



Board of Behavioral Sciences

# Memo

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**To:** Board Members **Date:** April 23, 2024

**From:** Rosanne Helms  
Legislative Manager

**Subject:** Discussion and Possible Action Regarding Proposed Amendments to Board-Sponsored Legislation: SB 1024 (Ochoa Bogh) Healing Arts: Board of Behavioral Sciences: Licensees and Registrants (Business and Professions Code (BPC) §§ 4980.31, 4980.32, 4980.43.2, 4980.43.4, 4989.17, 4989.48, 4996.7, 4996.8, 4996.23.1, 4996.23.3, 4996.75, 4999.46.2, 4999.46.4, 4999.70, and 4999.71)

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## Summary

The Board is sponsoring [SB 1024](#) (Ochoa Bogh) this year. The Board approved the amendments currently in the bill at its meetings on November 17, 2023 and March 1, 2024.

## Background

SB 1024 currently proposes the following two changes to the Board's practice acts:

1. Amendments to Requirements Regarding the Physical Display of a License or Registration

All licensees and registrants receive a paper copy of their license or registration from the Board. This copy contains the person's name, license number, type of license, and expiration date. The law requires that they display this license in a conspicuous place in their primary place of practice. This law was likely written this way before the Board had an online license lookup feature, to ensure a client could see that their therapist actually had a license or registration when in the office for an appointment.

The increased use of telehealth in therapy suggests that this law needs updating. Some therapists' primary place of practice may be virtual, or they may be seeing clients via telephone, making it difficult or impossible for the physical paper copy of the license or registration to be on display.

As a solution, the Board is proposing to require the license to be displayed in a conspicuous place in the licensee's primary place of practice when seeing clients in person. To account for telehealth services, the bill is proposing to also require therapists to include their name, license or registration number, type of license, and its expiration date in the notice to clients that is required to be provided before initiating psychotherapy services.

## 2. Clarifying who Qualifies as a "Supervisee"

All individuals seeking a license with the Board are required to register with the Board as an associate and gain 3,000 hours of experience under supervision upon graduation from their qualifying master's degree program.

The law uses the term "supervisees" to refer to those individuals required by the Board to be under supervision. To ensure quality supervision, there are some circumstances in which the law limits the number of "supervisees" per supervisor. The number of supervisees in group supervision is limited to eight. The number of individual or triadic supervisees per supervisor in nonexempt settings is limited to six. However, due to ambiguity in its interpretation, this bill is proposing amendments to further clarify who qualifies as a "supervisee".

## **Discussion of Proposed Additional Amendments**

The Board has received feedback suggesting two amendments be made to further clarify the bill. Based on that feedback, staff is recommending the Board consider the following amendments to the bill:

### 1. **Number of Persons Supervised Per Supervisor in Non-Exempt Settings.**

*Sections Affected: BPC §§4980.43.4, 4996.23.3, 4999.46.4. (See **Attachment A**)*

A stakeholder has noted that the proposed amendment limiting individual or triadic supervisors in nonexempt settings to a total of six persons who are receiving supervision for providing clinical mental health services in a nonexempt setting, could cause confusion in one particular instance.

They point out that if a supervisor is also overseeing licensees for their organization, it raises a question about whether the licensed persons count toward the six, even if that licensed person is receiving organizational supervision, rather than the close level of supervision that a pre-licensee must have.

It should be noted that this same concern does not apply to the similar amendment the bill is making to limit group supervision to eight persons receiving supervision for providing clinical mental health services. In this instance, a

licensee would be included if they are participating in group supervision, because they are taking a contributing spot in the group session.

