Policy and Advocacy Meeting

The purpose of this committee is to review and discuss legislative, regulatory, and policy issues affecting the Board of Behavioral Sciences ("BBS") and the professions it regulates, and to make recommendations to the BBS concerning such matters.

After introducing the committee members and BBS staff, the public was invited to introduce themselves.

The following bills were reviewed and discussed:

AB 1145 (Garcia) - This bill specifies that the voluntary acts of oral copulation and sexual penetration are not considered acts of sexual assault that must be reported by a mandated reporter as child abuse if there are no indicators of abuse, unless it is between anyone 21 or older and a minor. Several issues were discussed, including the need for clarity on the bill language and how it would amend current law, the effect the bill would have on some therapists’ policy of “don’t ask, don’t tell,” the need for clarifying language regarding the abuse and exploitation of minors, and the unintended consequences that could result regarding minors. The Board previously supported a similar bill in 2015, AB 832, after language was amended to clarify non-abusive sexual conduct would not be reportable. Given that the same language is also included in AB 1145, a motion was made to recommend a support position on the bill. The motion carried. CAMFT is in support of this bill.

AB 1540 (Holden) - This bill defines music therapy in statute and to provide guidance to consumers and agencies regarding the education and training requirements of a qualified music therapist. Board and members discussed concerns with the bill’s intent and language. Given the different views of the Board members and the fact that the Board took a neutral position on a similar bill in 2015 (AB 1279), a motion was made to recommend a neutral position on the bill and to monitor its progress. The motion carried.

AB 1651 (Medina) - This bill allows applicants for licensure as a marriage and family therapist, professional clinical counselor or clinical social worker to gain supervised experience hours under a licensed educational psychologist. Concerns were expressed regarding the number of supervision hours included in the bill, appropriateness of licensed educational psychologists to supervise in this capacity, and applicability of Educationally Related Mental Health Services (ERMHS) settings. The BBS confirmed that it would work with legal counsel to draft language regarding ERMHS settings. A motion was made to recommend a support if amended position on the bill. The motion carried. CAMFT noted that they were in support of the general concept of the bill, but had similar concerns about supervision.

AB 613 (Low) - This bill allows the Board of Behavioral Sciences to increase any of its authorized fees once every four years by an amount up to the consumer price index for the preceding four years. The Committee discussed likely benefit to this bill would be a cut in lengthy wait times and discussed alternatives to raising the fee. NASW raised concerns with transparency regarding the absence of a clause in the bill that addresses how the public or licensees can express their thoughts and concerns. A motion was made to recommend a support position on the bill. The motion carried.

AB 769 (Smith) - This bill allows Medi-Cal reimbursement for covered mental health services provided by a licensed professional clinical counselor employed by a FQHC or a RHC. The bill was previously presented in the Assembly last year and was supported by the BBS. Most Board members in attendance agreed they feel this bill is necessary. CAMFT also confirmed they are in support of the bill. A motion was made to recommend a support position on the bill. The motion carried.

SB 10 (Beall) - This bill requires DHCS to establish a certification body for adults, parents, transition age youth, and family peer support specialists, and requires to amend the state’s Medicaid plan to include these providers within Medi-Cal. This is the author and sponsor’s third attempt at the bill. The Board expressed a desire for clarification on the scope of the bill. A motion was made to recommend a support position on the bill. The motion carried.

SB 601 (Morell) - This bill authorizes state agencies that issue business licenses to reduce or waive required fees if the person or business requesting the license establishes have been displaced or affected by a federal emergency. This bill is in response to the recent California fires. Discussion on the bill included the unpredictability of fiscal impact on...
the Board and the subsequent need for regulations and standards for acceptable proof if the bill is passed. A motion was made to recommend a support position on the bill. The motion carried.

**SB 163 (Support)** - This bill revises the definition of a qualified autism service professional and a qualified autism service paraprofessional. The Board previously supported a similar bill last year, SB 399, which was vetoed by the Governor. Given the Board’s prior support, a motion was made to recommend a support position on the bill. The motion carried.

**SB 425 (Hill)** - This bill requires health facilities, health care service plans, or other entities that make arrangements for healing arts licensees to practice in or provide care for patients to report allegations of sexual abuse by a licensee to the applicable licensing board within 15 days.

The Board discussed possible financial burden on the Board, how complaints would be handled, and requested clarification on “other entities.” Given that other groups will have a good deal of input on the bill, a motion was made to recommend a watch the bill’s progress and discuss it further in May, 2019. The motion carried. Additional discussion may include establishing the need for technical clean up language.

**SB 660 (Pan)** - This bill will require one full-time licensed mental health counselor per 1500 students on college campuses. A concern was raised with regard to trainees being included on the bill to count toward the ratio even though they do not have necessary training to mitigate crises. Given that the Board previously had a support if amended position on a similar bill last year, a motion was made to support the bill if amended to include language regarding licensure or registration by the applicable licensing board. The motion carried.

**BBS Sponsored Legislation**

**AB 630 (Low)** - This bill passed out of the Assembly Business, Professions and Economic Development Committee last week and is scheduled to be heard in the Assembly Appropriations Committee next week.

**SB 679 (Bates)** - This bill is set to be heard in the Senate Business, Professions and Economic Development Committee next week.

**SB 786 (Committee B&P)** - This bill is the Board’s omnibus bill and is slowly moving through the legislative process. ☑

![Catherine L. Atkins, JD](image)

Catherine L. Atkins, JD, is a staff attorney and the Deputy Executive Director at CAMFT. Cathy is available to answer members’ questions regarding legal, ethical, and licensure issues.

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**CONTINUING EDUCATION REQUIREMENTS**

| LMFT COURSE REQUIRED FOR FIRST RENEWAL ONLY: |
| HIV/AIDS (7 hours) This course requirements are waived if taken in degree program. |

| LMFT COURSE REQUIRED REQUIRED FOR EVERY RENEWAL: |
| Law and Ethics (6 hours) |

| OVERALL HOURS: | LMFTs are required to complete the MINIMUM of 18 hours of Continuing Education (CE) for their first renewal. All subsequent renewals have a requirement of 36 hours. |

| DUAL LICENSEES: | If you are dually licensed, you may apply CE hours to both licenses if the course meets all CE requirements and the subject matter relates to both scopes of practice. |

| COURSES TAUGHT: | You may claim credit for teaching a course. You will receive the same amount of hours as a course attendee would receive. However, you can only claim credit for teaching a course one time during a single renewal period. |

| 1 Semester Unit = 15 CE hours | 1 Quarter Unit = 10 CE hours |

| SUPERVISORS: | Supervisors may apply their supervisor course training hours to their CE requirement as long as the training has been taken from an acceptable CE provider. |

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