



Board of Behavioral Sciences

# Memo

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**To:** Workforce Committee Members                      **Date:** September 18, 2024

**From:** Rosanne Helms  
Legislative Manager

**Subject:** **Discussion of 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. To maintain eligibility, the clinical exam must be attempted at least once per year until passed. 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 C** 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.

Changing the timing of the clinical exam may also provide an opportunity to address several issues in the licensing process that are interrelated, which may be best addressed at the same time. Therefore, this proposal contains those potential changes as well. The proposal presented today is intended as a first-step discussion in order to gain feedback from Committee members and stakeholders regarding whether they desire these changes. As feedback is obtained, staff will modify the proposal and present revised drafts at upcoming meetings of this Committee.

## **Next Steps**

As mentioned above, 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. Proposed language is shown in **Attachment A**. Changes for consideration are as follows:

1. **Timing of Clinical Exam:** Permit the clinical exam to be taken once an applicant has completed 875 hours of supervised experience performing direct clinical counseling. (This equates to half of the 1,750 direct clinical counseling experience hours required for licensure.) 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.

Under this proposal, the experience hours must be less than 7 years old at the time of application for the clinical exam. All education requirements for licensure would also need to be met before taking the clinical exam.

The proposal is written so that the clinical exam could be taken at a time of the registrant's choosing any time after they meet the above requirements. Passage of the law and ethics exam first would not be a prerequisite. When an applicant is ready to apply for full licensure, the clinical exam score must be no more than 7 years old.

Under this proposal, the requirement in regulations (§1806) to attempt the clinical exam every year to avoid abandoning the application would be deleted. Instead of “locking in” hours indefinitely regardless of age once eligibility for the clinical exam is obtained (as long as the exam attempted every year), hours would expire gradually as they became 7 years old. This would eliminate the problem of an applicant who is in the exam cycle for many years with very old hours losing all hours suddenly if they forget to take the exam yearly. However, on the flip side, an applicant could no longer “lock” hours indefinitely and would need to make sure that their hours were not expired. An applicant who is unable to pass the exam within 7 years could avoid losing hours by maintaining their associate registration and continuing to work under all supervision requirements (continually gaining qualifying hours). The Board would likely need to build in a carve out or grace period for those who are already clinical exam eligible and have older hours that are “locked in”.

2. **California Law and Ethics Exam:** Another component of this proposal would allow an associate to choose when they take the California law and ethics exam. Currently, associates must attempt the California law and ethics exam every year as a condition of registration renewal, until the exam is passed. Additionally, this exam must be passed before a subsequent number (or licensure) is obtained. Under the proposal, associates would take the exam when they feel they are ready. They could choose to take it either before or after they take the clinical exam. It would not be required to be attempted every year. (However, it still must be taken and passed before a subsequent registration number, and a license, is issued.) Making this change would prevent delays with registration renewal 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.
3. **Age Limit for California Law and Ethics Exam:** This proposal places an age limit of 7 years on a passing score for the California Law and Ethics Exam. Currently there is no age limit on the California law and ethics exam score the Board will accept. Not having an age limit on this exam score will have public protection implications the longer the California law and ethics exam has been offered (it has been offered since 2016), as the Board currently must accept all scores regardless of age. Placing a limit on the age of the California law and ethics exam score has the following implications:
  - In order to obtain a subsequent registration number, the California law and ethics exam must have been passed with a score no more than 7 years old. This would include second (or third, etc.) subsequent registration numbers, meaning the exam must be passed again for each subsequent registration.
  - In addition, when applying for licensure, the California law and ethics exam score must be no more than 7 years old.

4. **Change in Registration Number Length and Time Supervised Experience Hours Valid:** This proposal extends the allowable length of time a registration number is valid from 6 years to 7 years. It also extends the amount of time supervised experience hours are valid from 6 years to 7 years.
5. **Requirement to Apply for Licensure:** Under the proposal, upon application for license issuance, the applicant's experience hours, clinical exam score, and California law and ethics score all must be no more than 7 years old.
6. **Prohibition on Private Practice with a Subsequent Registration Number:**  
The proposal makes a change to the "six year rule" that prohibits an associate from working in a private practice with a subsequent registration number. Under the proposal, the law would continue to prohibit associates with a subsequent associate number from working in a private practice generally. It would, 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.

