Nothing in this section shall be construed to authorize the  
5 issuance of a license for a professional activity or system or mode  
6 of healing for which licenses are no longer required.

7 (b) In addition to the requirements set forth in subdivision (a),  
8 an applicant shall establish that he or she meets one of the  
9 following requirements: (1) satisfactory completion of at least two  
10 years of approved postgraduate training; (2) certification by a  
11 specialty board approved by the American Board of Medical  
12 Specialties or approved by the board pursuant to subdivision (h)  
13 of Section 651; or (3) passing of the clinical competency written  
14 examination.

15 (c) Subdivision (a) shall apply to persons who held licenses to  
16 practice podiatric medicine except that those persons who failed  
17 to renew their licenses within three years after its expiration may  
18 not renew it, and it may not be reissued, reinstated, or restored,  
19 except in accordance with subdivision (a).

20 SEC. 19. Section 2529 of the Business and Professions Code  
21 is amended to read:

22 2529. (a) Graduates of the Southern California Psychoanalytic  
23 Institute, the Los Angeles Psychoanalytic Society and Institute,  
24 the San Francisco Psychoanalytic Institute, the San Diego  
25 Psychoanalytic Center, or institutes deemed equivalent by the  
26 Medical Board of California who have completed clinical training  
27 in psychoanalysis may engage in psychoanalysis as an adjunct to  
28 teaching, training, or research and hold themselves out to the public  
29 as psychoanalysts, and students in those institutes may engage in  
30 psychoanalysis under supervision, if the students and graduates  
31 do not hold themselves out to the public by any title or description  
32 of services incorporating the words “psychological,”  
33 “psychologist,” “psychology,” “psychometrists,” “psychometrics,”  
34 or “psychometry,” or that they do not state or imply that they are  
35 licensed to practice psychology.

36 (b) Those students and graduates seeking to engage in  
37 psychoanalysis under this chapter shall register with the Medical  
38 Board of California, presenting evidence of their student or  
39 graduate status. The board may suspend or revoke the exemption

1 of those persons for unprofessional conduct as defined in Sections  
2 726, 2234, and 2235.

3 SEC. 20. Section 2650 of the Business and Professions Code  
4 is amended to read:

5 2650. (a) The physical therapist education requirements are  
6 as follows:

7 (1) Except as otherwise provided in this chapter, each applicant  
8 for a license as a physical therapist shall be a graduate of a  
9 professional degree program of an accredited postsecondary  
10 institution or institutions approved by the board and shall have  
11 completed a professional education program including academic  
12 course work and clinical internship in physical therapy.

13 (2) Unless otherwise specified by the board by regulation, the  
14 educational requirements shall include instruction in the subjects  
15 prescribed by the Commission on Accreditation in Physical  
16 Therapy Education (CAPTE) of the American Physical Therapy  
17 Association or Physiotherapy Education Accreditation Canada and  
18 shall include a combination of didactic and clinical experiences.  
19 The clinical experience shall include at least 18 weeks of full-time  
20 experience with a variety of patients.

21 (b) The physical therapist assistant educational requirements  
22 are as follows:

23 (1) Except as otherwise provided in this chapter, each applicant  
24 for a license as a physical therapist assistant shall be a graduate of  
25 a physical therapist assistant program of an accredited  
26 postsecondary institution or institutions approved by the board,  
27 and shall have completed both the academic and clinical experience  
28 required by the physical therapist assistant program, and have been  
29 awarded an associate degree.

30 (2) Unless otherwise specified by the board by regulation, the  
31 educational requirements shall include instruction in the subjects  
32 prescribed by the CAPTE of the American Physical Therapy  
33 Association or Physiotherapy Education Accreditation Canada or  
34 another body as may be approved by the board by regulation and  
35 shall include a combination of didactic and clinical experiences.

36 SEC. 21. The heading of Article 3.1 (commencing with Section  
37 2770) of Chapter 6 of Division 2 of the Business and Professions  
38 Code is amended to read:

39

40

Article 3.1. Intervention Program

1 SEC. 22. Section 2770 of the Business and Professions Code  
2 is amended to read:

3 2770. It is the intent of the Legislature that the Board of  
4 Registered Nursing seek ways and means to identify and  
5 rehabilitate registered nurses whose competency may be impaired  
6 due to abuse of alcohol and other drugs, or due to mental illness  
7 so that registered nurses so afflicted may be rehabilitated and  
8 returned to the practice of nursing in a manner that will not  
9 endanger the public health and safety. It is also the intent of the  
10 Legislature that the Board of Registered Nursing shall implement  
11 this legislation by establishing an intervention program as a  
12 voluntary alternative to traditional disciplinary actions.

13 SEC. 23. Section 2770.1 of the Business and Professions Code  
14 is amended to read:

15 2770.1. As used in this article:

16 (a) “Board” means the Board of Registered Nursing.

17 (b) “Committee” means an intervention evaluation committee  
18 created by this article.

19 (c) “Program manager” means the staff manager of the  
20 intervention program, as designated by the executive officer of the  
21 board. The program manager shall have background experience  
22 in dealing with substance abuse issues.

23 SEC. 24. Section 2770.2 of the Business and Professions Code  
24 is amended to read:

25 2770.2. (a) One or more intervention evaluation committees  
26 is hereby created in the state to be established by the board. Each  
27 committee shall be composed of five persons appointed by the  
28 board. No board member shall serve on any committee.

29 (b) Each committee shall have the following composition:

30 (1) Three registered nurses, holding active California licenses,  
31 who have demonstrated expertise in the field of chemical  
32 dependency or psychiatric nursing.

33 (2) One physician, holding an active California license, who  
34 specializes in the diagnosis and treatment of addictive diseases or  
35 mental illness.

36 (3) One public member who is knowledgeable in the field of  
37 chemical dependency or mental illness.

38 (c) It shall require a majority vote of the board to appoint a  
39 person to a committee. Each appointment shall be at the pleasure

1 of the board for a term not to exceed four years. In its discretion  
2 the board may stagger the terms of the initial members appointed.

3 SEC. 25. Section 2770.7 of the Business and Professions Code  
4 is amended to read:

5 2770.7. (a) The board shall establish criteria for the acceptance,  
6 denial, or termination of registered nurses in the intervention  
7 program. Only those registered nurses who have voluntarily  
8 requested to participate in the intervention program shall participate  
9 in the program.

10 (b) A registered nurse under current investigation by the board  
11 may request entry into the intervention program by contacting the  
12 board. Prior to authorizing a registered nurse to enter into the  
13 intervention program, the board may require the registered nurse  
14 under current investigation for any violations of this chapter or  
15 any other provision of this code to execute a statement of  
16 understanding that states that the registered nurse understands that  
17 his or her violations that would otherwise be the basis for discipline  
18 may still be investigated and may be the subject of disciplinary  
19 action.

20 (c) If the reasons for a current investigation of a registered nurse  
21 are based primarily on the self-administration of any controlled  
22 substance or dangerous drug or alcohol under Section 2762, or the  
23 illegal possession, prescription, or nonviolent procurement of any  
24 controlled substance or dangerous drug for self-administration that  
25 does not involve actual, direct harm to the public, the board shall  
26 close the investigation without further action if the registered nurse  
27 is accepted into the board's intervention program and successfully  
28 completes the program. If the registered nurse withdraws or is  
29 terminated from the program by an intervention evaluation  
30 committee, and the termination is approved by the program  
31 manager, the investigation shall be reopened and disciplinary action  
32 imposed, if warranted, as determined by the board.

33 (d) Neither acceptance nor participation in the intervention  
34 program shall preclude the board from investigating or continuing  
35 to investigate, or taking disciplinary action or continuing to take  
36 disciplinary action against, any registered nurse for any  
37 unprofessional conduct committed before, during, or after  
38 participation in the intervention program.

39 (e) All registered nurses shall sign an agreement of  
40 understanding that the withdrawal or termination from the

1 intervention program at a time when the program manager or  
2 intervention evaluation committee determines the licentiate presents  
3 a threat to the public’s health and safety shall result in the  
4 utilization by the board of intervention program treatment records  
5 in disciplinary or criminal proceedings.

6 (f) Any registered nurse terminated from the intervention  
7 program for failure to comply with program requirements is subject  
8 to disciplinary action by the board for acts committed before,  
9 during, and after participation in the intervention program. A  
10 registered nurse who has been under investigation by the board  
11 and has been terminated from the intervention program by an  
12 intervention evaluation committee shall be reported by the  
13 intervention evaluation committee to the board.

14 SEC. 26. Section 2770.8 of the Business and Professions Code  
15 is amended to read:

16 2770.8. A committee created under this article operates under  
17 the direction of the intervention program manager. The program  
18 manager has the primary responsibility to review and evaluate  
19 recommendations of the committee. Each committee shall have  
20 the following duties and responsibilities:

21 (a) To evaluate those registered nurses who request participation  
22 in the program according to the guidelines prescribed by the board,  
23 and to make recommendations.

24 (b) To review and designate those treatment services to which  
25 registered nurses in an intervention program may be referred.

26 (c) To receive and review information concerning a registered  
27 nurse participating in the program.