Staff recommends that the limit of 6 persons receiving supervision for providing clinical mental health services per individual or triadic supervisor only apply to non-licensees, as the level of supervision provided for this population is generally different from organizational supervision provided to a licensed person. Therefore, staff recommends the following amendment (new amendment in yellow highlight):

(c) ~~Supervisors of supervisees in a nonexempt setting~~ *At any one time, supervisors in nonexempt settings* shall not serve as individual or triadic supervisors for more than ~~six supervisees at any time. Supervisees may be registered as associate marriage and family therapists, associate professional clinical counselors, associate clinical social workers, or any combination of those registrations.~~ *a total of six persons who are not fully licensed at the highest level for independent clinical practice and who are receiving supervision for providing clinical mental health services in a nonexempt setting.*

## **2. Change “Seeing Clients” to “Rendering Professional Clinical Services.”**

*Sections Affected: BPC §§ 4980.31, 4989.48, 4996.7, 4999.70 (See Attachment A)*

Staff proposes an amendment replacing the term “seeing clients” with the term “rendering professional clinical services” in the proposed statute setting requirements for the display of a license. This suggestion is based on a recommendation from Legislative Counsel and was further refined based on Board member discussion at the April 2024 Policy and Advocacy Committee meeting. It reads as follows:

A licensee shall display ~~his or her~~ *their* license in a conspicuous place in the licensee’s primary place of ~~practice.~~ *practice when ~~seeing clients~~ rendering professional clinical services in person.*

### **Policy and Advocacy Committee Recommendation**

The Policy and Advocacy Committee reviewed the proposed changes at its April 2024 meeting. It recommended that one amendment be made, and that the language be brought to the Board for consideration as amendments to SB 1024.

### **Recommendation**

Conduct an open discussion of the proposed changes shown in red in **Attachment A**. Direct staff to make any discussed changes and any non-substantive changes, and to proceed with amending the proposed language into SB 1024.

**Attachment**

**Attachment A:** Proposed SB 1024 Amendments



# Attachment A

## Proposed Amendments Mock-up Based on RN 24 14049

### 2023-2024 SB-1024 (OchoaÂ Bogh (S)) Version Number 98 - Amended 3/14/24

\*\*\*\*\***Unofficial Copy**\*\*\*\*\*

An act to amend Sections 4980.31, 4980.32, 4980.43.2, 4980.43.4, 4989.17, 4989.48, 4996.23.1, 4996.23.3, 4996.7, 4996.75, 4999.46.2, 4999.46.4, 4999.70, and 4999.71 of, and to repeal Section 4996.8 of, the Business and Professions Code, relating to healing arts.

*The people of the State of California do enact as follows:*

SECTION 1. Section 4980.31 of the Business and Professions Code is amended to read:

4980.31. A licensee shall display their license in a conspicuous place in the licensee's primary place of practice when ~~seeing clients~~ *rendering professional clinical services* in person.

SEC. 2. Section 4980.32 of the Business and Professions Code is amended to read:

4980.32. (a) A licensee or registrant shall provide a client with a notice written in at least 12-point type prior to initiating psychotherapy services, or as soon as practicably possible thereafter, that reads as follows:

#### NOTICE TO CLIENTS

The Board of Behavioral Sciences receives and responds to complaints regarding services provided within the scope of practice of marriage and family therapists. You may contact the board online at [www.bbs.ca.gov](http://www.bbs.ca.gov), or by calling (916) 574-7830.

(b) On and after July 1, 2025, upon initiation of psychotherapy services with a client, the notice described in subdivision (a) shall also include the licensee's or registrant's full name as filed with the board, the license or registration number, the type of license or registration, and the license or registration expiration date.

(c) Delivery of the notice required by this section to the client shall be documented.

SEC. 3. Section 4980.43.2 of the Business and Professions Code, as amended by Section 1 of Chapter 204 of the Statutes of 2022, is amended to read:

4980.43.2. (a) Except for experience gained by attending workshops, seminars, training sessions, or conferences, as described in paragraph (10) of subdivision (c) of Section 4980.43, direct supervisor contact shall occur as follows:

(1) Supervision shall include at least one hour of direct supervisor contact in each week for which experience is credited in each work setting.

(2) A trainee shall receive an average of at least one hour of direct supervisor contact for every five hours of direct clinical counseling performed each week in each setting. For

experience gained on or after January 1, 2009, no more than six hours of supervision, whether individual, triadic, or group, shall be credited during any single week.