The Board has discussed the prohibition on private practice with a subsequent registration numerous times, most recently in August 2022. It is often requested as a discussion topic because it can cause hardship to those individuals who, due to unforeseen circumstances, need a subsequent registration number to gain their experience hours. At the August 2022 meeting, the possibility of removing the prohibition on private practice with a subsequent registration number was discussed. However, due to concerns about potential exploitation of associates, there was not support from the Board or stakeholders for its removal. Today's proposal offers a more limited approach that could apply for a limited time in instances of hardship.

**Attachment B** contains an overview of the licensing process under the proposed revisions.

While drafting the proposal, the staff consulted with the Examination Unit. Given the proposal's complexity, as it evolves it will require continued thorough review to prevent unintended consequences and ensure its feasibility. Beyond gathering feedback from the Committee and stakeholders today, the staff will also need to consult with the Licensing Unit and DCA Legal as future versions are developed and the proposal progresses.

### **Attachments**

**Attachment A:** Proposed Amendments (*LMFT Only*)

**Attachment B:** Overview of Proposed Revisions to the Licensing Process

**Attachment C:** Background Information

**ATTACHMENT A**  
**Proposed Amendments**

***Note: This is currently drafted for LMFT only. Once the specifics have been agreed upon, similar language will be drafted for the other license types.***

**LICENSED MARRIAGE AND FAMILY THERAPISTS (LMFTs)**

**4980.35.**

(a) The Legislature acknowledges that the basic obligation to provide a complete and accurate application for a marriage and family therapist license lies with the applicant. At the same time, the Legislature recognizes that an effort should be made by the board to ensure that persons who enter degree programs and supervisorial training settings that meet the requirements of this chapter are enabled to discern the requirements for ~~licensure. licensing and to take the examination when they have completed their educational and experience requirements.~~

(b) In order that the board, the educational institutions, and the supervisors who monitor the education and experience of applicants may develop greater cooperation, the board shall do all of the following:

(1) Apply a portion of its limited resources specifically to the task of communicating information about its activities, the requirements and qualifications for licensure, and the practice of marriage and family therapy to the relevant educational institutions, supervisors, professional associations, applicants, trainees, associates, and the consuming public.

(2) Develop policies and procedures to assist educational institutions in meeting the curricula requirements of Sections 4980.36 and 4980.37 and any regulations adopted pursuant to those sections, so that those educational institutions may better provide assurance to their students that the curriculum offered to fulfill the educational requirements for licensure will meet those requirements at the time of the student's application for licensure.

(3) Notify applicants in the application procedure when applications are incomplete, inaccurate, or deficient, and inform applicants of any remediation, reconsideration, or appeal procedures that may be applicable.

(4) Undertake, or cause to be undertaken, further comprehensive review, in consultation with educational institutions, professional associations, supervisors, associates, and trainees, of the supervision of associates and trainees, which shall include, but not be limited to, the following, and shall propose regulations regarding the supervision of associates and trainees that may include, but not be limited to, the following:

- (A) Supervisor qualifications.
- (B) Continuing education requirements of supervisors.
- (C) Registration or licensing of supervisors, or both.
- (D) Responsibilities of supervisors in general.
- (E) The board's authority in cases of noncompliance or negligence by supervisors.
- (F) The associate's and trainee's need for guidance in selecting well-balanced and high-quality professional training opportunities within his or her community.
- (G) The role of the supervisor in advising and encouraging his or her associate or trainee regarding the necessity or value and appropriateness of the associate or trainee engaging in personal psychotherapy, so as to enable the associate or trainee to become a more competent marriage and family therapist.