28 (d) To consider in the case of each registered nurse participating  
29 in a program whether he or she may with safety continue or resume  
30 the practice of nursing.

31 (e) To call meetings as necessary to consider the requests of  
32 registered nurses to participate in an intervention program, and to  
33 consider reports regarding registered nurses participating in a  
34 program.

35 (f) To make recommendations to the program manager regarding  
36 the terms and conditions of the intervention agreement for each  
37 registered nurse participating in the program, including treatment,  
38 supervision, and monitoring requirements.

39 SEC. 27. Section 2770.10 of the Business and Professions  
40 Code is amended to read:

1 2770.10. Notwithstanding Article 9 (commencing with Section  
2 11120) of Chapter 1 of Part 1 of Division 3 of Title 2 of the  
3 Government Code, relating to public meetings, a committee may  
4 convene in closed session to consider reports pertaining to any  
5 registered nurse requesting or participating in an intervention  
6 program. A committee shall only convene in closed session to the  
7 extent that it is necessary to protect the privacy of such a licensee.

8 SEC. 28. Section 2770.11 of the Business and Professions  
9 Code is amended to read:

10 2770.11. (a) Each registered nurse who requests participation  
11 in an intervention program shall agree to cooperate with the  
12 rehabilitation program designed by the committee and approved  
13 by the program manager. Any failure to comply with a  
14 rehabilitation program may result in termination of the registered  
15 nurse's participation in a program. The name and license number  
16 of a registered nurse who is terminated for any reason, other than  
17 successful completion, shall be reported to the board's enforcement  
18 program.

19 (b) If the program manager determines that a registered nurse,  
20 who is denied admission into the program or terminated from the  
21 program, presents a threat to the public or his or her own health  
22 and safety, the program manager shall report the name and license  
23 number, along with a copy of all intervention program records for  
24 that registered nurse, to the board's enforcement program. The  
25 board may use any of the records it receives under this subdivision  
26 in any disciplinary proceeding.

27 SEC. 29. Section 2770.12 of the Business and Professions  
28 Code is amended to read:

29 2770.12. (a) After the committee and the program manager  
30 in their discretion have determined that a registered nurse has  
31 successfully completed the intervention program, all records  
32 pertaining to the registered nurse's participation in the intervention  
33 program shall be purged.

34 (b) All board and committee records and records of a proceeding  
35 pertaining to the participation of a registered nurse in the  
36 intervention program shall be kept confidential and are not subject  
37 to discovery or subpoena, except as specified in subdivision (b)  
38 of Section 2770.11 and subdivision (c).

1 (c) A registered nurse shall be deemed to have waived any rights  
2 granted by any laws and regulations relating to confidentiality of  
3 the intervention program, if he or she does any of the following:

4 (1) Presents information relating to any aspect of the intervention  
5 program during any stage of the disciplinary process subsequent  
6 to the filing of an accusation, statement of issues, or petition to  
7 compel an examination pursuant to Article 12.5 (commencing with  
8 Section 820) of Chapter 1. The waiver shall be limited to  
9 information necessary to verify or refute any information disclosed  
10 by the registered nurse.

11 (2) Files a lawsuit against the board relating to any aspect of  
12 the intervention program.

13 (3) Claims in defense to a disciplinary action, based on a  
14 complaint that led to the registered nurse's participation in the  
15 intervention program, that he or she was prejudiced by the length  
16 of time that passed between the alleged violation and the filing of  
17 the accusation. The waiver shall be limited to information necessary  
18 to document the length of time the registered nurse participated in  
19 the intervention program.

20 SEC. 30. Section 2770.13 of the Business and Professions  
21 Code is amended to read:

22 2770.13. The board shall provide for the legal representation  
23 of any person making reports under this article to a committee or  
24 the board in any action for defamation directly resulting from those  
25 reports regarding a registered nurse's participation in an  
26 intervention program.

27 SEC. 31. Section 2835.5 of the Business and Professions Code  
28 is amended to read:

29 2835.5. On and after January 1, 2008, an applicant for initial  
30 qualification or certification as a nurse practitioner under this article  
31 who has not been qualified or certified as a nurse practitioner in  
32 California or any other state shall meet the following requirements:

33 (a) Hold a valid and active registered nursing license issued  
34 under this chapter.

35 (b) Possess a master's degree in nursing, a master's degree in  
36 a clinical field related to nursing, or a graduate degree in nursing.

37 (c) Satisfactorily complete a nurse practitioner program  
38 approved by the board.

39 SEC. 32. Section 3057 of the Business and Professions Code  
40 is amended to read:

- 1 3057. (a) The board may issue a license to practice optometry  
2 to a person who meets all of the following requirements:
- 3 (1) Has a degree as a doctor of optometry issued by an accredited  
4 school or college of optometry.
- 5 (2) Has successfully passed the licensing examination for an  
6 optometric license in another state.
- 7 (3) Submits proof that he or she is licensed in good standing as  
8 of the date of application in every state where he or she holds a  
9 license, including compliance with continuing education  
10 requirements.
- 11 (4) Is not subject to disciplinary action as set forth in subdivision  
12 (h) of Section 3110. If the person has been subject to disciplinary  
13 action, the board shall review that action to determine if it presents  
14 sufficient evidence of a violation of this chapter to warrant the  
15 submission of additional information from the person or the denial  
16 of the application for licensure.
- 17 (5) Has furnished a signed release allowing the disclosure of  
18 information from the National Practitioner Database and, if  
19 applicable, the verification of registration status with the federal  
20 Drug Enforcement Administration. The board shall review this  
21 information to determine if it presents sufficient evidence of a  
22 violation of this chapter to warrant the submission of additional  
23 information from the person or the denial of the application for  
24 licensure.
- 25 (6) Has never had his or her license to practice optometry  
26 revoked or suspended in any state where the person holds a license.
- 27 (7) (A) Is not subject to denial of an application for licensure  
28 based on any of the grounds listed in Section 480.
- 29 (B) Is not currently required to register as a sex offender  
30 pursuant to Section 290 of the Penal Code.
- 31 (8) Has met the minimum continuing education requirements  
32 set forth in Section 3059 for the current and preceding year.
- 33 (9) Has met the certification requirements of Section 3041.3 to  
34 use therapeutic pharmaceutical agents under subdivision (e) of  
35 Section 3041.
- 36 (10) Submits any other information as specified by the board  
37 to the extent it is required for licensure by examination under this  
38 chapter.

1 (11) Files an application on a form prescribed by the board,  
2 with an acknowledgment by the person executed under penalty of  
3 perjury and automatic forfeiture of license, of the following:

4 (A) That the information provided by the person to the board  
5 is true and correct, to the best of his or her knowledge and belief.

6 (B) That the person has not been convicted of an offense  
7 involving conduct that would violate Section 810.

8 (12) Pays an application fee in an amount equal to the  
9 application fee prescribed pursuant to subdivision (a) of Section  
10 3152.

11 (13) Has successfully passed the board’s jurisprudence  
12 examination.

13 (b) If the board finds that the competency of a candidate for  
14 licensure pursuant to this section is in question, the board may  
15 require the passage of a written, practical, or clinical examination  
16 or completion of additional continuing education or coursework.

17 (c) In cases where the person establishes, to the board’s  
18 satisfaction, that he or she has been displaced by a federally  
19 declared emergency and cannot relocate to his or her state of  
20 practice within a reasonable time without economic hardship, the  
21 board may reduce or waive the fees required by paragraph (12) of  
22 subdivision (a).

23 (d) Any license issued pursuant to this section shall expire as  
24 provided in Section 3146, and may be renewed as provided in this  
25 chapter, subject to the same conditions as other licenses issued  
26 under this chapter.

27 (e) The term “in good standing,” as used in this section, means  
28 that a person under this section:

29 (1) Is not currently under investigation nor has been charged  
30 with an offense for any act substantially related to the practice of  
31 optometry by any public agency, nor entered into any consent  
32 agreement or subject to an administrative decision that contains  
33 conditions placed by an agency upon a person’s professional  
34 conduct or practice, including any voluntary surrender of license,  
35 nor been the subject of an adverse judgment resulting from the  
36 practice of optometry that the board determines constitutes  
37 evidence of a pattern of incompetence or negligence.

38 (2) Has no physical or mental impairment related to drugs or  
39 alcohol, and has not been found mentally incompetent by a licensed  
40 psychologist or licensed psychiatrist so that the person is unable

1 to undertake the practice of optometry in a manner consistent with  
2 the safety of a patient or the public.

3 SEC. 33. Section 3509.5 of the Business and Professions Code  
4 is amended to read:

5 3509.5. The board shall elect annually a president and a vice  
6 president from among its members.

7 SEC. 34. Section 4836.2 of the Business and Professions Code  
8 is amended to read:

9 4836.2. (a) Applications for a veterinary assistant controlled  
10 substance permit shall be upon a form furnished by the board.

11 (b) The fee for filing an application for a veterinary assistant  
12 controlled substance permit shall be set by the board in an amount  
13 the board determines is reasonably necessary to provide sufficient  
14 funds to carry out the purposes of this section, not to exceed one  
15 hundred dollars (\$100).