(3) An associate gaining experience who performs more than 10 hours of direct clinical counseling in a week in any setting shall receive at least one additional hour of direct supervisor contact for that setting. For experience gained on or after January 1, 2009, no more than six hours of supervision, whether individual, triadic, or group, shall be credited during any single week.

(4) Of the 104 weeks of required supervision, 52 weeks shall be individual supervision, triadic supervision, or a combination of both.

(b) (1) For purposes of this chapter, “one hour of direct supervisor contact” means any of the following:

(A) Individual supervision, which means one hour of face-to-face contact between one supervisor and one person receiving supervision for providing clinical mental health services.

(B) Triadic supervision, which means one hour of face-to-face contact between one supervisor and two persons receiving supervision for providing clinical mental health services.

(C) Group supervision, which means two hours of face-to-face contact between one supervisor and no more than eight persons receiving supervision for providing clinical mental health services. Segments of group supervision may be split into no less than one continuous hour. A supervisor shall ensure that the amount and degree of supervision is appropriate for each person in the group.

(2) For purposes of this subdivision, “face-to-face contact” means in-person contact, contact via two-way, real-time videoconferencing, or some combination of these.

(c) The supervisor shall be responsible for ensuring compliance with federal and state laws relating to confidentiality of patient health information.

(d) (1) Within 60 days of the commencement of supervision, a supervisor shall conduct a meeting with the supervisee during which the supervisor shall assess the appropriateness of allowing the supervisee to receive supervision via two-way, real-time videoconferencing. This assessment of appropriateness shall include, but is not limited to, the abilities of the supervisee, the preferences of both the supervisee and supervisor, and the privacy of the locations of the supervisee and supervisor while supervision is conducted.

(2) The supervisor shall document the results of the assessment made pursuant to paragraph (1), and shall not utilize supervision via two-way, real-time videoconferencing if their assessment finds it is not appropriate.

(e) Direct supervisor contact shall occur within the same week as the hours claimed.

(f) Alternative supervision may be arranged during a supervisor’s vacation or sick leave if the alternative supervision meets the requirements of this chapter.

(g) Notwithstanding any other law, once the required number of experience hours are gained, associates and applicants for licensure shall receive a minimum of one hour of direct supervisor contact per week for each practice setting in which direct clinical counseling is performed. Once the required number of experience hours are gained, further supervision for nonclinical practice, as defined in paragraph (10) of subdivision (c) of Section 4980.43, shall be at the supervisor’s discretion.

(h) This section shall remain in effect only until January 1, 2026, and as of that date is repealed.

SEC. 4. Section 4980.43.2 of the Business and Professions Code, as added by Section 2 of Chapter 204 of the Statutes of 2022, is amended to read:

4980.43.2. (a) Except for experience gained by attending workshops, seminars, training sessions, or conferences, as described in paragraph (10) of subdivision (c) of Section 4980.43, direct supervisor contact shall occur as follows:

(1) Supervision shall include at least one hour of direct supervisor contact in each week for which experience is credited in each work setting.

(2) A trainee shall receive an average of at least one hour of direct supervisor contact for every five hours of direct clinical counseling performed each week in each setting. For experience gained on or after January 1, 2009, no more than six hours of supervision, whether individual, triadic, or group, shall be credited during any single week.

(3) An associate gaining experience who performs more than 10 hours of direct clinical counseling in a week in any setting shall receive at least one additional hour of direct supervisor contact for that setting. For experience gained on or after January 1, 2009, no more than six hours of supervision, whether individual, triadic, or group, shall be credited during any single week.

(4) Of the 104 weeks of required supervision, 52 weeks shall be individual supervision, triadic supervision, or a combination of both.

(b) For purposes of this chapter, “one hour of direct supervisor contact” means any of the following:

(1) Individual supervision, which means one hour of face-to-face contact between one supervisor and one person receiving supervision for providing clinical mental health services.

