

Date of Hearing: March 20, 2018

ASSEMBLY COMMITTEE ON BUSINESS AND PROFESSIONS

Evan Low, Chair

AB 2117 (Arambula) – As Introduced February 8, 2018

SUBJECT: Marriage and family therapists: clinical social workers: professional clinical counselors.

SUMMARY: Makes clarifications and technical changes to the licensing process for Licensed Marriage and Family Therapists (LMFTs), Licensed Clinical Social Workers (LCSWs), and Licensed Professional Clinical Counselors (LPCCs) and seeks to increase consistency in licensing requirements across these three professions.

EXISTING LAW:

- 1) Establishes the Board of Behavioral Sciences (Board) within the Department of Consumer Affairs. (Business and Professions Code (BPC) § 4990 et seq.)
- 2) Provides for the licensure of LMFTs by the Board following completion of required hours of supervised experience as a registered associate, as specified. (BPC § 4980 et seq.)
- 3) Provides for the licensure of LCSWs by the Board following completion of required hours of supervised experience as a registered associate, as specified. (BPC § 4996 et seq.)
- 4) Provides for the licensure of LPCCs by the Board following completion of required hours of supervised experience as a registered associate, as specified. (BPC § 4999.30 et seq.)
- 5) Requires the Board to consider substantially equivalent experience obtained outside of California in lieu of requirements for LMFT, LCSW, and LPPC licensure. (BPC § 4980.72; BPC § 4996.17; BPC § 4999.60)
- 6) Waives the supervised experience hours requirement for LCSW licensure applicants with at least four years of equivalent experience as a licensee in another state. (BPC § 4996.17)
- 7) Requires all LMFT and LPPC licensure applicants with education outside of California to complete an 18-hour California law and ethics course prior to registration as an associate. (BPC § 4980.79; BPC § 499.63)
- 8) Provides that an LCSW licensure applicant must pass the California law and ethics exam to renew registration as an associate. (BPC § 4996.28)
- 9) Provides for the renewal of an associate registration for an LMFT, LCSW, or LPCC licensure application prior to its expiration. (BPC § 4984.01; BPC § 4996.28; BPC § 4999.100)
- 10) Requires a registered associate applying for LMFT, LCSW, or LPCC licensure to obtain a passing score on a state law and ethics examination prior to registration renewal, and authorizes that registration to be renewed a maximum of 5 times. (BPC § 4984.01; BPC § 4996.28; BPC § 4999.100)

THIS BILL:

- 1) Extends the waiver of supervised experience hours requirements to applicants for licensure as LMFTs or LPCCs with at least four years of equivalent licensed experience in another state.
- 2) Requires all LCSW licensure applicants with education outside of California to complete an 18-hour California law and ethics course prior to registration as an associate.
- 3) Deletes the requirement that an LCSW licensure applicant must pass the California law and ethics exam to renew registration as an associate.
- 4) Requires require a registered associate applying for LCSW licensure to participate in the state law and ethics examination each year until successful completion of the exam.
- 5) Prohibit renewal or reinstatement of associate registration for LCSW licensure applicants beyond 6 years from the month that registration was issued.
- 6) Requires an LCSW licensure applicant seeking to renew their registration as an associate where no further renewals are possible to pass the state law and ethics examination as a condition of obtaining a subsequent associate registration.
- 7) Allows an expired associate registration to be renewed in the same manner that an unexpired registration is renewed.
- 8) Makes other technical and conforming changes, including updating references to “intern” to “associate.”

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

COMMENTS:

Purpose. This bill is sponsored by the **Board of Behavioral Sciences**. According to the author: “This bill makes some adjustments and clarifications to the Board’s licensure process, to ensure parity in the requirements across the Board’s licensed professions, and to ensure that certain requirements that have caused confusion in the past, are more easily understood. The result should be a smoother and more equitable process for all involved parties.”

Background. The Board is responsible for regulating several categories of licensees engaged in the provision of mental health services. This includes distinct types of therapists, social workers, and clinical counselors. Each of these licensing categories features similar requirements for applicants to become licensed and are ultimately governed by many of the same professional standards. However, minor inconsistencies in the application process between license types has led to a lack of clarity and efficiency in the Board’s licensing processes, suggesting a need for standardization and clarity.

One of the commonalities in the Board’s application processes for its several license types is the requirement that applicants obtain a number of hours of supervised experience prior to becoming licensure. During this stage of their application, applicants register as associates. Registrations expire but may be renewed within certain limitations. This registration also coincides with a requirement that applicants take and pass a California law and ethics examination prior to obtaining licensure.

This bill would clarify the associate registration process for licensure applicants under the Board and add greater consistency between license types. The bill also seeks to clarify and standardize how the Board considers substantially equivalent experience in another state in lieu of certain licensure requirements and when additional education is required for these applicants. The bill also makes clear that the process for renewing an expired associate registration is the same process by which a soon-to-be-expired registration is renewed.

Prior Related Legislation. AB 2191 (Salas) from 2016 extended the sunset date for the Board to January 1, 2021 and made technical, nonsubstances changes to its authorizing statute.

REGISTERED SUPPORT:

California Board of Behavioral Sciences (Sponsor)

REGISTERED OPPOSITION:

None on file.

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