

Date of Hearing: April 4, 2017

ASSEMBLY COMMITTEE ON BUSINESS AND PROFESSIONS

Rudy Salas, Chair

AB 456 Thurmond – As Amended March 27, 2017

SUBJECT: Healing arts: associate clinical social workers.

SUMMARY: Authorizes an applicant for registration with the Board of Behavioral Sciences (BBS) as an Associate Clinical Social Worker (ACSW), to acquire supervised experience hours within 90 days of obtaining a qualified degree as long as the BBS receives the application, as specified.

EXISTING LAW:

- 1) Requires an individual to register with the BBS as an ACSW prior to obtaining supervised experience for the purpose of licensure requirements. (Business and Professions Code (BPC) Section 4996.18(a))
- 2) Requires an application for registration as an ACSW to satisfy the following requirements: (BPC Section 4996.18(b))
 - a) Possess a master's degree from an accredited school or department of social work;
 - b) Have committed no acts or crimes constituting grounds for denial; and,
 - c) Completed specified training or coursework.
- 3) Requires all applicants and registrants to at all times be under a supervisor who is responsible for ensuring that the extent, kind, and quality of counseling performed is consistent with the training and experience of the person being supervised and who is responsible to the BBS for compliance with all laws, rules, and regulations governing the practice of clinical social work. (BPC Section 4996.18(c))
- 4) Requires each applicant for licensure to complete 3,200 hours of post master's-degree supervised experience related to the practice of social work. (BPC Section 4996.23)
- 5) States that registration as an ACSW expires one year from the last day of the month during which it was issued, as specified, and permits an ACSW to renew his or her registration a maximum of five times. (BPC Section 4996.28(a)(b))

THIS BILL:

- 1) States that post degree hours of experience can be credited toward licensure so long as the applicant applies for the ACSW registration and the BBS receive the application, within 90 days of the granting of a qualifying master's or doctoral degree.

- 2) Prohibits the applicant from being employed or volunteering in private practice until registered as an ACSW.
- 3) Makes other technical changes.

FISCAL EFFECT: Unknown. This bill is keyed fiscal by the Legislative Counsel.

COMMENTS:

Purpose. This bill is sponsored by Seneca Family of Agencies, Lincoln, and National Association of Social Workers, California Chapter. According to the author, "[this bill] will allow social workers to accumulate hours of experience toward licensure so long as the applicant applies for associate clinical social worker registration with the Board of Behavioral Sciences (BBS) within 90 days of graduation from a qualifying master's or doctoral program. This allowance will better mirror current requirements for Marriage and Family Therapists and Licensed Professional Clinical Counselors, thus promoting parity in the mental health workforce."

Background. *Board of Behavioral Sciences.* The BBS licenses and regulates LCSWs and registers ACSWs. LCSWs are employed in settings such as health facilities, private practice, and state and county mental health agencies. LCSWs use counseling and therapeutic techniques to assist individuals, couples, families, and groups. In order to qualify for licensure as a LCSW, an individual must obtain a master's degree in social work and obtain 3,200 hours of supervised work experience. Two thousand of those hours must be gained in direct counseling, while the remaining 1,200 may be obtained in client-centered advocacy, consultation, evaluation, and research. Under current law, BPC Section 4996.23(g) specifies that experience can only be gained once an applicant has registered with the BBS as an ACSW.

This bill will allow an individual who has graduated from an authorized master's or doctoral degree program to begin obtaining supervised experience hours required for licensure as soon as they graduate while their application for registration as an ACSW with the BBS is pending. Under existing law, an applicant for registration as an ACSW is required to: 1) possess, at a minimum, a master's degree from an accredited school of social work; 2) have committed no crimes or acts constituting grounds for denial of licensure; and, 3) completed coursework in California law and professional ethics for clinical social workers. As such, this bill would permit an individual to begin gaining supervised hours of experience before registering with the BBS, meaning the BBS would not have an opportunity to ensure the applicant has met the educational requirement and has not committed any crime or act which is grounds for licensure denial.

Recent graduates of qualifying social work educational programs may have completed internship hours in various clinical settings and may have an opportunity to stay in those settings in order to gain supervised hours for licensure. This bill will permit those individuals who may have completed their degree to begin earning supervised hours while their application is pending with the BBS for registration as an ACSW in order to accumulate hours immediately upon graduation while the individual's application is pending with the BBS instead of waiting for the BBS to issue its registration number.

Currently, the practice acts for both marriage and family therapists and professional clinical counselors permit a marriage and family therapy intern to accumulate post-degree hours of experience for licensure purposes so long as the applicant applies for the intern registration within 90 days of the granting of the qualifying master's or doctoral degree and is granted the intern registration by the board (BPC Sections 4980.43(h) and 4999.46(d)). For both marriage and family therapy interns and professional clinical counselor interns, the applicant cannot be employed by or volunteer in a private practice until registered as an intern by the BBS. This bill clarifies that an applicant cannot be employed or volunteer in a private practice until he or she has registered with the BBS as an ACSW, which is the same prohibition for marriage and family therapy interns and professional clinical counselor interns.

Current Related Legislation. AB 93 (Medina) of the current legislative session revises and recasts supervised experience requirements for applicants as a Licensed Marriage and Family Therapist, LCSW, and a Licensed Professional Clinical Counselor, as specified; updates the requirements for supervisors of trainees, associates, and applicants; updates the requirements for trainees, associates, and applicants who are under supervision, as specified, and makes other technical and conforming changes. *Status: This bill is pending in the Assembly Committee on Appropriations.*

Prior Related Legislation. SB 620 (Block) Chapter, 262 Statutes of 2015, revised the supervised experience hour requirements for licensed marriage and family therapists and LPCCs and also revises experience hour requirements for LCSWs, as specified.

ARGUMENTS IN SUPPORT:

Seneca Family of Agencies writes in support, "...Seneca frequently hires graduating interns who have completed their internship hours with Seneca, struggles with the fact the these graduates cannot provide direct services during the two to four month period while they await a BBS number. This poses a financial hardship for Seneca, for the new graduates, for existing clinical staff caseloads and creates clinically inappropriate transitions for our clients. Seneca supports the removal of any unnecessary barriers to expanding and enhancing the mental health workforce throughout California."

The California Access Coalition writes in support, "[this bill] authorizes post graduate hours of experience to be credited toward licensure so long as the person applies for registration as an [ACSW] within 90 days of the granting of the qualifying master's degree or doctoral degree and is granted registration by the [BBS]. The social work field is greatly in need of experienced professionals and that experience should apply toward ACSW registration much as formal training is applied."

The National Association of Social Workers – California Chapter writes in support, "[This bill] adds language to the [BPC] which allows Master of Social Work (MSW) graduates to gain experience toward licensure that is retroactive to the applicant's date of graduation from and accredited school or department of social work, so long as the applicant applies for the [ACSW] registration within 90 days of the granting of the qualifying Master's or Doctoral degree; and is then granted the [ACSW] registration by the BBS."

ARGUMENTS IN OPPOSITION:

None on file.

REGISTERED SUPPORT:

Seneca Family of Agencies (sponsor)
California Access Coalition
National Association of Social Workers – California Chapter

REGISTERED OPPOSITION:

None on file.

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