(2) Triadic supervision, which means one hour of face-to-face contact between one supervisor and two persons receiving supervision for providing clinical mental health services.

(3) Group supervision, which means two hours of face-to-face contact between one supervisor and no more than eight persons receiving supervision for providing clinical mental health services. Segments of group supervision may be split into no less than one continuous hour. A supervisor shall ensure that the amount and degree of supervision is appropriate for each person in the group.

(c) Direct supervisor contact shall occur within the same week as the hours claimed.

(d) Alternative supervision may be arranged during a supervisor’s vacation or sick leave if the alternative supervision meets the requirements of this chapter.

(e) Notwithstanding subdivision (b), a supervisee working in an exempt setting described in Section 4980.01 may obtain the required weekly direct supervisor contact via two-way, real-time videoconferencing. The supervisor shall be responsible for ensuring compliance with federal and state laws relating to confidentiality of patient health information.

(f) Notwithstanding any other law, once the required number of experience hours are gained, associates and applicants for licensure shall receive a minimum of one hour of direct supervisor contact per week for each practice setting in which direct clinical counseling is performed. Once the required number of experience hours are gained, further supervision for nonclinical practice, as defined in paragraph (10) of subdivision (c) of Section 4980.43, shall be at the supervisor’s discretion.

(g) This section shall become operative on January 1, 2026.

SEC. 5. Section 4980.43.4 of the Business and Professions Code is amended to read:

4980.43.4. (a) A trainee, associate, or applicant for licensure shall only perform mental health and related services at the places where their employer permits business to be conducted.

(b) An associate who is employed by or is volunteering in a private practice or a professional corporation shall be supervised by an individual who is both of the following:

(1) Is employed by or contracted by the associate's employer or is an owner of the private practice or professional corporation.

(2) Either provides psychotherapeutic services to clients for the associate's employer, or meets both of the following:

(A) The supervisor and the associate's employer have a written contract providing the supervisor the same access to the associate's clinical records provided to employees of that employer.

(B) The associate's clients authorize the release of their clinical records to the supervisor.

(c) At any one time, supervisors in nonexempt settings shall not serve as individual or triadic supervisors for more than a total of six persons who *are not fully licensed at the highest level for independent clinical practice and who* are receiving supervision for providing clinical mental health services in a nonexempt setting.

(d) A written oversight agreement, as specified by the board by regulation, shall be executed between the supervisor and employer when the supervisor is not employed by the supervisee's employer or is a volunteer. The supervisor shall evaluate the site or sites where the supervisee will be gaining experience to determine that the site or sites comply with the requirements of this chapter.

SEC. 6. Section 4989.17 of the Business and Professions Code is amended to read:

4989.17. (a) A licensee shall provide a client with a notice written in at least 12-point type prior to initiating psychological services, or as soon as practicably possible thereafter, that reads as follows:

#### NOTICE TO CLIENTS

The Board of Behavioral Sciences receives and responds to complaints regarding services provided within the scope of practice of licensed educational psychologists. You may contact the board online at [www.bbs.ca.gov](http://www.bbs.ca.gov), or by calling (916) 574-7830.

(b) On and after July 1, 2025, upon initiation of psychological services with a client, the notice described in subdivision (a) shall also include the licensee's full name as filed with the board, the license number, the type of license, and the license expiration date.

(c) Delivery of the notice required by this section to the client shall be documented.

SEC. 7. Section 4989.48 of the Business and Professions Code is amended to read:

4989.48. A licensee shall display their license in a conspicuous place in the licensee's primary place of practice when ~~seeing clients~~ *rendering professional clinical services* in person.

SEC. 8. Section 4996.23.1 of the Business and Professions Code, as amended by Section 3 of Chapter 204 of the Statutes of 2022, is amended to read:

4996.23.1. (a) Except for experience gained by attending workshops, seminars, training sessions, or conferences, as described in paragraph (3) of subdivision (d) of Section 4996.23, direct supervisor contact shall occur as follows:

(1) Supervision shall include at least one hour of direct supervisor contact each week for which experience is credited in each work setting.