16 (c) The board may suspend or revoke the controlled substance  
17 permit of a veterinary assistant after notice and hearing for any  
18 cause provided in this subdivision. The proceedings under this  
19 section shall be conducted in accordance with the provisions for  
20 administrative adjudication in Chapter 5 (commencing with Section  
21 11500) of Part 1 of Division 3 of Title 2 of the Government Code,  
22 and the board shall have all the powers granted therein. The board  
23 may deny, revoke, or suspend a veterinary assistant controlled  
24 substance permit for any of the following reasons:

25 (1) The employment of fraud, misrepresentation, or deception  
26 in obtaining a veterinary assistant controlled substance permit.

27 (2) Chronic inebriety or habitual use of controlled substances.

28 (3) The veterinary assistant to whom the permit is issued has  
29 been convicted of a state or federal felony controlled substance  
30 violation.

31 (4) Violating or attempts to violate, directly or indirectly, or  
32 assisting in or abetting the violation of, or conspiring to violate,  
33 any provision of this chapter, or of the regulations adopted under  
34 this chapter.

35 (d) The board shall not issue a veterinary assistant controlled  
36 substance permit to any applicant with a state or federal felony  
37 controlled substance conviction.

38 (e) (1) As part of the application for a veterinary assistant  
39 controlled substance permit, the applicant shall submit to the  
40 Department of Justice fingerprint images and related information,

1 as required by the Department of Justice for all veterinary assistant  
2 applicants, for the purposes of obtaining information as to the  
3 existence and content of a record of state or federal convictions  
4 and state or federal arrests and information as to the existence and  
5 content of a record of state or federal arrests for which the  
6 Department of Justice establishes that the person is free on bail or  
7 on his or her own recognizance pending trial or appeal.

8 (2) When received, the Department of Justice shall forward to  
9 the Federal Bureau of Investigation requests for federal summary  
10 criminal history information that it receives pursuant to this section.  
11 The Department of Justice shall review any information returned  
12 to it from the Federal Bureau of Investigation and compile and  
13 disseminate a response to the board summarizing that information.

14 (3) The Department of Justice shall provide a state or federal  
15 level response to the board pursuant to paragraph (1) of subdivision  
16 (p) of Section 11105 of the Penal Code.

17 (4) The Department of Justice shall charge a reasonable fee  
18 sufficient to cover the cost of processing the request described in  
19 this subdivision.

20 (f) The board shall request from the Department of Justice  
21 subsequent notification service, as provided pursuant to Section  
22 11105.2 of the Penal Code, for persons described in paragraph (1)  
23 of subdivision (e).

24 (g) This section shall become operative on July 1, 2015.

25 SEC. 35. Section 4887 of the Business and Professions Code  
26 is amended to read:

27 4887. (a) A person whose license or registration has been  
28 revoked or who has been placed on probation may petition the  
29 board for reinstatement or modification of penalty including  
30 modification or termination of probation after a period of not less  
31 than one year has elapsed from the effective date of the decision  
32 ordering the disciplinary action. The petition shall state such facts  
33 as may be required by the board.

34 (b) The petition shall be accompanied by at least two verified  
35 recommendations from veterinarians licensed by the board who  
36 have personal knowledge of the activities of the petitioner since  
37 the disciplinary penalty was imposed. The petition shall be heard  
38 by the board. The board may consider all activities of the petitioner  
39 since the disciplinary action was taken, the offense for which the  
40 petitioner was disciplined, the petitioner's activities since the

1 license or registration was in good standing, and the petitioner's  
2 rehabilitation efforts, general reputation for truth, and professional  
3 ability. The hearing may be continued from time to time as the  
4 board finds necessary.

5 (c) The board reinstating the license or registration or modifying  
6 a penalty may impose terms and conditions as it determines  
7 necessary. To reinstate a revoked license or registration or to  
8 otherwise reduce a penalty or modify probation shall require a  
9 vote of five of the members of the board.

10 (d) The petition shall not be considered while the petitioner is  
11 under sentence for any criminal offense, including any period  
12 during which the petitioner is on court-imposed probation or parole.  
13 The board may deny without a hearing or argument any petition  
14 filed pursuant to this section within a period of two years from the  
15 effective date of the prior decision following a hearing under this  
16 section.

17 SEC. 36. Section 4938 of the Business and Professions Code  
18 is amended to read:

19 4938. The board shall issue a license to practice acupuncture  
20 to any person who makes an application and meets the following  
21 requirements:

22 (a) Is at least 18 years of age.

23 (b) Furnishes satisfactory evidence of completion of one of the  
24 following:

25 (1) (A) An approved educational and training program.

26 (B) If an applicant began his or her educational and training  
27 program at a school or college that submitted a letter of intent to  
28 pursue accreditation to, or attained candidacy status from, the  
29 Accreditation Commission for Acupuncture and Oriental Medicine,  
30 but the commission subsequently denied the school or college  
31 candidacy status or accreditation, respectively, the board may  
32 review and evaluate the educational training and clinical experience  
33 to determine whether to waive the requirements set forth in this  
34 subdivision with respect to that applicant.

35 (2) Satisfactory completion of a tutorial program in the practice  
36 of an acupuncturist that is approved by the board.

37 (3) In the case of an applicant who has completed education  
38 and training outside the United States, documented educational  
39 training and clinical experience that meets the standards established  
40 pursuant to Sections 4939 and 4941.

1 (c) Passes a written examination administered by the board that  
2 tests the applicant's ability, competency, and knowledge in the  
3 practice of an acupuncturist. The written examination shall be  
4 developed by the Office of Professional Examination Services of  
5 the Department of Consumer Affairs.

6 (d) Is not subject to denial pursuant to Division 1.5 (commencing  
7 with Section 475).

8 (e) Completes a clinical internship training program approved  
9 by the board. The clinical internship training program shall not  
10 exceed nine months in duration and shall be located in a clinic in  
11 this state that is an approved educational and training program.  
12 The length of the clinical internship shall depend upon the grades  
13 received in the examination and the clinical training already  
14 satisfactorily completed by the individual prior to taking the  
15 examination. On and after January 1, 1987, individuals with 800  
16 or more hours of documented clinical training shall be deemed to  
17 have met this requirement. The purpose of the clinical internship  
18 training program shall be to ensure a minimum level of clinical  
19 competence.

20 Each applicant who qualifies for a license shall pay, as a  
21 condition precedent to its issuance and in addition to other fees  
22 required, the initial licensure fee.

23 SEC. 37. Section 4939 of the Business and Professions Code,  
24 as added by Section 9 of Chapter 397 of the Statutes of 2014, is  
25 amended to read:

26 4939. (a) The board shall establish standards for the approval  
27 of educational training and clinical experience received outside  
28 the United States.

29 (b) This section shall become operative on January 1, 2017.

30 SEC. 38. Section 4980.399 of the Business and Professions  
31 Code is amended to read:

32 4980.399. (a) Except as provided in subdivision (a) of Section  
33 4980.398, each applicant and registrant shall obtain a passing score  
34 on a board-administered California law and ethics examination in  
35 order to qualify for licensure.

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

39 (c) Notwithstanding subdivision (b), an applicant who holds a  
40 registration eligible for renewal, with an expiration date no later

1 than June 30, 2016, and who applies for renewal of that registration  
2 between January 1, 2016, and June 30, 2016, shall, if eligible, be  
3 allowed to renew the registration without first participating in the  
4 California law and ethics examination. These applicants shall  
5 participate in the California law and ethics examination in the next  
6 renewal cycle, and shall pass the examination prior to licensure or  
7 issuance of a subsequent registration number, as specified in this  
8 section.

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

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

24 (f) The board shall not issue a subsequent registration number  
25 unless the registrant has passed the California law and ethics  
26 examination.

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

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

37 SEC. 39. Section 4980.43 of the Business and Professions  
38 Code is amended to read:

39 4980.43. (a) ~~Prior to applying for licensure examinations, To~~  
40 *qualify for licensure as specified in Section 4980.40*, each applicant

1 shall complete experience ~~that related to the practice of marriage~~  
2 ~~and family therapy under a supervisor who meets the qualifications~~  
3 ~~set forth in Section 4980.03. The experience shall comply with the~~  
4 ~~following:~~

5 (1) A minimum of 3,000 hours of supervised experience  
6 completed during a period of at least 104 weeks.

7 (2) ~~Not more than~~ A maximum of 40 hours in any seven  
8 consecutive days.

9 (3) ~~Not less than 1,700 hours of supervised experience~~  
10 ~~completed subsequent to the granting of the~~ A minimum of 1,700  
11 ~~hours obtained after the qualifying master's or doctoral degree.~~  
12 ~~degree was awarded.~~

13 (4) ~~Not more than~~ A maximum of 1,300 hours of supervised  
14 experience obtained prior to ~~completing a~~ the award date of the  
15 ~~qualifying~~ master's or doctoral degree.

16 ~~The applicant shall not be credited with more than~~

17 (5) A maximum of 750 hours of counseling and direct supervisor  
18 contact prior to ~~completing~~ the award date of the qualifying  
19 master's or doctoral degree.

