

BOARD OF BEHAVIORAL SCIENCES

ORDER OF ADOPTION

The Board of Behavioral Sciences of the Department of Consumer Affairs hereby adopts regulations in Division 18 of Title 16 of the California Code of Regulations, as follows:

§ 1805.05. REEXAMINATION.

(a) A 90-day waiting period is required between attempts for applicants retaking a California law and ethics examination.

(b) A ~~180~~120-day waiting period is required between attempts for applicants retaking a clinical examination, except as indicated in subdivision ~~(e)~~(d).

(c) A 180-day waiting period is required between attempts for applicants retaking the licensed educational psychologist examination.

~~(e)~~(d) Waiting periods for national examinations that are accepted by the board shall be determined by that national testing entity.

~~(d)~~(e) The Board's Executive Officer may allow for a lesser waiting period, as long as the integrity of the examination or examination security is not compromised.

Note: Authority cited: Sections 4980.60 and 4990.20(a), Business and Professions Code. Reference: Sections 4980.50, 4984.72, 4989.22, 4992.1, 4996.4, 4999.52, ~~4999.54~~ and 4999.64, Business and Professions Code.

§ 1850.6. NAME OF CORPORATION.

The wording or abbreviation denoting corporate existence shall be limited to one of the following: "Professional Corporation," "Prof. Corp.," "Corporation," "Corp.," "Incorporated," or "Inc."

Note: Authority cited: Sections 4980.60 and 4990.20, Business and Professions Code. Reference: Sections ~~4987.7, and 4998.2, and 4999.125,~~ Business and Professions Code.

§ 1850.7. SHARES: OWNERSHIP AND TRANSFER.

(a) The shares of a marriage and family ~~therapist~~ therapist, licensed clinical social worker, or licensed professional clinical counselor corporation may be issued or transferred only to the issuing corporation or to an appropriately licensed person in accordance with Section 13401.5 of the Corporations Code.

~~(b) The shares of a licensed clinical social worker corporation may be issued or transferred only to the issuing corporation or to an appropriately licensed person in accordance with Section 13401.5 of the Corporations Code.~~

~~(c)~~(b) Where there are two or more shareholders in a corporation and one of its shareholders dies, or becomes a disqualified person as defined in Section 13401(d) of the Corporations Code, for a period exceeding ninety (90) days, ~~his or her~~ the person's shares shall be sold and transferred to a licensed person or to the issuing corporation, on such terms as are agreed upon. Such sale or transfer shall not be later than six (6) months after any such death and not later than ninety (90) days after the date the shareholder became a disqualified person.

~~(d)~~(c) A corporation and its shareholders may, but need not, agree that shares sold to it by a person who becomes a disqualified person may be resold to such person if and when ~~he or she~~ the person again ceases to become a disqualified person.

~~(e)~~(d) The restrictions of ~~subdivisions~~ subdivision (a) ~~or (b) where appropriate~~ and, if appropriate, subdivision ~~(e)~~(b) of this section shall be set forth in the corporation's by-laws or articles of incorporation.

~~(f)~~(e) The income of the corporation attributable to professional, licensed services rendered while a shareholder is a disqualified person shall not in any manner accrue to the benefit of such shareholder or ~~his or her~~ the person's shares.

~~(g)~~(f) The share certificates of the corporation shall contain either:

(1) An appropriate legend setting forth the restriction of subdivision (a) ~~or (b) where appropriate~~, and where applicable, the restriction of subdivision ~~(e)~~(b), or

(2) An appropriate legend stating that ownership and transfer of the shares are restricted and specifically referring to an identified section of the by-laws or articles of incorporation of the corporation wherein the restrictions are set forth.

Note: Authority cited: Sections 4980.60, 4988.2 and 4990.20, Business and Professions Code. Reference: Sections 4987.8, 4988, 4998.3, 4998.4, 4998.5, and 4999.126 and 4999.127, Business and Professions Code; and Sections 13401, 13401.5, 13403 and 13407, Corporations Code.

~~§ 1832. EQUIVALENT ACCREDITING AGENCIES.~~

~~The following accrediting agencies are essentially equivalent to Western College Association, which has been renamed the Western Association of Schools and Colleges, and Northwest Association of Secondary and Higher Schools:~~

~~(a) Middle States Association of Colleges and Secondary Schools.~~

~~(b) New England Association of Schools and Colleges.~~

~~(c) North Central Association of Colleges and Secondary Schools.~~

~~(d) Southern Association of Colleges and Schools.~~

~~(e) The Credentials Evaluation Service of the International Education Research Foundation, Inc. when it evaluates the foreign degree as being equivalent to the required degrees, and those foreign degree programs meet the educational requirements for equivalent degrees and the specific course content and educational requirements as set forth in sections 4980.40 and 4980.41 of the Code.~~

~~(f) State of California, Department of Education, Bureau of School Approvals with respect to its functions under Education Code section 29023(a)(2), when applied to~~

~~master's degree and/or doctoral programs which meet the requirements for an equivalent degree pursuant to section 1830 of these regulations, and the specific course content and educational requirements as set forth in sections 4980.40 and 4980.41, of the Code.~~

~~Note: Authority cited: Sections 4980.60 and 4990.20, Business and Professions Code. Reference: Sections 4980.40, 4980.41 and 4999.12, Business and Professions Code.~~

§ 1854. EQUIVALENT DEGREES APPROVED EDUCATIONAL INSTITUTIONS.

Educational institutions approved by the board are defined as a college or university accredited by a regional or national institutional accrediting agency recognized by the United States Department of Education. The board shall accept a degree deemed equivalent to that required by section 4989.20 of the Code by a foreign educational credentials evaluation service that is a member of the National Association of Credential Evaluation Services. ~~one of the following agencies:~~

- ~~(a) Western Association of Schools and Colleges.~~
- ~~(b) Northwest Commission on Colleges and Universities.~~
- ~~(c) Middle States Association of Colleges and Secondary Schools.~~
- ~~(d) New England Association of Schools and Colleges.~~
- ~~(e) North Central Association of Colleges and Secondary Schools.~~
- ~~(f) Southern Association of Colleges and Schools.~~
- ~~(g) The Credentials Evaluation Service of the International Education Research Foundation, Inc., where it evaluates the foreign degree as being equivalent to the required degree.~~

~~Note: Authority cited: Section 4990.20(a), Business and Professions Code. Reference: Section 4989.20(a)(1), Business and Professions Code.~~

Dated: _____

Signed: _____
Steve Sodergren, Executive Officer