**4980.397.**

- (a) A registrant or an applicant for licensure as a marriage and family therapist shall pass the following two examinations as prescribed by the board:
  - (1) A California law and ethics examination.
  - (2) A clinical examination.
- (b) Upon issuance of an associate registration with the board, an associate marriage and family therapist shall, ~~within the first year of registration, take an~~ be eligible to take the examination on California law and ethics.
- (c) A registrant or an applicant for licensure may take the clinical examination only upon meeting all of the following requirements:
  - (1) Completion of ~~all required supervised work experience~~ 875 hours of required supervised work experience performing direct clinical counseling with individuals, groups, couples or families that is no more than 7 years old at the time the application for the examination is received by the board.
  - (2) Completion of all education requirements.

(3) If a national licensing examination entity approved by the board imposes additional eligibility requirements, the board shall implement a process to verify that an applicant has satisfied those additional eligibility requirements.

~~(3) Passage of the California law and ethics examination.~~

#### **4980.398.**

~~(a) Each applicant who had previously taken and passed the standard written examination but had not passed the clinical vignette examination shall also obtain a passing score on the clinical examination in order to be eligible for licensure.~~

~~(b) An applicant who had previously failed to obtain a passing score on the standard written examination shall obtain a passing score on the California law and ethics examination and the clinical examination.~~

~~(c) An applicant who had obtained eligibility for the standard written examination shall take the California law and ethics examination and the clinical examination.~~

~~(d) This section shall become operative on January 1, 2016.~~

#### **4980.399.**

(a) ~~Except as provided in subdivision (a) of Section 4980.398, each~~ Each applicant and registrant shall obtain a passing score on a board-administered California law and ethics examination in order to qualify for licensure. A passing score on the California law and ethics examination shall be accepted by the board for a period of seven years from the date the examination was passed.

~~(b) A registrant shall participate in a board-administered California law and ethics examination before their registration renewal.~~

(c) If an applicant fails the California law and ethics examination, they may retake the examination after any waiting period as specified in regulation, upon payment of the required fees, ~~without further application and submission of a re-examination application.~~

(d) The board shall not issue a subsequent registration number unless the applicant has passed the California law and ethics examination and the passing score is no more than seven years old from the date the examination was taken.

(e) A registrant shall complete a minimum of three hours of continuing education on the subject of California law and ethics during each renewal period to be eligible to renew their registration, regardless of whether they have passed the California law and ethics examination. The coursework shall be obtained from a board-accepted provider of continuing education, as specified in Section 4980.54.

#### **4980.40.**

An applicant for licensure shall satisfy all of the following qualifications:

(a) Meet the educational requirements of Section 4980.36 or both Sections 4980.37 and 4980.41, as applicable.

(b) Be at least 18 years of age.

(c) Have at least two years of supervised experience as specified in this chapter and its corresponding regulations.

(d) Successfully pass a California law and ethics examination and a clinical examination. ~~An applicant who has successfully passed a previously administered written examination may be subsequently required to take and pass another written examination.~~

(e) Not be subject to denial of licensure under Section 480. The board shall not issue a registration or license to any person who has been convicted of a crime in this or another state or in a territory of the United States that involves sexual abuse of children or who is required to register pursuant to Section 290 of the Penal Code or the equivalent in another state or territory, in accordance with Section 480.

#### **BPC §4980.41.**

(a) An applicant for licensure whose education qualifies ~~him or her~~them under Section 4980.37 shall complete the following coursework or training in order to be eligible to sit for the ~~licensing examinations as specified in subdivision (d) of Section 4980.40~~ clinical examination:

(1) A two semester or three quarter unit course in California law and professional ethics for marriage and family therapists, which shall include, but not be limited to, the following areas of study:

(A) Contemporary professional ethics and statutory, regulatory, and decisional laws that delineate the profession's scope of practice.



(B) The therapeutic, clinical, and practical considerations involved in the legal and ethical practice of marriage and family therapy, including family law.

(C) The current legal patterns and trends in the mental health profession.

(D) The psychotherapist-patient privilege, confidentiality, the patient dangerous to self or others, and the treatment of minors with and without parental consent.

(E) A recognition and exploration of the relationship between a practitioner's sense of self and human values and his or her professional behavior and ethics.