20 ~~(5)~~

21 (6) 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 ~~instruction.~~

25 ~~(6)~~

26 (7) No hours of experience may be gained more than six years  
27 prior to the date the application for examination eligibility was  
28 filed, except that up to 500 hours of clinical experience gained in  
29 the supervised practicum required by subdivision (c) of Section  
30 4980.37 and subparagraph (B) of paragraph (1) of subdivision (d)  
31 of Section 4980.36 shall be exempt from this six-year requirement.

32 (7) ~~Not more than a combined total of 1,000 hours of experience~~  
33 ~~in the following:~~

34 (A) ~~Direct supervisor contact.~~

35 (B) ~~Professional enrichment activities. For purposes of this~~  
36 ~~chapter, "professional enrichment activities" include the following:~~

37 (i) ~~Workshops, seminars, training sessions, or conferences~~  
38 ~~directly related to marriage and family therapy attended by the~~  
39 ~~applicant that are approved by the applicant's supervisor. An~~

1 applicant shall have no more than 250 hours of verified attendance  
2 at these workshops, seminars, training sessions, or conferences.

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

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

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

13 ~~(A) Experience administering and evaluating psychological~~  
14 ~~tests, writing clinical reports, writing progress notes, or writing~~  
15 ~~process notes.~~

16 ~~(B) Client centered advocacy.~~

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

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

25 ~~(8) A minimum of 1,750 hours of direct counseling with~~  
26 ~~individuals, groups, couples, or families, that includes not less~~  
27 ~~than 500 total hours of experience in diagnosing and treating~~  
28 ~~couples, families, and children.~~

29 ~~(9) A maximum of 1,250 hours of nonclinical practice, consisting~~  
30 ~~of direct supervisor contact, administering and evaluating~~  
31 ~~psychological tests, writing clinical reports, writing progress or~~  
32 ~~process notes, client centered advocacy, and workshops, seminars,~~  
33 ~~training sessions, or conferences directly related to marriage and~~  
34 ~~family therapy that have been approved by the applicant's~~  
35 ~~supervisor.~~

36 ~~(12)~~

37 ~~(10) It is anticipated and encouraged that hours of experience~~  
38 ~~will include working with elders and dependent adults who have~~  
39 ~~physical or mental limitations that restrict their ability to carry out~~  
40 ~~normal activities or protect their rights.~~

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

3 *(b) An individual who submits an application for examination*  
4 *eligibility between January 1, 2016, and December 31, 2020, may*  
5 *alternatively qualify under the experience requirements that were*  
6 *in place on January 1, 2015.*

7 ~~(b)~~

8 *(c) All applicants, trainees, and registrants shall be at all times*  
9 *under the supervision of a supervisor who shall be responsible for*  
10 *ensuring that the extent, kind, and quality of counseling performed*  
11 *is consistent with the training and experience of the person being*  
12 *supervised, and who shall be responsible to the board for*  
13 *compliance with all laws, rules, and regulations governing the*  
14 *practice of marriage and family therapy. Supervised experience*  
15 *shall be gained by ~~interns and trainees~~ *an intern or trainee* only*  
16 *as an employee or as a volunteer. The requirements of this chapter*  
17 *regarding gaining hours of experience and supervision are*  
18 *applicable equally to employees and volunteers. Experience shall*  
19 *not be gained by ~~interns~~ *an intern* or ~~trainees~~ *trainee* as an*  
20 *independent contractor.*

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

24 (2) If volunteering, an intern shall provide the board with a letter  
25 from his or her employer verifying the intern's employment as a  
26 volunteer upon application for licensure.

27 ~~(e)~~

28 *(d) Except for experience gained ~~pursuant to subparagraph (B)~~*  
29 *~~of paragraph (7)~~ by attending workshops, seminars, training*  
30 *sessions, or conferences as described in paragraph (9) of*  
31 *subdivision (a), supervision shall include at least one hour of direct*  
32 *supervisor contact in each week for which experience is credited*  
33 *in each work setting, as specified:*

34 (1) A trainee shall receive an average of at least one hour of  
35 direct supervisor contact for every five hours of client contact in  
36 each setting. No more than six hours of supervision, whether  
37 individual or group, shall be credited during any single week.

38 (2) An individual supervised after being granted a qualifying  
39 degree shall receive at least one additional hour of direct supervisor  
40 contact for every week in which more than 10 hours of client

1 contact is gained in each setting. No more than six hours of  
2 supervision, whether individual or group, shall be credited during  
3 any single week.

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

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

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

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

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

21 (8) The six hours of supervision that may be credited during  
22 any single week pursuant to paragraphs (1) and (2) shall apply to  
23 supervision hours gained on or after January 1, 2009.

24 ~~(d)~~

25 (e) (1) A trainee may be credited with supervised experience  
26 completed in any setting that meets all of the following:

27 (A) Lawfully and regularly provides mental health counseling  
28 or psychotherapy.

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

33 (C) Is not a private practice owned by a licensed marriage and  
34 family therapist, a licensed professional clinical counselor, a  
35 licensed psychologist, a licensed clinical social worker, a licensed  
36 physician and surgeon, or a professional corporation of any of  
37 those licensed professions.

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

40 ~~(e)~~

- 1 (f) (1) An intern may be credited with supervised experience
- 2 completed in any setting that meets both of the following:
- 3 (A) Lawfully and regularly provides mental health counseling
- 4 or psychotherapy.
- 5 (B) Provides oversight to ensure that the intern’s work at the
- 6 setting meets the experience and supervision requirements set forth
- 7 in this chapter and is within the scope of practice for the profession
- 8 as defined in Section 4980.02.
- 9 (2) An applicant shall not be employed or volunteer in a private
- 10 practice, as defined in subparagraph (C) of paragraph (1) of
- 11 subdivision-(d), (e), until registered as an intern.
- 12 (3) While an intern may be either a paid employee or a
- 13 volunteer, employers are encouraged to provide fair remuneration
- 14 to interns.
- 15 (4) Except for periods of time during a supervisor’s vacation or
- 16 sick leave, an intern who is employed or volunteering in private
- 17 practice shall be under the direct supervision of a licensee that has
- 18 satisfied subdivision (g) of Section 4980.03. The supervising
- 19 licensee shall either be employed by and practice at the same site
- 20 as the intern’s employer, or shall be an owner or shareholder of
- 21 the private practice. Alternative supervision may be arranged during
- 22 a supervisor’s vacation or sick leave if the supervision meets the
- 23 requirements of this section.
- 24 (5) Experience may be gained by the intern solely as part of the
- 25 position for which the intern volunteers or is employed.
- 26 (f)
- 27 (g) Except as provided in subdivision-(g), (h), all persons shall
- 28 register with the board as an intern to be credited for postdegree
- 29 hours of supervised experience gained toward licensure.
- 30 (g)
- 31 (h) Postdegree hours of experience shall be credited toward
- 32 licensure so long as the applicant applies for the intern registration
- 33 within 90 days of the granting of the qualifying master’s or doctoral
- 34 degree and is thereafter granted the intern registration by the board.
- 35 An applicant shall not be employed or volunteer in a private
- 36 practice until registered as an intern by the board.
- 37 (h)
- 38 (i) Trainees, interns, and applicants shall not receive any
- 39 remuneration from patients or clients, and shall only be paid by
- 40 their employers.

1     (†)

2     (j) Trainees, interns, and applicants shall only perform services  
3 at the place where their employers regularly conduct business,  
4 which may include performing services at other locations, so long  
5 as the services are performed under the direction and control of  
6 their employer and supervisor, and in compliance with the laws  
7 and regulations pertaining to supervision. *For purposes of*  
8 *paragraph (3) of subdivision (a) of Section 2290.5, interns and*  
9 *trainees working under licensed supervision, consistent with*  
10 *subdivision (c), may provide services via telehealth within the*  
11 *scope authorized by this chapter and in accordance with any*  
12 *regulations governing the use of telehealth promulgated by the*  
13 *board.* Trainees and interns shall have no proprietary interest in  
14 their employers' businesses and shall not lease or rent space, pay  
15 for furnishings, equipment, or supplies, or in any other way pay  
16 for the obligations of their employers.

17     (‡)

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

29     (Ⓚ)

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

1 SEC. 40. Section 4980.54 of the Business and Professions  
2 Code is amended to read:

3 4980.54. (a) The Legislature recognizes that the education and  
4 experience requirements in this chapter constitute only minimal  
5 requirements to ensure that an applicant is prepared and qualified  
6 to take the licensure examinations as specified in subdivision (d)  
7 of Section 4980.40 and, if he or she passes those examinations, to  
8 begin practice.

9 (b) In order to continuously improve the competence of licensed  
10 marriage and family therapists and as a model for all  
11 psychotherapeutic professions, the Legislature encourages all  
12 licensees to regularly engage in continuing education related to  
13 the profession or scope of practice as defined in this chapter.

14 (c) Except as provided in subdivision (e), the board shall not  
15 renew any license pursuant to this chapter unless the applicant  
16 certifies to the board, on a form prescribed by the board, that he  
17 or she has completed not less than 36 hours of approved continuing  
18 education in or relevant to the field of marriage and family therapy  
19 in the preceding two years, as determined by the board.

