



Board of Behavioral Sciences

# Memo

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**To:** Workforce Committee Members                      **Date:** July 8, 2024

**From:** Rosanne Helms  
Legislative Manager

**Subject:** **Update Regarding Permitting Early Eligibility to Take the Clinical Examination and Other Potential Changes to the Licensing Process**

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## **Background**

Applicants for licensure with the Board of Behavioral Sciences (Board) as a marriage and family therapist (LMFT), clinical social worker (LCSW) or professional clinical counselor (LPCC) are required to take and pass two examinations: a California law and ethics examination and a clinical examination:

- The California law and ethics examination must be attempted within the first year of registration and must be taken each subsequent year of registration until passed.
- The clinical examination may only be taken upon completion of all education requirements, the 3,000 required hours of supervised experience, and passing the California law and ethics examination. A passing score on the clinical examination is valid for seven years.

*Note: Licensed Educational Psychologist (LEP) applicants are required to take and pass one examination, a Board-administered clinical examination, upon completion of all education and experience requirements. Because the LEP licensure process is not the same as the other three license types, it will need to be discussed separately.*

Once an applicant has completed their required experience hours, they submit their licensure application to the Board. The Board evaluates the application, and if all education and experience requirements are met and the law and ethics exam was passed, the applicant is given eligibility to take the clinical exam. Once the clinical exam is passed, the applicant submits an application for initial license issuance.

## **Previous Committee Discussion**

At its April 2024 meeting, this Committee discussed whether permitting applicants to take the clinical exam early, once 1,500 experience hours are gained, would reduce barriers to licensure. **Attachment A** contains background information that was presented at that meeting, including a similar proposal that the Board of Psychology is implementing, and staff research on requirements for the national clinical exams that the Board requires.

The Committee directed staff to examine this issue further, including examining relevant statutes and regulations that would need amending, consulting with legal counsel, and examining potential issues of concern.

## **Next Steps**

Staff has identified the statutes and regulations that would need amendments and is in the process of drafting a proposal and consulting with the Examination Unit, the Licensing Unit, and Legal Counsel on the effects of the proposed changes, potential issues of concern, and how the changes could be implemented.

Changing the timing of the clinical exam raises several issues in the licensing process that are interrelated and therefore, they may also be best addressed in the same proposal. Amendments being considered are as follows:

- Permitting the clinical exam to be taken once an applicant has completed 875 hours of supervised experience performing direct clinical counseling. This is a departure from the general 1,500 experience hour threshold discussed at the last meeting and was changed based on feedback that supervised experience in direct clinical counseling, rather than all supervised experience generally, may best prepare an applicant for passing the clinical exam.
- Allowing an associate to choose when they take the California law and ethics exam (rather than requiring it be attempted every year of registration until passed) but require that it be passed before a subsequent number (or licensure) is obtained. Making this change would allow associates to take the exam when they feel they are ready and would prevent delays with renewing if the applicant forgot to take the exam that year. Given the relatively new requirement that associates must now complete 3 hours of continuing education covering California law and ethics each year (which became effective in 2023), staff believes public protection is maintained.
- Implementing an age limit of 7 years on a passing score for the California Law and Ethics Exam (currently there is no age limit).
- Extending the allowable length of time a registration number is valid from 6 to 7 years.

- Extending the amount of time supervised experience hours are valid from 6 to 7 years.
- Upon application for license issuance, requiring the applicant's experience hours, clinical exam score, and California law and ethics score to be no more than 7 years old.
- Continuing to prohibit associates with a subsequent associate number from working in a private practice generally. However, permit an associate with a subsequent registration number to request a one-time, two year hardship extension. With this extension, they may finish gaining their experience hours in one private practice setting, if the supervisor or employer and the associate submit a request to the board providing specified information.

Staff will present a draft of the proposed amendments for discussion at the October 11, 2024 Workforce Development Committee Meeting.

## **Attachment A Background Information**

### **Board of Psychology (Assembly Bill (AB) 282)**

The California Psychological Association (CPA) recently sponsored a bill that will change the timing of when applicants for licensure as a psychologist are eligible to take their two required licensing exams. Currently, applicants for psychologist licensure must take a national examination upon completion of their doctorate degree and 1,500 hours of required supervised experience. They then become eligible to take a required Board-administered exam once they pass the national exam and complete the total 3,000 hours of required supervised experience.