(2) An associate gaining experience who performs more than 10 hours of direct clinical counseling in a week in any setting shall receive at least one additional hour of direct supervisor contact for that setting.

(b) (1) For purposes of this chapter, “one hour of direct supervisor contact” means any of the following:

(A) Individual supervision, which means one hour of face-to-face contact between one supervisor and one person receiving supervision for providing clinical mental health services.

(B) Triadic supervision, which means one hour of face-to-face contact between one supervisor and two persons receiving supervision for providing clinical mental health services.

(C) Group supervision, which means two hours of face-to-face contact between one supervisor and no more than eight persons receiving supervision for providing clinical mental health services. Segments of group supervision may be split into no less than one continuous hour. A supervisor shall ensure that the amount and degree of supervision is appropriate for each person in the group.

(2) For purposes of this subdivision, “face-to-face contact” means in-person contact, contact via two-way, real-time videoconferencing, or some combination of these.

(c) The supervisor shall be responsible for ensuring compliance with federal and state laws relating to confidentiality of patient health information.

(d) (1) Within 60 days of the commencement of supervision, a supervisor shall conduct a meeting with the supervisee during which the supervisor shall assess the appropriateness of allowing the supervisee to receive supervision via two-way, real-time videoconferencing. This assessment of appropriateness shall include, but is not limited to, the abilities of the supervisee, the preferences of both the supervisee and supervisor, and the privacy of the locations of the supervisee and supervisor while supervision is conducted.

(2) The supervisor shall document the results of the assessment made pursuant to paragraph (1), and shall not utilize supervision via two-way, real-time videoconferencing if their assessment finds it is not appropriate.

(e) Direct supervisor contact shall occur within the same week as the hours claimed.

(f) Of the 104 weeks of required supervision, 52 weeks shall be individual supervision, triadic supervision, or a combination of both.

(g) Of the 52 weeks of required individual or triadic supervision, no less than 13 weeks shall be supervised by a licensed clinical social worker.

(h) Alternative supervision may be arranged during a supervisor’s vacation or sick leave if the alternative supervision meets the requirements of this chapter.

(i) Notwithstanding any other law, once the required number of experience hours are gained, an associate clinical social worker or applicant for licensure shall receive a minimum of one hour of direct supervisor contact per week for each practice setting in which direct clinical counseling is performed. Once the required number of experience hours are gained, further supervision for nonclinical practice, as described in paragraph (3) of subdivision (d) of Section 4996.23, shall be at the supervisor’s discretion.

(j) This section shall remain in effect only until January 1, 2026, and as of that date is repealed.

SEC. 9. Section 4996.23.1 of the Business and Professions Code, as added by Section 4 of Chapter 204 of the Statutes of 2022, is amended to read:

4996.23.1. (a) Except for experience gained by attending workshops, seminars, training sessions, or conferences, as described in paragraph (3) of subdivision (d) of Section 4996.23, direct supervisor contact shall occur as follows:

(1) Supervision shall include at least one hour of direct supervisor contact each week for which experience is credited in each work setting.

(2) An associate gaining experience who performs more than 10 hours of direct clinical counseling in a week in any setting shall receive at least one additional hour of direct supervisor contact for that setting.

(b) For purposes of this chapter, “one hour of direct supervisor contact” means any of the following:

(1) Individual supervision, which means one hour of face-to-face contact between one supervisor and one person receiving supervision for providing clinical mental health services.

(2) Triadic supervision, which means one hour of face-to-face contact between one supervisor and two persons receiving supervision for providing clinical mental health services.

(3) Group supervision, which means two hours of face-to-face contact between one supervisor and no more than eight persons receiving supervision for providing clinical mental health services. Segments of group supervision may be split into no less than one continuous hour. A supervisor shall ensure that the amount and degree of supervision is appropriate for each person in the group.