20 (d) The board shall have the right to audit the records of any  
21 applicant to verify the completion of the continuing education  
22 requirement. Applicants shall maintain records of completion of  
23 required continuing education coursework for a minimum of two  
24 years and shall make these records available to the board for  
25 auditing purposes upon request.

26 (e) The board may establish exceptions from the continuing  
27 education requirements of this section for good cause, as defined  
28 by the board.

29 (f) The continuing education shall be obtained from one of the  
30 following sources:

31 (1) An accredited school or state-approved school that meets  
32 the requirements set forth in Section 4980.36 or 4980.37. Nothing  
33 in this paragraph shall be construed as requiring coursework to be  
34 offered as part of a regular degree program.

35 (2) Other continuing education providers, as specified by the  
36 board by regulation.

37 (g) The board shall establish, by regulation, a procedure for  
38 identifying acceptable providers of continuing education courses,  
39 and all providers of continuing education, as described in  
40 paragraphs (1) and (2) of subdivision (f), shall adhere to procedures

1 established by the board. The board may revoke or deny the right  
2 of a provider to offer continuing education coursework pursuant  
3 to this section for failure to comply with this section or any  
4 regulation adopted pursuant to this section.

5 (h) Training, education, and coursework by approved providers  
6 shall incorporate one or more of the following:

7 (1) Aspects of the discipline that are fundamental to the  
8 understanding or the practice of marriage and family therapy.

9 (2) Aspects of the discipline of marriage and family therapy in  
10 which significant recent developments have occurred.

11 (3) Aspects of other disciplines that enhance the understanding  
12 or the practice of marriage and family therapy.

13 (i) A system of continuing education for licensed marriage and  
14 family therapists shall include courses directly related to the  
15 diagnosis, assessment, and treatment of the client population being  
16 served.

17 (j) The board shall, by regulation, fund the administration of  
18 this section through continuing education provider fees to be  
19 deposited in the Behavioral Sciences Fund. The fees related to the  
20 administration of this section shall be sufficient to meet, but shall  
21 not exceed, the costs of administering the corresponding provisions  
22 of this section. For purposes of this subdivision, a provider of  
23 continuing education as described in paragraph (1) of subdivision  
24 (f) shall be deemed to be an approved provider.

25 (k) The continuing education requirements of this section shall  
26 comply fully with the guidelines for mandatory continuing  
27 education established by the Department of Consumer Affairs  
28 pursuant to Section 166.

29 SEC. 41. Section 4984.01 of the Business and Professions  
30 Code, as amended by Section 31 of Chapter 473 of the Statutes of  
31 2013, is amended to read:

32 4984.01. (a) The marriage and family therapist intern  
33 registration shall expire one year from the last day of the month  
34 in which it was issued.

35 (b) To renew the registration, the registrant shall, on or before  
36 the expiration date of the registration, complete all of the following  
37 actions:

38 (1) Apply for renewal on a form prescribed by the board.

39 (2) Pay a renewal fee prescribed by the board.

1 (3) Participate in the California law and ethics examination  
2 pursuant to Section 4980.399 each year until successful completion  
3 of this examination.

4 (4) Notify the board whether he or she has been convicted, as  
5 defined in Section 490, of a misdemeanor or felony, and whether  
6 any disciplinary action has been taken against him or her by a  
7 regulatory or licensing board in this or any other state subsequent  
8 to the last renewal of the registration.

9 (c) The registration may be renewed a maximum of five times.  
10 No registration shall be renewed or reinstated beyond six years  
11 from the last day of the month during which it was issued,  
12 regardless of whether it has been revoked. When no further  
13 renewals are possible, an applicant may apply for and obtain a  
14 subsequent intern registration number if the applicant meets the  
15 educational requirements for registration in effect at the time of  
16 the application for a subsequent intern registration number and  
17 has passed the California law and ethics examination described in  
18 Section 4980.399. An applicant who is issued a subsequent intern  
19 registration number pursuant to this subdivision shall not be  
20 employed or volunteer in a private practice.

21 (d) This section shall become operative on January 1, 2016.

22 SEC. 42. Section 4989.34 of the Business and Professions  
23 Code is amended to read:

24 4989.34. (a) To renew his or her license, a licensee shall certify  
25 to the board, on a form prescribed by the board, completion in the  
26 preceding two years of not less than 36 hours of approved  
27 continuing education in, or relevant to, educational psychology.

28 (b) (1) The continuing education shall be obtained from either  
29 an accredited university or a continuing education provider as  
30 specified by the board by regulation.

31 (2) The board shall establish, by regulation, a procedure  
32 identifying acceptable providers of continuing education courses,  
33 and all providers of continuing education shall comply with  
34 procedures established by the board. The board may revoke or  
35 deny the right of a provider to offer continuing education  
36 coursework pursuant to this section for failure to comply with this  
37 section or any regulation adopted pursuant to this section.

38 (c) Training, education, and coursework by approved providers  
39 shall incorporate one or more of the following:

1 (1) Aspects of the discipline that are fundamental to the  
2 understanding or the practice of educational psychology.

3 (2) Aspects of the discipline of educational psychology in which  
4 significant recent developments have occurred.

5 (3) Aspects of other disciplines that enhance the understanding  
6 or the practice of educational psychology.

7 (d) The board may audit the records of a licensee to verify  
8 completion of the continuing education requirement. A licensee  
9 shall maintain records of the completion of required continuing  
10 education coursework for a minimum of two years and shall make  
11 these records available to the board for auditing purposes upon its  
12 request.

13 (e) The board may establish exceptions from the continuing  
14 education requirements of this section for good cause, as  
15 determined by the board.

16 (f) The board shall, by regulation, fund the administration of  
17 this section through continuing education provider fees to be  
18 deposited in the Behavioral Sciences Fund. The amount of the fees  
19 shall be sufficient to meet, but shall not exceed, the costs of  
20 administering this section.

21 (g) The continuing education requirements of this section shall  
22 comply fully with the guidelines for mandatory continuing  
23 education established by the Department of Consumer Affairs  
24 pursuant to Section 166.

25 SEC. 43. Section 4992.09 of the Business and Professions  
26 Code is amended to read:

27 4992.09. (a) Except as provided in subdivision (a) of Section  
28 4992.07, an applicant and registrant shall obtain a passing score  
29 on a board-administered California law and ethics examination in  
30 order to qualify for licensure.

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

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

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

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

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

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

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

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

32 SEC. 44. Section 4996.2 of the Business and Professions Code  
33 is amended to read:

34 4996.2. Each applicant for a license shall furnish evidence  
35 satisfactory to the board that he or she complies with all of the  
36 following requirements:

37 (a) Is at least 21 years of age.

38 (b) Has received a master's degree from an accredited school  
39 of social work.

1 (c) Has had two years of supervised post-master's degree  
2 experience, as specified in Section 4996.23.

3 (d) Has not committed any crimes or acts constituting grounds  
4 for denial of licensure under Section 480. The board shall not issue  
5 a registration or license to any person who has been convicted of  
6 any crime in this or another state or in a territory of the United  
7 States that involves sexual abuse of children or who is required to  
8 register pursuant to Section 290 of the Penal Code or the equivalent  
9 in another state or territory.

10 (e) Has completed adequate instruction and training in the  
11 subject of alcoholism and other chemical substance dependency.  
12 This requirement applies only to applicants who matriculate on or  
13 after January 1, 1986.

14 (f) Has completed instruction and training in spousal or partner  
15 abuse assessment, detection, and intervention. This requirement  
16 applies to an applicant who began graduate training during the  
17 period commencing on January 1, 1995, and ending on December  
18 31, 2003. An applicant who began graduate training on or after  
19 January 1, 2004, shall complete a minimum of 15 contact hours  
20 of coursework in spousal or partner abuse assessment, detection,  
21 and intervention strategies, including knowledge of community  
22 resources, cultural factors, and same gender abuse dynamics.  
23 Coursework required under this subdivision may be satisfactory  
24 if taken either in fulfillment of other educational requirements for  
25 licensure or in a separate course.

26 (g) Has completed a minimum of 10 contact hours of training  
27 or coursework in human sexuality as specified in Section 1807 of  
28 Title 16 of the California Code of Regulations. This training or  
29 coursework may be satisfactory if taken either in fulfillment of  
30 other educational requirements for licensure or in a separate course.

31 (h) Has completed a minimum of seven contact hours of training  
32 or coursework in child abuse assessment and reporting as specified  
33 in Section 1807.2 of Title 16 of the California Code of Regulations.  
34 This training or coursework may be satisfactory if taken either in  
35 fulfillment of other educational requirements for licensure or in a  
36 separate course.

37 SEC. 45. Section 4996.22 of the Business and Professions  
38 Code is amended to read:

39 4996.22. (a) (1) Except as provided in subdivision (c), the  
40 board shall not renew any license pursuant to this chapter unless

1 the applicant certifies to the board, on a form prescribed by the  
2 board, that he or she has completed not less than 36 hours of  
3 approved continuing education in or relevant to the field of social  
4 work in the preceding two years, as determined by the board.