This course may be considered as part of the 48 semester or 72 quarter unit requirements contained in Section 4980.37.

(2) A minimum of seven contact hours of training or coursework in child abuse assessment and reporting as specified in Section 28 and any regulations promulgated thereunder.

(3) A minimum of 10 contact hours of training or coursework in human sexuality as specified in Section 25, and any regulations promulgated thereunder. When coursework in a master's or doctor's degree program is acquired to satisfy this requirement, it shall be considered as part of the 48 semester or 72 quarter unit requirement contained in Section 4980.37.

(4) For persons who began graduate study on or after January 1, 1986, a master's or doctor's degree qualifying for licensure shall include specific instruction in alcoholism and other chemical substance dependency as specified by regulation. When coursework in a master's or doctor's degree program is acquired to satisfy this requirement, it shall be considered as part of the 48 semester or 72 quarter unit requirement contained in Section 4980.37. Coursework required under this paragraph may be satisfactory if taken either in fulfillment of other educational requirements for licensure or in a separate course. The applicant may satisfy this requirement by successfully completing this coursework from a master's or doctoral degree program at an accredited or approved institution, as described in subdivision (b) of Section 4980.37, or from a board-accepted provider of continuing education, as described in Section 4980.54.

(5) For persons who began graduate study during the period commencing on January 1, 1995, and ending on December 31, 2003, a master's or doctor's degree qualifying for licensure shall include coursework in spousal or partner abuse assessment, detection, and intervention. For persons who began graduate study on or after January 1, 2004, a master's or doctor's degree qualifying for licensure shall include a minimum of 15

contact hours of coursework in spousal or partner abuse assessment, detection, and intervention strategies, including knowledge of community resources, cultural factors, and same gender abuse dynamics. Coursework required under this paragraph may be satisfactory if taken either in fulfillment of other educational requirements for licensure or in a separate course. The applicant may satisfy this requirement by successfully completing this coursework from a master's or doctoral degree program at an accredited or approved institution, as described in subdivision (b) of Section 4980.37, or from a board-accepted provider of continuing education, as described in Section 4980.54.

(6) For persons who began graduate study on or after January 1, 2001, an applicant shall complete a minimum of a two semester or three quarter unit survey course in psychological testing. When coursework in a master's or doctor's degree program is acquired to satisfy this requirement, it may be considered as part of the 48 semester or 72 quarter unit requirement of Section 4980.37.

(7) For persons who began graduate study on or after January 1, 2001, an applicant shall complete a minimum of a two semester or three quarter unit survey course in psychopharmacology. When coursework in a master's or doctor's degree program is acquired to satisfy this requirement, it may be considered as part of the 48 semester or 72 quarter unit requirement of Section 4980.37.

(b) The requirements added by paragraphs (6) and (7) of subdivision (a) are intended to improve the educational qualifications for licensure in order to better prepare future licentiates for practice and are not intended in any way to expand or restrict the scope of practice for licensed marriage and family therapists.

#### **4980.43.**

(a) Except as provided in subdivision (b), all applicants shall have an active associate registration with the board in order to gain postdegree hours of supervised experience.

(b) (1) Postdegree hours of experience gained before the issuance of an associate registration shall be credited toward licensure if all of the following apply:

(A) The registration applicant applies for the associate registration and the board receives the application within 90 days of the granting of the qualifying master's degree or doctoral degree.

(B) For applicants completing graduate study on or after January 1, 2020, the experience is obtained at a workplace that, prior to the registration applicant gaining supervised experience hours, requires completed Live Scan fingerprinting. The

applicant shall provide the board with a copy of that completed State of California "Request for Live Scan Service" form with the application for licensure.

(C) The board subsequently grants the associate registration.

(2) The applicant shall not be employed or volunteer in a private practice or a professional corporation until the applicant has been issued an associate registration by the board.

(c) Supervised experience that is obtained for purposes of qualifying for licensure shall be related to the practice of marriage and family therapy and comply with the following:

(1) A minimum of 3,000 hours completed during a period of at least 104 weeks.

(2) A maximum of 40 hours in any seven consecutive days.