(c) Direct supervisor contact shall occur within the same week as the hours claimed.

(d) Of the 104 weeks of required supervision, 52 weeks shall be individual supervision, triadic supervision, or a combination of both.

(e) Of the 52 weeks of required individual or triadic supervision, no less than 13 weeks shall be supervised by a licensed clinical social worker.

(f) Alternative supervision may be arranged during a supervisor’s vacation or sick leave if the alternative supervision meets the requirements of this chapter.

(g) Notwithstanding subdivision (b), a supervisee working in an exempt setting described in Section 4996.14 may obtain the required weekly direct supervisor contact via two-way, real-time videoconferencing. The supervisor shall be responsible for ensuring compliance with state and federal laws relating to confidentiality of patient health information.

(h) Notwithstanding any other law, once the required number of experience hours are gained, an associate clinical social worker or applicant for licensure shall receive a minimum of one hour of direct supervisor contact per week for each practice setting in which direct clinical counseling is performed. Once the required number of experience hours are gained, further supervision for nonclinical practice, as described in paragraph (3) of subdivision (d) of Section 4996.23, shall be at the supervisor’s discretion.

(i) This section shall become operative on January 1, 2026.

SEC. 10. Section 4996.23.3 of the Business and Professions Code is amended to read:

4996.23.3. (a) An associate clinical social worker or an applicant for licensure shall only perform mental health and related services at the places where their employer permits business to be conducted.

(b) An associate who is employed by, or volunteering in, a private practice or a professional corporation shall be supervised by an individual who is both of the following:

(1) Is employed by or contracted by the associate’s employer or is an owner of the private practice or professional corporation.

(2) Either provides psychotherapeutic services to clients for the associate’s employer, or meets both of the following:

(A) The supervisor and the associate’s employer have a written contract providing the supervisor the same access to the associate’s clinical records provided to employees of that employer.

(B) The associate’s clients authorize the release of their clinical records to the supervisor.

(c) At any one time, supervisors in nonexempt settings shall not serve as individual or triadic supervisors for more than a total of six persons who *are not fully licensed at the highest level for independent clinical practice and who* are receiving supervision for providing clinical mental health services in a nonexempt setting.

(d) A written oversight agreement, as specified by the board by regulation, shall be executed between the supervisor and employer when the supervisor is not employed by the supervisee's employer or is a volunteer. The supervisor shall evaluate the site or sites where the supervisee will be gaining experience to determine that the site or sites comply with the requirements of this chapter.

SEC. 11. Section 4996.7 of the Business and Professions Code is amended to read:

4996.7. A licensee shall display their license in a conspicuous place in the licensee's primary place of practice when ~~seeing clients~~ *rendering professional clinical services* in person.

SEC. 12. Section 4996.75 of the Business and Professions Code is amended to read:

4996.75. (a) A licensee or registrant shall provide a client with a notice written in at least 12-point type prior to initiating psychotherapy services, or as soon as practicably possible thereafter, that reads as follows:

#### NOTICE TO CLIENTS

The Board of Behavioral Sciences receives and responds to complaints regarding services provided within the scope of practice of clinical social workers. You may contact the board online at [www.bbs.ca.gov](http://www.bbs.ca.gov), or by calling (916) 574-7830.

(b) On and after July 1, 2025, upon initiation of psychotherapy services with a client, the notice described in subdivision (a) shall also include the licensee's or registrant's full name as filed with the board, the license or registration number, the type of license or registration, and the license or registration expiration date.

(c) Delivery of the notice required by this section to the client shall be documented.

SEC. 13. Section 4996.8 of the Business and Professions Code is repealed.

SEC. 14. Section 4999.46.2 of the Business and Professions Code, as amended by Section 5 of Chapter 204 of the Statutes of 2022, is amended to read:

4999.46.2. (a) Except for experience gained by attending workshops, seminars, training sessions, or conferences, as described in paragraph (4) of subdivision (c) of Section 4999.46, direct supervisor contact shall occur as follows:

(1) Supervision shall include at least one hour of direct supervisor contact in each week for which experience is credited in each work setting.