5 (2) The board shall not renew any license of an applicant who  
6 began graduate study prior to January 1, 2004, pursuant to this  
7 chapter unless the applicant certifies to the board that during the  
8 applicant's first renewal period after the operative date of this  
9 section, he or she completed a continuing education course in  
10 spousal or partner abuse assessment, detection, and intervention  
11 strategies, including community resources, cultural factors, and  
12 same gender abuse dynamics. On and after January 1, 2005, the  
13 course shall consist of not less than seven hours of training.  
14 Equivalent courses in spousal or partner abuse assessment,  
15 detection, and intervention strategies taken prior to the operative  
16 date of this section or proof of equivalent teaching or practice  
17 experience may be submitted to the board and at its discretion,  
18 may be accepted in satisfaction of this requirement. Continuing  
19 education courses taken pursuant to this paragraph shall be applied  
20 to the 36 hours of approved continuing education required under  
21 paragraph (1).

22 (b) The board shall have the right to audit the records of any  
23 applicant to verify the completion of the continuing education  
24 requirement. Applicants shall maintain records of completion of  
25 required continuing education coursework for a minimum of two  
26 years and shall make these records available to the board for  
27 auditing purposes upon request.

28 (c) The board may establish exceptions from the continuing  
29 education requirement of this section for good cause as defined  
30 by the board.

31 (d) The continuing education shall be obtained from one of the  
32 following sources:

33 (1) An accredited school of social work, as defined in Section  
34 4991.2, or a school or department of social work that is a candidate  
35 for accreditation by the Commission on Accreditation of the  
36 Council on Social Work Education. Nothing in this paragraph shall  
37 be construed as requiring coursework to be offered as part of a  
38 regular degree program.

39 (2) Other continuing education providers, as specified by the  
40 board by regulation.

1 (e) The board shall establish, by regulation, a procedure for  
2 identifying acceptable providers of continuing education courses,  
3 and all providers of continuing education, as described in  
4 paragraphs (1) and (2) of subdivision (d), shall adhere to the  
5 procedures established by the board. The board may revoke or  
6 deny the right of a provider to offer continuing education  
7 coursework pursuant to this section for failure to comply with this  
8 section or any regulation adopted pursuant to this section.

9 (f) Training, education, and coursework by approved providers  
10 shall incorporate one or more of the following:

11 (1) Aspects of the discipline that are fundamental to the  
12 understanding, or the practice, of social work.

13 (2) Aspects of the social work discipline in which significant  
14 recent developments have occurred.

15 (3) Aspects of other related disciplines that enhance the  
16 understanding, or the practice, of social work.

17 (g) A system of continuing education for licensed clinical social  
18 workers shall include courses directly related to the diagnosis,  
19 assessment, and treatment of the client population being served.

20 (h) The continuing education requirements of this section shall  
21 comply fully with the guidelines for mandatory continuing  
22 education established by the Department of Consumer Affairs  
23 pursuant to Section 166.

24 (i) The board may adopt regulations as necessary to implement  
25 this section.

26 (j) The board shall, by regulation, fund the administration of  
27 this section through continuing education provider fees to be  
28 deposited in the Behavioral Sciences Fund. The fees related to the  
29 administration of this section shall be sufficient to meet, but shall  
30 not exceed, the costs of administering the corresponding provisions  
31 of this section. For purposes of this subdivision, a provider of  
32 continuing education as described in paragraph (1) of subdivision  
33 (d) shall be deemed to be an approved provider.

34 SEC. 46. Section 4996.28 of the Business and Professions  
35 Code is amended to read:

36 4996.28. (a) Registration as an associate clinical social worker  
37 shall expire one year from the last day of the month during which  
38 it was issued. To renew a registration, the registrant shall, on or  
39 before the expiration date of the registration, complete all of the  
40 following actions:

- 1 (1) Apply for renewal on a form prescribed by the board.
- 2 (2) Pay a renewal fee prescribed by the board.
- 3 (3) Notify the board whether he or she has been convicted, as
- 4 defined in Section 490, of a misdemeanor or felony, and whether
- 5 any disciplinary action has been taken by a regulatory or licensing
- 6 board in this or any other state, subsequent to the last renewal of
- 7 the registration.
- 8 (4) On and after January 1, 2016, obtain a passing score on the
- 9 California law and ethics examination pursuant to Section 4992.09.

10 (b) A registration as an associate clinical social worker may be  
 11 renewed a maximum of five times. When no further renewals are  
 12 possible, an applicant may apply for and obtain a subsequent  
 13 associate clinical social worker registration number if the applicant  
 14 meets all requirements for registration in effect at the time of his  
 15 or her application for a subsequent associate clinical social worker  
 16 registration number. An applicant issued a subsequent associate  
 17 registration number pursuant to this subdivision shall not be  
 18 employed or volunteer in a private practice.

19 SEC. 47. Section 4999.1 of the Business and Professions Code  
 20 is amended to read:

21 4999.1. Application for registration as a telephone medical  
 22 advice service shall be made on a form prescribed by the  
 23 department, accompanied by the fee prescribed pursuant to Section  
 24 4999.5. The department shall make application forms available.  
 25 Applications shall contain all of the following:

- 26 (a) The signature of the individual owner of the telephone
- 27 medical advice service, or of all of the partners if the service is a
- 28 partnership, or of the president or secretary if the service is a
- 29 corporation. The signature shall be accompanied by a resolution
- 30 or other written communication identifying the individual whose
- 31 signature is on the form as owner, partner, president, or secretary.
- 32 (b) The name under which the person applying for the telephone
- 33 medical advice service proposes to do business.
- 34 (c) The physical address, mailing address, and telephone number
- 35 of the business entity.
- 36 (d) The designation, including the name and physical address,
- 37 of an agent for service of process in California.
- 38 (e) A list of all health care professionals providing medical
- 39 advice services that are required to be licensed, registered, or
- 40 certified pursuant to this chapter. This list shall be submitted to

1 the department on a form to be prescribed by the department and  
2 shall include, but not be limited to, the name, state of licensure,  
3 type of license, and license number.

4 (f) The department shall be notified within 30 days of any  
5 change of name, physical location, mailing address, or telephone  
6 number of any business, owner, partner, corporate officer, or agent  
7 for service of process in California, together with copies of all  
8 resolutions or other written communications that substantiate these  
9 changes.

10 SEC. 48. Section 4999.2 of the Business and Professions Code  
11 is amended to read:

12 4999.2. (a) In order to obtain and maintain a registration, a  
13 telephone medical advice service shall comply with the  
14 requirements established by the department. Those requirements  
15 shall include, but shall not be limited to, all of the following:

16 (1) (A) Ensuring that all health care professionals who provide  
17 medical advice services are appropriately licensed, certified, or  
18 registered as a physician and surgeon pursuant to Chapter 5  
19 (commencing with Section 2000) or the Osteopathic Initiative Act,  
20 as a dentist, dental hygienist, dental hygienist in alternative  
21 practice, or dental hygienist in extended functions pursuant to  
22 Chapter 4 (commencing with Section 1600), as an occupational  
23 therapist pursuant to Chapter 5.6 (commencing with Section 2570),  
24 as a registered nurse pursuant to Chapter 6 (commencing with  
25 Section 2700), as a psychologist pursuant to Chapter 6.6  
26 (commencing with Section 2900), as a naturopathic doctor pursuant  
27 to Chapter 8.2 (commencing with Section 3610), as a marriage  
28 and family therapist pursuant to Chapter 13 (commencing with  
29 Section 4980), as a licensed clinical social worker pursuant to  
30 Chapter 14 (commencing with Section 4991), as a licensed  
31 professional clinical counselor pursuant to Chapter 16  
32 (commencing with Section 4999.10), as an optometrist pursuant  
33 to Chapter 7 (commencing with Section 3000), or as a chiropractor  
34 pursuant to the Chiropractic Initiative Act, and operating consistent  
35 with the laws governing their respective scopes of practice in the  
36 state within which they provide telephone medical advice services,  
37 except as provided in paragraph (2).

38 (B) Ensuring that all health care professionals who provide  
39 telephone medical advice services from an out-of-state location,  
40 as identified in subparagraph (A), are licensed, registered, or

1 certified in the state within which they are providing the telephone  
2 medical advice services and are operating consistent with the laws  
3 governing their respective scopes of practice.

4 (2) Ensuring that the telephone medical advice provided is  
5 consistent with good professional practice.

6 (3) Maintaining records of telephone medical advice services,  
7 including records of complaints, provided to patients in California  
8 for a period of at least five years.

9 (4) Ensuring that no staff member uses a title or designation  
10 when speaking to an enrollee, subscriber, or consumer that may  
11 cause a reasonable person to believe that the staff member is a  
12 licensed, certified, or registered health care professional described  
13 in subparagraph (A) of paragraph (1), unless the staff member is  
14 a licensed, certified, or registered professional.

15 (5) Complying with all directions and requests for information  
16 made by the department.

17 (6) Notifying the department within 30 days of any change of  
18 name, physical location, mailing address, or telephone number of  
19 any business, owner, partner, corporate officer, or agent for service  
20 of process in California, together with copies of all resolutions or  
21 other written communications that substantiate these changes.

22 (7) Submitting quarterly reports, on a form prescribed by the  
23 department, to the department within 30 days of the end of each  
24 calendar quarter.