(3) A minimum of 1,700 hours obtained after the qualifying master's or doctoral degree was awarded.

(4) A maximum of 1,300 hours obtained prior to the award date of the qualifying master's or doctoral degree.

(5) A maximum of 750 hours of counseling and direct supervisor contact prior to the award date of the qualifying master's or doctoral degree.

(6) Hours of experience shall not be gained prior to completing either 12 semester units or 18 quarter units of graduate instruction.

(7) Hours of experience shall not have been gained more than sixseven years prior to the date the application for licensure was received by the board, except that up to 500 hours of clinical experience gained in the supervised practicum required by subdivision (c) of Section 4980.37 and subparagraph (B) of paragraph (1) of subdivision (d) of Section 4980.36 shall be exempt from this sixseven-year requirement.

(8) A minimum of 1,750 hours of direct clinical counseling with individuals, groups, couples, or families, that includes not less than 500 total hours of experience in diagnosing and treating couples, families, and children.

(9) A maximum of 1,200 hours gained under the supervision of a licensed educational psychologist providing educationally related mental health services that are consistent with the scope of practice of an educational psychologist, as specified in Section 4989.14.

(10) A maximum of 1,250 hours of nonclinical practice, consisting of direct supervisor contact, administering and evaluating psychological tests, writing clinical reports, writing progress or process notes, client-centered advocacy, and workshops, seminars, training sessions, or conferences directly related to marriage and family therapy that have been approved by the applicant's supervisor.

(11) It is anticipated and encouraged that hours of experience will include working with elders and dependent adults who have physical or mental limitations that restrict their ability to carry out normal activities or protect their rights.

This subdivision shall only apply to hours gained on and after January 1, 2010.

(d) An individual who submits an application for licensure between January 1, 2016, and December 31, 2020, may alternatively qualify under the experience requirements of this section that were in place on January 1, 2015.

#### **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 supervisee.

(B) Triadic supervision, which means one hour of face-to-face contact between one supervisor and two supervisees.

(C) Group supervision, which means two hours of face-to-face contact between one supervisor and no more than eight supervisees. 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 supervisee.

(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.~~

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

**4980.50.**

(a) Every applicant who meets the educational and experience requirements ~~and applies for a license as a marriage and family therapist~~ shall be examined by the board. The examinations shall be as set forth in subdivision (d) of Section 4980.40. The examinations shall be given at least twice a year at a time and place and under supervision as the board may determine. The board shall examine the candidate with regard to the candidate's knowledge and professional skills and judgment in the utilization of appropriate techniques and methods.

(b) The board shall not deny any applicant who has submitted a complete application for examination, admission to the licensure examinations required by this section if the applicant meets the educational and experience requirements of this chapter, and has not committed any acts or engaged in any conduct that would constitute grounds to deny licensure.

(c) The board shall not deny any applicant, ~~whose application for licensure is complete~~ who meets the specified requirements in this chapter, admission to the clinical examination, nor shall the board postpone or delay any applicant's clinical examination, solely upon the receipt by the board of a complaint alleging acts or conduct that would constitute grounds to deny licensure.

(d) If an applicant for examination ~~who has passed the California law and ethics examination~~ is the subject of a complaint or is under board investigation for acts or conduct that, if proven to be true, would constitute grounds for the board to deny licensure, the board shall permit the applicant to take the ~~clinical examination for licensure~~, but may notify the applicant that licensure will not be granted pending completion of the investigation.

(e) Notwithstanding Section 135, the board may deny any applicant who has previously failed either the California law and ethics examination or the clinical examination permission to retake either examination pending completion of the investigation of any complaints against the applicant. Nothing in this section shall prohibit the board from denying an applicant admission to any examination or refusing to issue a license to any applicant when an accusation or statement of issues has been filed against the applicant pursuant to Sections 11503 and 11504 of the Government Code, respectively, or the applicant has been denied in accordance with subdivision (b) of Section 485.

(f) Notwithstanding any other provision of law, the board may destroy all examination materials two years following the date of an examination.