(2) A trainee shall receive an average of at least one hour of direct supervisor contact for every five hours of direct clinical counseling performed each week in each setting. For experience gained after January 1, 2009, no more than six hours of supervision, whether individual, triadic, or group, shall be credited during any single week.

(3) An associate gaining experience who performs more than 10 hours of direct clinical counseling in a week in any setting shall receive at least one additional hour of direct supervisor contact for that setting. For experience gained after January 1, 2009, no more than six hours of supervision, whether individual supervision, triadic supervision, or group supervision, shall be credited during any single week.

(4) Of the 104 weeks of required supervision, 52 weeks shall be individual supervision, triadic supervision, or a combination of both.

(b) (1) For purposes of this chapter, “one hour of direct supervisor contact” means any of the following:

(A) Individual supervision, which means one hour of face-to-face contact between one supervisor and one person receiving supervision for providing clinical mental health services.

(B) Triadic supervision, which means one hour of face-to-face contact between one supervisor and two persons receiving supervision for providing clinical mental health services.

(C) Group supervision, which means two hours of face-to-face contact between one supervisor and no more than eight persons receiving supervision for providing clinical mental health services. Segments of group supervision may be split into no less than one continuous hour. The supervisor shall ensure that the amount and degree of supervision is appropriate for each person in the group.

(2) For purposes of this subdivision, “face-to-face contact” means in-person contact, contact via two-way, real-time videoconferencing, or some combination of these.

(c) The supervisor shall be responsible for ensuring compliance with federal and state laws relating to confidentiality of patient health information.

(d) (1) Within 60 days of the commencement of supervision, a supervisor shall conduct a meeting with the supervisee during which the supervisor shall assess the appropriateness of allowing the supervisee to receive supervision via two-way, real-time videoconferencing. This assessment of appropriateness shall include, but is not limited to, the abilities of the supervisee, the preferences of both the supervisee and supervisor, and the privacy of the locations of the supervisee and supervisor while supervision is conducted.

(2) The supervisor shall document the results of the assessment made pursuant to paragraph (1), and shall not utilize supervision via two-way, real-time videoconferencing if their assessment finds it is not appropriate.

(e) Direct supervisor contact shall occur within the same week as the hours claimed.

(f) Alternative supervision may be arranged during a supervisor’s vacation or sick leave if the alternative supervision meets the requirements in this chapter.

(g) Notwithstanding any other law, once the required number of experience hours are gained, associates and applicants for licensure shall receive a minimum of one hour of direct supervisor contact per week for each practice setting in which direct clinical counseling is performed. Once the required number of experience hours are gained, further supervision for nonclinical practice, as defined in paragraph (4) of subdivision (c) of Section 4999.46, shall be at the supervisor’s discretion.

(h) This section shall remain in effect only until January 1, 2026, and as of that date is repealed.

SEC. 15. Section 4999.46.2 of the Business and Professions Code, as added by Section 6 of Chapter 204 of the Statutes of 2022, is amended to read:

4999.46.2. (a) Except for experience gained by attending workshops, seminars, training sessions, or conferences, as described in paragraph (4) of subdivision (c) of Section 4999.46, direct supervisor contact shall occur as follows:

(1) Supervision shall include at least one hour of direct supervisor contact in each week for which experience is credited in each work setting.

(2) A trainee shall receive an average of at least one hour of direct supervisor contact for every five hours of direct clinical counseling performed each week in each setting. For



experience gained after January 1, 2009, no more than six hours of supervision, whether individual, triadic, or group, shall be credited during any single week.

(3) An associate gaining experience who performs more than 10 hours of direct clinical counseling in a week in any setting shall receive at least one additional hour of direct supervisor contact for that setting. For experience gained after January 1, 2009, no more than six hours of supervision, whether individual supervision, triadic supervision, or group supervision, shall be credited during any single week.

(4) Of the 104 weeks of required supervision, 52 weeks shall be individual supervision, triadic supervision, or a combination of both.