25 (b) To the extent permitted by Article VII of the California  
26 Constitution, the department may contract with a private nonprofit  
27 accrediting agency to evaluate the qualifications of applicants for  
28 registration pursuant to this chapter and to make recommendations  
29 to the department.

30 SEC. 49. Section 4999.3 of the Business and Professions Code  
31 is amended to read:

32 4999.3. (a) The department may suspend, revoke, or otherwise  
33 discipline a registrant or deny an application for registration as a  
34 telephone medical advice service based on any of the following:

35 (1) Incompetence, gross negligence, or repeated similar  
36 negligent acts performed by the registrant or any employee of the  
37 registrant.

38 (2) An act of dishonesty or fraud by the registrant or any  
39 employee of the registrant.

1 (3) The commission of any act, or being convicted of a crime,  
2 that constitutes grounds for denial or revocation of licensure  
3 pursuant to any provision of this division.

4 (b) The proceedings shall be conducted in accordance with  
5 Chapter 5 (commencing with Section 11500) of Part 1 of Division  
6 3 of Title 2 of the Government Code, and the department shall  
7 have all powers granted therein.

8 (c) Copies of any complaint against a telephone medical advice  
9 service shall be forwarded to the Department of Managed Health  
10 Care.

11 (d) The department shall forward a copy of any complaint  
12 submitted to the department pursuant to this chapter to the entity  
13 that issued the license to the licensee involved in the advice  
14 provided to the patient.

15 SEC. 50. Section 4999.4 of the Business and Professions Code  
16 is amended to read:

17 4999.4. (a) Every registration issued to a telephone medical  
18 advice service shall expire 24 months after the initial date of  
19 issuance.

20 (b) To renew an unexpired registration, the registrant shall,  
21 before the time at which the registration would otherwise expire,  
22 pay the renewal fee authorized by Section 4999.5.

23 (c) An expired registration may be renewed at any time within  
24 three years after its expiration upon the filing of an application for  
25 renewal on a form prescribed by the bureau and the payment of  
26 all fees authorized by Section 4999.5. A registration that is not  
27 renewed within three years following its expiration shall not be  
28 renewed, restored, or reinstated thereafter, and the delinquent  
29 registration shall be canceled immediately upon expiration of the  
30 three-year period.

31 SEC. 51. Section 4999.5 of the Business and Professions Code  
32 is amended to read:

33 4999.5. The department may set fees for registration and  
34 renewal as a telephone medical advice service sufficient to pay  
35 the costs of administration of this chapter.

36 SEC. 52. Section 4999.7 of the Business and Professions Code  
37 is amended to read:

38 4999.7. (a) This section does not limit, preclude, or otherwise  
39 interfere with the practices of other persons licensed or otherwise  
40 authorized to practice, under any other provision of this division,

1 telephone medical advice services consistent with the laws  
2 governing their respective scopes of practice, or licensed under  
3 the Osteopathic Initiative Act or the Chiropractic Initiative Act  
4 and operating consistent with the laws governing their respective  
5 scopes of practice.

6 (b) For purposes of this chapter, “telephone medical advice”  
7 means a telephonic communication between a patient and a health  
8 care professional in which the health care professional’s primary  
9 function is to provide to the patient a telephonic response to the  
10 patient’s questions regarding his or her or a family member’s  
11 medical care or treatment. “Telephone medical advice” includes  
12 assessment, evaluation, or advice provided to patients or their  
13 family members.

14 (c) For purposes of this chapter, “health care professional” is  
15 an employee or independent contractor described in Section 4999.2  
16 who provides medical advice services and is appropriately licensed,  
17 certified, or registered as a dentist, dental hygienist, dental hygienist  
18 in alternative practice, or dental hygienist in extended functions  
19 pursuant to Chapter 4 (commencing with Section 1600), as a  
20 physician and surgeon pursuant to Chapter 5 (commencing with  
21 Section 2000) or the Osteopathic Initiative Act, as a registered  
22 nurse pursuant to Chapter 6 (commencing with Section 2700), as  
23 a psychologist pursuant to Chapter 6.6 (commencing with Section  
24 2900), as a naturopathic doctor pursuant to Chapter 8.2  
25 (commencing with Section 3610), as an optometrist pursuant to  
26 Chapter 7 (commencing with Section 3000), as a marriage and  
27 family therapist pursuant to Chapter 13 (commencing with Section  
28 4980), as a licensed clinical social worker pursuant to Chapter 14  
29 (commencing with Section 4991), as a licensed professional clinical  
30 counselor pursuant to Chapter 16 (commencing with Section  
31 4999.10), or as a chiropractor pursuant to the Chiropractic Initiative  
32 Act, and who is operating consistent with the laws governing his  
33 or her respective scopes of practice in the state in which he or she  
34 provides telephone medical advice services.

35 SEC. 53. Section 4999.45 of the Business and Professions  
36 Code, as amended by Section 54 of Chapter 473 of the Statutes of  
37 2013, is amended to read:

38 4999.45. (a) An intern employed under this chapter shall:

39 (1) Not perform any duties, except for those services provided  
40 as a clinical counselor trainee, until registered as an intern.

1 (2) Not be employed or volunteer in a private practice until  
2 registered as an intern.

3 (3) Inform each client prior to performing any professional  
4 services that he or she is unlicensed and under supervision.

5 (4) Renew annually for a maximum of five years after initial  
6 registration with the board.

7 (b) When no further renewals are possible, an applicant may  
8 apply for and obtain a subsequent intern registration number if the  
9 applicant meets the educational requirements for registration in  
10 effect at the time of the application for a subsequent intern  
11 registration number and has passed the California law and ethics  
12 examination described in Section 4999.53. An applicant issued a  
13 subsequent intern registration number pursuant to this subdivision  
14 shall not be employed or volunteer in a private practice.

15 (c) This section shall become operative on January 1, 2016.

16 SEC. 54. Section 4999.46 of the Business and Professions  
17 Code, as amended by Section 3 of Chapter 435 of the Statutes of  
18 2014, is amended to read:

19 4999.46. (a) To qualify for the licensure examination specified  
20 by paragraph (2) of subdivision (a) of Section 4999.53, as specified  
21 in Section 4999.50, applicants shall complete clinical mental health  
22 experience under the general supervision of an approved supervisor  
23 as defined in Section 4999.12: *experience related to the practice*  
24 *of professional clinical counseling under an approved supervisor.*  
25 *The experience shall comply with the following:*

26 (b) ~~The experience shall include a~~

27 (1) A minimum of 3,000 postdegree hours of supervised clinical  
28 mental health experience related to the practice of professional  
29 clinical counseling; *experience* performed over a period of not less  
30 than two years (104 weeks), ~~which shall include: (104 weeks).~~

31 (1)

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

33 (2)

34 (3) Not less than 1,750 hours of direct counseling with  
35 individuals, groups, couples, or families in a setting described in  
36 Section 4999.44 using a variety of psychotherapeutic techniques  
37 and recognized counseling interventions within the scope of  
38 practice of licensed professional clinical counselors.

39 (3) ~~Not more than 500 hours of experience providing group~~  
40 ~~therapy or group counseling.~~

- 1     ~~(4) Not more than 375 hours of experience providing personal~~  
2 ~~psychotherapy, crisis counseling, or other counseling services via~~  
3 ~~telehealth in accordance with Section 2290.5.~~  
4     ~~(5)~~  
5     (4) Not less than 150 hours of clinical experience in a hospital  
6 or community mental health setting, as defined in Section 1820 of  
7 Title 16 of the California Code of Regulations.  
8     ~~(6) Not more than a combined total of 1,250 hours of experience~~  
9 ~~in the following related activities:~~  
10     ~~(A) Direct supervisor contact.~~  
11     ~~(B) Client centered advocacy.~~  
12     ~~(C) Not more than 250 hours of experience administering tests~~  
13 ~~and evaluating psychological tests of clients, writing clinical~~  
14 ~~reports, writing progress notes, or writing process notes.~~  
15     ~~(D) Not more than 250 hours of verified attendance at~~  
16     (5) *A maximum of 1,250 hours of nonclinical practice, consisting*  
17 *of direct supervisor contact, administering and evaluating*  
18 *psychological tests, writing clinical reports, writing progress or*  
19 *process notes, client centered advocacy, and workshops, seminars,*  
20 *training sessions, or conferences directly related to professional*  
21 *clinical counseling that are have been approved by the applicant's*  
22 *supervisor.*  
23     (b) *An individual who submits an application for examination*  
24 *eligibility between January 1, 2016, and December 31, 2020, may*  
25 *alternatively qualify under the experience requirements that were*  
26 *in place on January 1, 2015.*  
27     (c) No hours of clinical mental health experience may be gained  
28 more than six years prior to the date the application for examination  
29 eligibility was filed.  
30     (d) An applicant shall register with the board as an intern in  
31 order to be credited for postdegree hours of experience toward  
32 licensure. Postdegree hours of experience shall be credited toward  
33 licensure, provided that the applicant applies for intern registration  
34 within 90 days of the granting of the qualifying degree and is  
35 thereafter granted the intern registration by the board. An applicant  
36 shall not be employed or volunteer in a private practice until  
37 registered as an intern by the board.  
38     (e) All applicants and interns shall be at all times under the  
39 supervision of a supervisor who shall be responsible for ensuring  
40 that the extent, kind, and quality of counseling performed is

1 consistent with the training and experience of the person being  
2 supervised, and who shall be responsible to the board for  
3 compliance with all laws, rules, and regulations governing the  
4 practice of professional clinical counseling.