~~(g) An applicant for licensure shall not be eligible to participate in the clinical examination if the applicant fails to obtain a passing score on the clinical examination~~

~~within seven years from their initial attempt, unless the applicant takes and obtains a passing score on the current version of the California law and ethics examination.~~

(h) Notwithstanding section 4980.397, a passing score on the clinical examination shall be accepted by the board for a period of seven years from the date the examination was taken to the date the application for initial license is received by the board.

(i) An applicant for licensure who has qualified pursuant to this chapter shall be issued a license as a marriage and family therapist in the form that the board deems appropriate.

#### **4980.54.**

(a) The Legislature recognizes that the education and experience requirements in this chapter constitute only minimal requirements to ensure that an applicant is prepared and qualified to take the licensure examinations as specified in subdivision (d) of Section 4980.40 ~~and, if an applicant passes those examinations, to begin practice.~~

(b) In order to continuously improve the competence of licensed and registered marriage and family therapists and as a model for all psychotherapeutic professions, the Legislature encourages all licensees and registrants to regularly engage in continuing education related to the profession or scope of practice as defined in this chapter.

(c) (1) Except as provided in subdivision (e), the board shall not renew any license pursuant to this chapter unless the applicant certifies to the board, on a form prescribed by the board, that the applicant has completed not less than 36 hours of approved continuing education in or relevant to the field of marriage and family therapy in the preceding two years, as determined by the board.

(2) The board shall not renew any registration pursuant to this chapter unless the registrant certifies under penalty of perjury to the board, and on a form prescribed by the board, that they have completed not less than three hours of continuing education on the subject of California law and ethics during the preceding year.

(d) The board shall have the right to audit the records of any applicant to verify the completion of the continuing education requirement. Applicants shall maintain records of completion of required continuing education coursework for a minimum of two years and shall make these records available to the board for auditing purposes upon request.

(e) The board may establish exceptions from the continuing education requirements of this section for good cause, as defined by the board.

(f) The continuing education shall be obtained from one of the following sources:

(1) An accredited school or state-approved school that meets the requirements set forth in Section 4980.36 or 4980.37. Nothing in this paragraph shall be construed as requiring coursework to be offered as part of a regular degree program.

(2) Other continuing education providers, as specified by the board by regulation.

(g) The board shall establish, by regulation, a procedure for identifying acceptable providers of continuing education courses, and all providers of continuing education, as described in paragraphs (1) and (2) of subdivision (f), shall adhere to procedures established by the board. The board may revoke or deny the right of a provider to offer continuing education coursework pursuant to this section for failure to comply with this section or any regulation adopted pursuant to this section.

(h) Training, education, and coursework by approved providers shall incorporate one or more of the following:

(1) Aspects of the discipline that are fundamental to the understanding or the practice of marriage and family therapy.

(2) Aspects of the discipline of marriage and family therapy in which significant recent developments have occurred.

(3) Aspects of other disciplines that enhance the understanding or the practice of marriage and family therapy.

(i) A system of continuing education for licensed marriage and family therapists shall include courses directly related to the diagnosis, assessment, and treatment of the client population being served.

(j) The continuing education requirements of this section shall comply fully with the guidelines for mandatory continuing education established by the Department of Consumer Affairs pursuant to Section 166.

#### **4984.01.**

(a) The associate marriage and family therapist registration shall expire one year from the last day of the month in which it was issued.

(b) To renew the registration, the registrant shall, on or before the expiration date of the registration, complete all of the following actions:

(1) Apply for renewal on a form prescribed by the board.



(2) Pay a renewal fee prescribed by the board.

~~(3) Participate in the California law and ethics examination pursuant to Section 4980.399 each year until successful completion of this examination.~~

(43) Notify the board whether they have been convicted, as defined in Section 490, of a misdemeanor or felony, and whether any disciplinary action has been taken against them by a regulatory or licensing board in this or any other state subsequent to the last renewal of the registration.

(54) Certify under penalty of perjury their compliance with the continuing education requirements set forth in Section 4980.54.

(c) An expired registration may be renewed by completing all of the actions described in paragraphs (1) to (54), inclusive, of subdivision (b).