(b) For purposes of this chapter, “one hour of direct supervisor contact” means any of the following:

(1) Individual supervision, which means one hour of face-to-face contact between one supervisor and one person receiving supervision for providing clinical mental health services.

(2) Triadic supervision, which means one hour of face-to-face contact between one supervisor and two persons receiving supervision for providing clinical mental health services.

(3) Group supervision, which means two hours of face-to-face contact between one supervisor and no more than eight persons receiving supervision for providing clinical mental health services. Segments of group supervision may be split into no less than one continuous hour. The supervisor shall ensure that the amount and degree of supervision is appropriate for each person in the group.

(c) Direct supervisor contact shall occur within the same week as the hours claimed.

(d) Alternative supervision may be arranged during a supervisor’s vacation or sick leave if the alternative supervision meets the requirements in this chapter.

(e) Notwithstanding subdivision (b), a supervisee working in an exempt setting described in Section 4999.22 may obtain the required weekly direct supervisor contact via two-way, real-time videoconferencing. The supervisor shall be responsible for ensuring compliance with federal and state laws relating to confidentiality of patient health information.

(f) Notwithstanding any other law, once the required number of experience hours are gained, associates and applicants for licensure shall receive a minimum of one hour of direct supervisor contact per week for each practice setting in which direct clinical counseling is performed. Once the required number of experience hours are gained, further supervision for nonclinical practice, as defined in paragraph (4) of subdivision (c) of Section 4999.46, shall be at the supervisor’s discretion.

(g) This section shall become operative on January 1, 2026.

SEC. 16. Section 4999.46.4 of the Business and Professions Code is amended to read:

4999.46.4. (a) A clinical counselor trainee, associate, or applicant for licensure shall only perform mental health and related services at the places where their employer permits business to be conducted.

(b) An associate who is employed by or volunteering in a private practice or a professional corporation shall be supervised by an individual who is both of the following:

(1) Is employed by or contracted by the associate’s employer or is an owner of the private practice or professional corporation.

(2) Either provides psychotherapeutic services to clients for the associate’s employer, or meets both of the following:

(A) The supervisor and the associate's employer have a written contract providing the supervisor the same access to the associate's clinical records provided to employees of that employer.

(B) The associate's clients authorize the release of their clinical records to the supervisor.

(c) At any one time, supervisors in nonexempt settings shall not serve as individual or triadic supervisors for more than a total of six persons who *are not fully licensed at the highest level for independent clinical practice and who* are receiving supervision for providing clinical mental health services in a nonexempt setting.

(d) A written oversight agreement, as specified by the board by regulation, shall be executed between the supervisor and employer when the supervisor is not employed by the supervisee's employer or is a volunteer. The supervisor shall evaluate the site or sites where the supervisee will be gaining experience to determine that the site or sites comply with the requirements of this chapter.

SEC. 17. Section 4999.70 of the Business and Professions Code is amended to read:

4999.70. A licensee shall display their license in a conspicuous place in the licensee's primary place of practice when ~~seeing clients~~ *rendering professional clinical services* in person.

SEC. 18. Section 4999.71 of the Business and Professions Code is amended to read:

4999.71. (a) A licensee or registrant shall provide a client with a notice written in at least 12-point type prior to initiating psychotherapy services, or as soon as practicably possible thereafter, that reads as follows:

#### NOTICE TO CLIENTS

The Board of Behavioral Sciences receives and responds to complaints regarding services provided within the scope of practice of professional clinical counselors. You may contact the board online at [www.bbs.ca.gov](http://www.bbs.ca.gov), or by calling (916) 574-7830.

(b) On and after July 1, 2025, upon initiation of psychotherapy services with a client, the notice described in subdivision (a) shall also include the licensee's or registrant's full name as filed with the board, the license or registration number, the type of license or registration, and the license or registration expiration date.

(c) Delivery of the notice required by this section to the client shall be documented.

SEC. 19. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.