5 (f) Experience obtained under the supervision of a spouse or  
6 relative by blood or marriage shall not be credited toward the  
7 required hours of supervised experience. Experience obtained  
8 under the supervision of a supervisor with whom the applicant has  
9 had or currently has a personal, professional, or business  
10 relationship that undermines the authority or effectiveness of the  
11 supervision shall not be credited toward the required hours of  
12 supervised experience.

13 (g) Except for experience gained pursuant to subparagraph (D)  
14 of paragraph (6) of subdivision (b), *by attending workshops,*  
15 *seminars, training sessions, or conferences as described in*  
16 *paragraph (5) of subdivision (a),* supervision shall include at least  
17 one hour of direct supervisor contact in each week for which  
18 experience is credited in each work setting.

19 (1) No more than six hours of supervision, whether individual  
20 or group, shall be credited during any single week. This paragraph  
21 shall apply to supervision hours gained on or after January 1, 2009.

22 (2) An intern shall receive at least one additional hour of direct  
23 supervisor contact for every week in which more than 10 hours of  
24 face-to-face psychotherapy is performed in each setting in which  
25 experience is gained.

26 (3) For purposes of this section, “one hour of direct supervisor  
27 contact” means one hour of face-to-face contact on an individual  
28 basis or two hours of face-to-face contact in a group of not more  
29 than eight persons in segments lasting no less than one continuous  
30 hour.

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

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

38 SEC. 55. Section 4999.55 of the Business and Professions  
39 Code is amended to read:

1 4999.55. (a) Each applicant and registrant shall obtain a  
2 passing score on a board-administered California law and ethics  
3 examination in order to qualify for licensure.

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

7 (c) Notwithstanding subdivision (b), an applicant who holds a  
8 registration eligible for renewal, with an expiration date no later  
9 than June 30, 2016, and who applies for renewal of that registration  
10 between January 1, 2016, and June 30, 2016, shall, if eligible, be  
11 allowed to renew the registration without first participating in the  
12 California law and ethics examination. These applicants shall  
13 participate in the California law and ethics examination in the next  
14 renewal cycle, and shall pass the examination prior to licensure or  
15 issuance of a subsequent registration number, as specified in this  
16 section.

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

21 (e) If a registrant fails to obtain a passing score on the California  
22 law and ethics examination described in subdivision (a) within his  
23 or her renewal period on or after the operative date of this section,  
24 he or she shall complete, at minimum, a 12-hour course in  
25 California law and ethics in order to be eligible to participate in  
26 the California law and ethics examination. Registrants shall only  
27 take the 12-hour California law and ethics course once during a  
28 renewal period. The 12-hour law and ethics course required by  
29 this section shall be taken through a continuing education provider  
30 as specified by the board by regulation, a county, state, or  
31 governmental entity, or a college or university.

32 (f) The board shall not issue a subsequent registration number  
33 unless the registrant has passed the California law and ethics  
34 examination.

35 (g) Notwithstanding subdivision (f), an applicant who holds or  
36 has held a registration, with an expiration date no later than January  
37 1, 2017, and who applies for a subsequent registration number  
38 between January 1, 2016, and January 1, 2017, shall, if eligible,  
39 be allowed to obtain the subsequent registration number without  
40 first passing the California law and ethics examination. These

1 applicants shall pass the California law and ethics examination  
2 during the next renewal period or prior to licensure, whichever  
3 occurs first.

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

5 SEC. 56. Section 4999.76 of the Business and Professions  
6 Code is amended to read:

7 4999.76. (a) Except as provided in subdivision (c), the board  
8 shall not renew any license pursuant to this chapter unless the  
9 applicant certifies to the board, on a form prescribed by the board,  
10 that he or she has completed not less than 36 hours of approved  
11 continuing education in or relevant to the field of professional  
12 clinical counseling in the preceding two years, as determined by  
13 the board.

14 (b) The board shall have the right to audit the records of any  
15 applicant to verify the completion of the continuing education  
16 requirement. Applicants shall maintain records of completed  
17 continuing education coursework for a minimum of two years and  
18 shall make these records available to the board for auditing  
19 purposes upon request.

20 (c) The board may establish exceptions from the continuing  
21 education requirement of this section for good cause, as defined  
22 by the board.

23 (d) The continuing education shall be obtained from one of the  
24 following sources:

25 (1) A school, college, or university that is accredited or  
26 approved, as defined in Section 4999.12. Nothing in this paragraph  
27 shall be construed as requiring coursework to be offered as part  
28 of a regular degree program.

29 (2) Other continuing education providers as specified by the  
30 board by regulation.

31 (e) The board shall establish, by regulation, a procedure for  
32 identifying acceptable providers of continuing education courses,  
33 and all providers of continuing education, as described in  
34 paragraphs (1) and (2) of subdivision (d), shall adhere to procedures  
35 established by the board. The board may revoke or deny the right  
36 of a provider to offer continuing education coursework pursuant  
37 to this section for failure to comply with this section or any  
38 regulation adopted pursuant to this section.

39 (f) Training, education, and coursework by approved providers  
40 shall incorporate one or more of the following:

1 (1) Aspects of the discipline that are fundamental to the  
2 understanding or the practice of professional clinical counseling.

3 (2) Significant recent developments in the discipline of  
4 professional clinical counseling.

5 (3) Aspects of other disciplines that enhance the understanding  
6 or the practice of professional clinical counseling.

7 (g) A system of continuing education for licensed professional  
8 clinical counselors shall include courses directly related to the  
9 diagnosis, assessment, and treatment of the client population being  
10 served.

11 (h) The board shall, by regulation, fund the administration of  
12 this section through continuing education provider fees to be  
13 deposited in the Behavioral Sciences Fund. The fees related to the  
14 administration of this section shall be sufficient to meet, but shall  
15 not exceed, the costs of administering the corresponding provisions  
16 of this section. For the purposes of this subdivision, a provider of  
17 continuing education as described in paragraph (1) of subdivision  
18 (d) shall be deemed to be an approved provider.

19 (i) The continuing education requirements of this section shall  
20 fully comply with the guidelines for mandatory continuing  
21 education established by the Department of Consumer Affairs  
22 pursuant to Section 166.

23 SEC. 57. Section 4999.100 of the Business and Professions  
24 Code, as amended by Section 66 of Chapter 473 of the Statutes of  
25 2013, is amended to read:

26 4999.100. (a) An intern registration shall expire one year from  
27 the last day of the month in which it was issued.

28 (b) To renew a registration, the registrant on or before the  
29 expiration date of the registration, shall do the following:

30 (1) Apply for a renewal on a form prescribed by the board.

31 (2) Pay a renewal fee prescribed by the board.

32 (3) Notify the board whether he or she has been convicted, as  
33 defined in Section 490, of a misdemeanor or felony, or whether  
34 any disciplinary action has been taken by any regulatory or  
35 licensing board in this or any other state, subsequent to the  
36 registrant's last renewal.

37 (4) Participate in the California law and ethics examination  
38 pursuant to Section 4999.53 each year until successful completion  
39 of this examination.

1 (c) The intern registration may be renewed a maximum of five  
2 times. Registration shall not be renewed or reinstated beyond six  
3 years from the last day of the month during which it was issued,  
4 regardless of whether it has been revoked. When no further  
5 renewals are possible, an applicant may apply for and obtain a  
6 subsequent intern registration number if the applicant meets the  
7 educational requirements for registration in effect at the time of  
8 the application for a subsequent intern registration number and  
9 has passed the California law and ethics examination described in  
10 Section 4999.53. An applicant who is issued a subsequent intern  
11 registration number pursuant to this subdivision shall not be  
12 employed or volunteer in a private practice.

13 (d) This section shall become operative on January 1, 2016.

14 *SEC. 58. Section 15.5 of this bill incorporates amendments to*  
15 *Section 1944 of the Business and Professions Code proposed by*  
16 *both this bill and AB 483. It shall only become operative if (1) both*  
17 *bills are enacted and become effective on or before January 1,*  
18 *2016, (2) each bill amends Section 1944 of the Business and*  
19 *Professions Code, and (3) this bill is enacted after AB 483, in*  
20 *which case Section 15 of this bill shall not become operative.*

21 ~~SEC. 58.~~

22 *SEC. 59.* No reimbursement is required by this act pursuant to  
23 Section 6 of Article XIII B of the California Constitution because  
24 the only costs that may be incurred by a local agency or school  
25 district will be incurred because this act creates a new crime or  
26 infraction, eliminates a crime or infraction, or changes the penalty  
27 for a crime or infraction, within the meaning of Section 17556 of  
28 the Government Code, or changes the definition of a crime within  
29 the meaning of Section 6 of Article XIII B of the California  
30 Constitution.