[AB 282](#) will become effective once regulations are approved to implement the provisions of the bill. It was run in response to concerns about application processing times at the Board of Psychology. Under the bill, applicants for licensure will be permitted to take the required examinations upon completion of all academic coursework required for their doctoral degree. The educational institution will provide certification to the board that the coursework has been completed. The bill also contains a clause that if the national exam entity imposes additional eligibility requirements for their exam, the board must implement a process to verify satisfaction of those requirements. This comes into play because as of January 2026 that board's national exam is splitting into two parts. Per the board's proposed regulations, the first part of the national exam may be taken upon completion of all required academic coursework, but taking the second part of the national exam will still require gaining 1,500 experience hours.

### **National Exam Entity Eligibility Requirements**

The entities administering national examinations required by the Board may also set requirements for eligibility to take their exams, which licensing boards have to abide by. The Board requires a national clinical examination for both LCSW and LPCC. All other Board-required exams are administered by the Board:

Association of Social Work Boards (ASWB): The Board requires the ASWB clinical exam for licensure as an LCSW. ASWB does not permit its clinical exam to be taken upon completion of the degree program. However, it will allow testing after 18 months.

Per the [ASWB Policy Manual](#) (v. 1.2022, Section II, pg.II-3): *2.1 Procedures*  
*12. Clinical. This examination has been developed for use as a licensure requirement by Member Boards that issue to individuals who have an MSW and two years (or commensurate experience as defined by the jurisdiction) of experience in clinical settings, licenses for the practice of Clinical Social Work. The practice of Clinical Social Work requires the application of specialized clinical knowledge and advanced clinical skills. Member Boards may approve candidates for examination who are within six (6) months of completing supervised experience requirement.*

In response to this, other states may choose to allow the ASWB clinical exam at 18 months. For example Florida recently adopted regulations that state the following (Florida Administrative Code Chapter 64B4, §3.003(a)):

*(a) The examination for Clinical Social Workers shall be the Clinical Level objective multiple choice examination developed by the Association of Social Work Boards (ASWB). Beginning January 1, 2023, applicants shall be deemed eligible to take the examination after completion of 18 months of documented experience in clinical settings, not including the applicant's practicum or other experience received in the applicant's graduate program.*

The Oregon Board of Licensed Clinical Social Workers has a similar allowance. Per their [website](#), a clinical social worker associate may take the exam early as follows:

*Early Clinical Exam Approval- CSWA to LCSW*

*A CSWA is automatically given approval to take the ASWB Clinical exam when their completed plan is approved, and all hour and time requirements have been met. Once the CSWA has documented 75 hours of supervision, and 18 months of licensure, **The Candidate must be on track to complete the LCSW requirements with in the six months following the request.** ASWB will allow the Oregon Board of Licensed Social Workers to issue approval for CSWA's to sit for the exam if he/she desires to. A year's time is given to take and pass the exam. If an early request is desired, complete the [ASWB exam request form](#).*

National Board for Certified Counselors (NBCC): The Board requires NBCC's NCMHCE exam for licensure as an LPCC. In some instances, graduates or master's students in certain degree programs who are seeking one of NBCC's certifications may take the NCMHCE exam. Therefore, in certain instances NBCC does permit the taking of this exam before the required postgraduate supervised experience is gained.

**Discussions with ASWB and NBCC**

Staff met with representatives from ASWB and NBCC to discuss the feasibility of allowing their clinical exams to be taken prior to the gaining of all required experience hours.

ASWB Discussion

ASWB indicated that their requirement for taking the exam at 18 months of experience is based on psychometric research but was agreeable to the Board specifying the number of hours at which the exam could be taken, if justifications were made. They indicated that the Board could write a proposal letter to their Board of Directors for consideration.

## NBCC Discussion

NBCC indicated that they already allow their NCMHCE exam to be taken at various times, so they would likely be open to the Board's recommendation.