(d) The registration may be renewed a maximum of fivesix times. No registration shall be renewed or reinstated beyond sixseven years from the last day of the month during which it was issued, regardless of whether it has been revoked. When no further renewals are possible, an applicant may apply for and obtain a subsequent associate registration number if the applicant meets the educational requirements for a subsequent associate registration number and has passed a passing score on the California law and ethics examination that is no more than seven years old at the time the application for the subsequent associate registration number is received by the board. An applicant who is issued a subsequent associate registration number pursuant to this subdivision shall not be employed or volunteer in a private practice.

(e) Notwithstanding subdivision (d), an applicant applying for or who currently holds a subsequent associate registration number may request that the Board grant them a one-time, two-year hardship extension to allow them to gain their required experience hours for licensure at one private practice or professional corporation work setting. An associate may not be issued more than one extension, and it is only valid for the private practice or professional corporation work setting for which it is requested. In order to be granted the extension, the associate, the supervisor, and if the supervisor is not employed by the supervisee's employer or is a volunteer, a representative of the employer must submit a jointly signed statement containing the following:

- (a) The name of the work setting where the associate will be gaining hours;
- (b) That the work setting is a private practice or a professional corporation;
- (c) The name, license type, and license number of the current supervisor;
- (d) The reason why the applicant was unable to complete the licensure process within seven years; and

(e) A description of the plan for the associate to gain the needed hours toward licensure during the two-year extension period.

**4984.7.**

(a) The board shall assess the following fees relating to the licensure of marriage and family therapists:

(1) The application fee for an associate registration shall be one hundred fifty dollars (\$150). The board may adopt regulations to set the fee at a higher amount, up to a maximum of three hundred dollars (\$300).

(2) The annual renewal fee for an associate registration shall be one hundred fifty dollars (\$150). The board may adopt regulations to set the fee at a higher amount, up to a maximum of three hundred dollars (\$300).

(3) The fee for the application for licensure shall be two hundred fifty dollars (\$250). The board may adopt regulations to set the fee at a higher amount, up to a maximum of five hundred dollars (\$500).

(4) (A) (i) The fee for the clinical examination shall be two hundred fifty dollars (\$250). The board may adopt regulations to set the fee at a higher amount, up to a maximum of five hundred dollars (\$500).

(ii) The fee for the California law and ethics examination shall be one hundred fifty dollars (\$150). The board may adopt regulations to set the fee at a higher amount, up to a maximum of three hundred dollars (\$300).

(B) An applicant who fails to appear for an examination, after having been scheduled to take the examination, shall forfeit the examination fee.

(C) The amount of the examination fees shall be based on the actual cost to the board of developing, purchasing, and grading each examination and the actual cost to the board of administering each examination. The examination fees shall be adjusted periodically by regulation to reflect the actual costs incurred by the board.

~~(5) The fee for rescoring an examination shall be twenty dollars (\$20).~~

(65) The fee for the issuance of an initial license shall be two hundred dollars (\$200). The board may adopt regulations to set the fee at a higher amount, up to a maximum of four hundred dollars (\$400).

(~~76~~) The fee for the two-year license renewal shall be two hundred dollars (\$200). The board may adopt regulations to set the fee at a higher amount, up to a maximum of four hundred dollars (\$400).

(~~87~~) The renewal delinquency fee shall be one-half of the fee for license renewal. A person who permits their license to expire is subject to the delinquency fee.

(~~98~~) The fee for issuance of a replacement registration, license, or certificate shall be twenty dollars (\$20).

(~~109~~) The fee for issuance of a certificate or letter of good standing shall be twenty-five dollars (\$25).

(~~110~~) The fee for issuance of a retired license shall be forty dollars (\$40).

