

**TITLE 16 DEPARTMENT OF CONSUMER AFFAIRS
BOARD OF BEHAVIORAL SCIENCES
NOTICE OF PROPOSED CHANGES IN THE REGULATIONS**

NOTICE IS HEREBY GIVEN that the Board of Behavioral Sciences (Board) is proposing to take the action described in the Informative Digest. Any person interested may present statements or arguments orally or in writing relevant to the action proposed at a hearing to be held at 1625 North Market, El Dorado Room, Sacramento, California, at 9:00 a.m., on August 4, 2008. Written comments, including those sent by mail, facsimile, or e-mail to the addresses listed under Contact Person in this Notice, must be received by the Board at its office no later than 5:00 p.m. on July 28, 2008 or must be received by the Board of Behavioral Sciences at the hearing.

The Board, upon its own motion or at the instance of any interested party, may thereafter adopt the proposal substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as contact person and will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

Authority and Reference: Pursuant to the authority vested by Sections 4990.20 of the Business and Professions Code, and to implement, interpret, or make specific Sections 4980.40 and 4980.44 of the Business and Professions Code, the Board is considering changes to Division 18 of Title 16 of the California Code of Regulations (CCR) as follows:

INFORMATIVE DIGEST / POLICY STATEMENT OVERVIEW

The Board proposes to add Section 1832.5 to Title 16 of the California Code of Regulations. This section pertains to the requirements for degrees from educational institutions approved by the Bureau for Private Postsecondary and Vocational Education (BPPVE).

Existing law authorizes the Board to regulate Marriage and Family Therapist (MFT) licensure and MFT intern registration and specifies the requirements for licensure and registration. Existing law also confers upon the Board the authority to make the final determination whether a degree meets all of the Board's requirements for licensure or registration. Business and Professions Code section 4980.40 requires applicants for MFT licensure to possess a doctor's degree or master's degree from a school, college, or university accredited by the Western Association of Schools and Colleges (WASC), or approved by the BPPVE or the Commission on Accreditation of Marriage and Family Therapy Education (COAMFTE). Business and Professions Code section 4980.44 (a)(1) imposes the same requirements to qualify for an MFT intern registration.

This proposal would permit the Board to recognize applicants for MFT licensure and MFT intern registration who obtain a degree from a BPPVE-approved school between January 1, 2009 and June 30, 2012 to continue to qualify for licensure and registration, as long as the school held an approval to operate as of June 30, 2007. This proposal will only authorize the Board to recognize these degrees from these BPPVE-approved schools until either legislation reenacts the Private Postsecondary and Vocational Education Reform Act and the BPPVE or until legislation provides for a successor agency to BPPVE.

FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None

Nondiscretionary Costs/Savings to Local Agencies: None

Local Mandate: None

Cost to Any Local Agency or School District for Which Government Code Section 17561 Requires Reimbursement: None

Business Impact: The Board has made an initial determination that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states.

AND

The following studies/relevant data were relied upon in making the above determination:

There would be no costs to businesses or individuals to comply with this regulation, and there are no other economic costs anticipated. This proposal would benefit the 21 school programs offering degrees required for MFT intern registration and MFT licensure. The economic impact of the proposal to individuals is to avoid the loss of income that could occur for graduates between January 2, 2009, and June 30, 2012, as a result of their schools not being recognized by the Board. The Board estimates that an average of 358 students graduate from approved MFT programs per year. To businesses, the economic impact of this proposal is to avoid the potential loss of revenue from these students who may decide not to enroll in a formerly-approved BPPVE school that issues degrees that are no longer recognized by the Board.

Impact on Jobs/New Businesses: The Board has determined that this regulatory proposal will not have any impact on the creation of jobs or businesses or the elimination of jobs or existing businesses or the expansion of businesses in the State of California.

Cost Impacts on Representative Private Persons or Businesses: The Board is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Effect on Housing Costs: None

EFFECT ON SMALL BUSINESS

The Board has determined that the proposed regulations would not affect small businesses. This proposal will continue the current practice of recognizing qualifying degrees conferred upon applicants from BPPVE-approved schools.

CONSIDERATION OF ALTERNATIVES

The Board must determine that no reasonable alternative it considered to the regulation or that has otherwise been identified and brought to its attention would either be more effective in

carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposal described in this Notice.

Any interested person may present statements or arguments orally or in writing relevant to the above determinations at the above-mentioned hearing.

CONTACT PERSON

Inquiries or comments concerning the proposed rulemaking action may be addressed to:

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AVAILABILITY OF INITIAL STATEMENT OF REASONS AND INFORMATION

The Board has prepared an Initial Statement of Reasons for the proposed action and has available all the information upon which the proposal is based.

TEXT OF PROPOSAL AND AVAILABILITY OF MODIFIED TEXT

Copies of the exact language of the proposed regulations and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained upon request from the Contact Person listed above.

If the regulations adopted by the Board differ from and are substantially related to the action proposed, the text of the proposed regulations with changes clearly indicated will be made available to the public for 15 days prior to the date of adoption.

AVAILABILITY AND LOCATION OF THE FINAL STATEMENT OF REASONS AND RULEMAKING FILE

All of the information upon which the proposed regulations are based is contained in the rulemaking file, which is available for public inspection by contacting the Contact Person named below.

You may obtain a copy of the Final Statement of Reasons, once it has been prepared, by making a written request to the Contact Person named below (or by accessing the Web site listed below).

WEBSITE ACCESS

Materials regarding this proposal can be found at www.bbs.ca.gov.