

**BOARD OF BEHAVIORAL SCIENCES  
FINAL STATEMENT OF REASONS**

**Hearing Date: December 29, 2014**

**Subject Matter of Proposed Regulations: Examination Restructure**

**Section(s) Affected:** Sections 1805, 1805.01, 1805.05, 1806, 1816, 1816.2, 1816.3, 1816.4, 1816.5, 1816.6, 1816.7, 1822.50, 1822.51, 1822.52, 1829, 1829.1, 1829.2, 1829.3, 1877, 1877.1, 1877.2 and 1877.3 of Division 18 of Title 16 of the California Code of Regulations.

**Updated Information**

- **Section 1805:** A nonsubstantive change was made, removing an unnecessary subdivision number (a).
- **Section 1805.05(b):** A nonsubstantive clarifying change was made to indicate that subdivision (b) does not apply to subdivision (c).
- **Sections 1822.50(b) and 1877.1(b):** A clarifying change was made to specify the national exam that the Board will be requiring.
- **Section 1829.1(b):** The language pertaining to a national exam was stricken, as the Board has not elected to use a national exam at this time for the Licensed Marriage and Family Therapist program. The remaining language states that the exam for this program will be a board-administered exam.
- **Section 1822.51(a)(1)(A), 1829.2(a)(1)(A) and 1877.2(a)(1)(A):** A nonsubstantive change was made to clarify that the registrant is only required to take a 12-hour law and ethics course when he or she does not pass the exam during his or her registration's renewal cycle (as opposed to each time he or she fails the exam).

**Objections or Recommendations/Responses to Comments:**

The Board did not receive any written comments or any objections or recommendations during the public comment period or at the public hearing.

**Comments Received During the 15-Day Period the Modified Text was Available to the Public:**

The Board held one 15-day public comment period. No comments were received.

**Small Business Impact:**

This proposal will not have an adverse economic impact on businesses. The regulatory proposal only clarifies statutory changes and will make Board regulations consistent with current law.

**Consideration of Alternatives**

No reasonable alternative which was considered or that has otherwise been identified and brought to the attention of the board would be more effective in carrying out the purpose for which it was proposed or would be as effective and less burdensome to affected private persons than the adopted regulation or would be more cost effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

Below are the alternatives that were considered:

1. Not adopt the regulations. This alternative was rejected because it would be confusing to applicants and would hinder staff's ability to consistently apply the statutory requirements of the exam restructure to different applicants.
2. Adopt the regulations. The Board determined that this is the best alternative, as the exam restructure statutes would be difficult to implement without regulatory changes to provide clarity and guidance on procedures and processes.

**Local Mandate**

The proposed regulation does not impose any mandate on local agencies or school districts.

**Nonduplication**

The proposed regulation, sections 1816, 1816.1, 1816.2, 1816.3, 1816.4, 1816.5, 1816.6, and 1816.7, in some instances duplicate state statutes which are cited as "authority" or "reference" for the proposed regulation. This duplication is necessary to satisfy the "clarity" standard of Government Code Section 11349.1(a)(3).