~~(b) This section shall become operative on January 1, 2021.~~

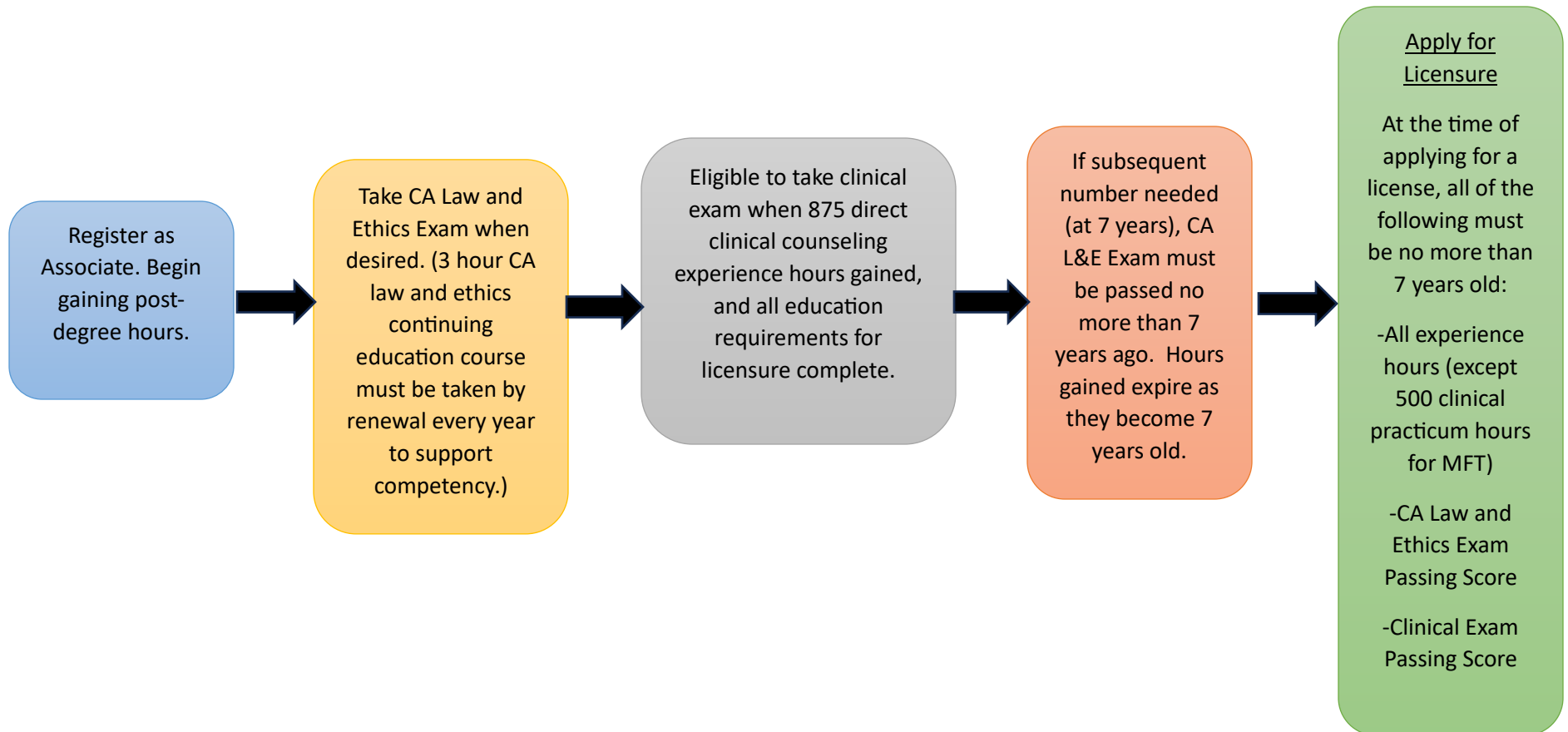
#### **4984.72.**

~~(a) Effective January 1, 2016, an~~An applicant who fails the clinical examination may, within one year from the notification date of that failure, retake the examination as regularly scheduled without further application upon payment of the fee for the examination. Thereafter, the applicant shall not be eligible for further examination until ~~he or she files~~they file a new application, meets all requirements in effect on the date of application, and pays all required fees.

~~(b) This section shall become operative on January 1, 2016.~~

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## ATTACHMENT B Overview of Proposed Revisions to the Licensing Process



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## **Attachment C 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.