



Board of Behavioral Sciences

Memo

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To: Committee Members

Date: January 10, 2022

From: Rosanne Helms
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Subject: Legislative Update

BOARD-SPONSORED LEGISLATION

The Board is pursuing of the following legislative proposals this year.

1. **Supervision via Videoconferencing Bill Proposal (No Bill Number Assigned at This Time)**

This bill proposal would allow required weekly supervision via two-way, real-time videoconferencing in all settings, if the supervisor makes an assessment that this is appropriate. The Board approved this proposal at its November 5, 2021 meeting.

2. **Continuing Education Bill Proposal (No Bill Number Assigned at This Time)**

This bill proposes two changes to the Board's continuing education requirements:

- It proposes requiring applicants for licensure and current licensees to complete 3 hours of training or coursework in the provision of mental health services via telehealth, including law and ethics related to telehealth, as a one-time requirement.
- It requires all Board registrants to complete a 3 hour continuing education course in California law and ethics each renewal cycle.

In addition, the proposal also makes clarifications that certain pre-licensees may provide services with clients via telehealth.

The Board approved a portion of this proposal at its September 10, 2021 meeting, and a portion of the proposal at its November 5, 2021 meeting.

3. **Omnibus Bill Proposal (Senate Business, Professions and Economic Development Committee (No Bill Number Assigned at This Time))**

This bill proposal, approved by the Board at its November 5, 2021 meeting, makes minor, technical, or non-substantive amendments to add clarity and consistency to current law.

BOARD-SUPPORTED LEGISLATION

1. **AB 988 (Bauer-Kahan) Mental Health: 988 Crisis Hotline**

This bill takes steps to implement a statewide 988 mental health crisis hotline.

At its July 2021 meeting, the Board took a “support” position on this bill.

Status: This bill is a two-year bill. Staff is monitoring this proposal to see if it moves this year.

BOARD-MONITORED LEGISLATION

1. **AB 29 (Cooper) State Bodies: Meetings**

This bill proposes a change to the Bagley-Keene Open Meeting Act to require that state bodies provide meeting writings or materials to the public on the same day they are provided to the state body’s members, or at least 72 hours before the meeting, whichever is earlier.

At its May 2021 meeting, the Board took an “oppose unless amended” position on this bill. The Board requested an amendment that would permit revision of board materials related to current legislation to reflect the most recent information available. In addition, the Board requested an amendment specifying that closed session materials would remain confidential.

Status: This is a 2-year bill. Staff is monitoring this proposal to see if it moves this year.

2. **AB 646 (Low) Department of Consumer Affairs: Boards: Expunged Convictions**

This bill would require boards within DCA to update their required website postings for a person whose license was revoked because they were convicted of a crime, within 90 days upon receiving a certified copy of an expungement order for that offense pursuant to Penal Code section 1203.4. If the person reapplies for licensure or has been relicensed, the board must post notification of the

expungement order and the date on the website. If the person is not currently licensed and does not reapply for a license, the board must remove the initial website posting that the person's license was revoked, and information previously posted regarding arrests, charges, and convictions.

At its May 2021 meeting, the Board took a "support if amended" position on this bill. The Board requested an amendment to BPC section 493.5(a)(2) in the bill.

Status: This is a 2-year bill. Staff is monitoring this proposal to see if it moves this year.

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