

## BOARD MEETING MINUTES

1  
2  
3 Open sessions of this board meeting were webcasted. Webcast recordings are  
4 available on the following links:

5  
6 November 14: [https://youtu.be/Z1KCQR9N\\_p0](https://youtu.be/Z1KCQR9N_p0)

7 November 15: <https://youtu.be/Tpvva7JwgUc>

---

8	
9	
10	<b>DATE</b> November 14, 2024
11	
12	<b>LOCATION</b> Department of Consumer Affairs
13	1625 North Market Blvd., #S-102
14	Sacramento CA 95834
15	
16	<b>TIME</b> 9:00 a.m.
17	
18	<b>ATTENDEES</b>
19	<b>Members Present:</b> Wendy Strack, Vice Chair, Public Member
20	Lorez, Bailey, Public Member
21	Dr. Nicholas (Nick) Boyd, LPCC Member
22	Susan Friedman, Public Member
23	Justin Huft, LMFT Member
24	Abigail Ortega, LCSW Member
25	Kelly Ranasinghe, Public Member
26	Eleanor Uribe, LCSW Member
27	Dr. Annette Walker, Public Member
28	
29	<b>Members Absent:</b> Christopher (Chris) Jones, Chair, LEP Member
30	John Sovec, LMFT Member
31	
32	<b>Staff Present:</b> Steve Sodergren, Executive Officer
33	Marlon McManus, Assistant Executive Officer
34	Christina Kitamura, Administration Analyst
35	Sabina Knight, Department of Consumer Affairs (DCA) Legal
36	Counsel
37	Christine Jacob, DCA Legal Counsel
38	

1 **Other Attendees:** Patrice De Guzman Huber, Administrative Law Judge  
2 Adriana Lazark, Deputy Attorney General  
3 Jennifer Marianne Williams (Richter), Petitioner  
4 Alexander Marco Gittinger, Petitioner  
5 Public participation via Webex and in-person  
6

---

## 8 **OPEN SESSION**

---

### 11 **1. Call to Order and Establishment of Quorum**

12  
13 Wendy Strack, Vice Chair of the Board of Behavioral Sciences (Board), called the  
14 meeting to order at 9:27 a.m. Roll was called, and a quorum was established.  
15

16 *Agenda items 2 and 3 were heard after agenda item 9.*  
17

### 18 **2. Suggestions for Future Agenda Items**

19  
20 Walker: Overview of the process for evaluating the performance of the Executive  
21 Officer.  
22

23 Friedman: 1) Discuss the problem of medical insurance for mental health  
24 treatment; 2) Life coaches.  
25

26 Huft: Discussion regarding possible changes to accepting education from  
27 particular universities that are not abiding by Title IX policies due to legal  
28 exemption, which allow them to discriminate against queer students.  
29

### 30 **3. Public Comment for Items Not on the Agenda**

31  
32 None  
33

34 ***Administrative Law Judge Patrice De Guzman Huber presided over the following***  
35 ***petition hearings. Deputy Attorney General Adriana Lazark presented the facts of***  
36 ***each case on behalf of the People of the State of California.***  
37

### 38 **4. Jennifer Marianne Williams (Richter), LMFT 118702, Petition for Early** 39 **Termination of Probation**

40  
41 The record was opened at 9:31 a.m., and Jennifer Williams represented herself.  
42 Deputy Attorney General Adriana Lazark presented the background of this case.  
43 Williams was sworn-in and presented her request for early termination of  
44 probation and information to support the request. She was questioned by Lazark  
45 and board members. Williams gave a closing remark. The record was closed at  
46 10:18 a.m.

1 **5. Alexander Marco Gittinger, LCSW 118702, Petition for Early Termination of**  
2 **Probation**

3  
4 The record was opened at 10:34 a.m. Alexander Gittinger represented himself.  
5 Deputy Attorney General Lazark presented the background of this case.  
6 Gittinger was sworn-in and presented his request for early termination of  
7 probation and information to support the request. He was questioned by Lazark  
8 and board members. Gittinger gave a closing remark. The record was closed at  
9 11:59 a.m.

10  
11 *The Board Chair called for a lunch break before reconvening in closed session.*  
12

---

13  
14 **CLOSED SESSION**

---

15  
16  
17 *The Board entered closed session at 1:17 p.m.*  
18

19 **6. Pursuant to Section 11126(c)(3) of the Government Code, the Board will**  
20 **Meet in Closed Session for Discussion and to Take Action on Disciplinary**  
21 **Matters, Including the Above Petitions.**

22  
23 **7. Pursuant to Section 11126(a)(1) of the Government Code, the Board will**  
24 **Meet in Closed Session to Evaluate the Performance of the Executive**  
25 **Officer**

26  
27 *The Board reconvened in open session at 4:08 p.m.*  
28

---

29  
30 **OPEN SESSION**

---

31  
32  
33 **8. Consent Calendar: Possible Approval of the September 19-20, 2024 Board**  
34 **Meeting Minutes**

35  
36 Motion: Approve the September 19-20, 2024 Board meeting minutes.

37  
38 M/S: Walker/Huft

39  
40 Discussion/Public Comment: None

41  
42 Vote: Yea 8; Nay 0, Abstention 1; Absent 2. Motion carried.  
43

1

Member	Vote
Lorez Bailey	Y
Dr. Nick Boyd	Y
Susan Friedman	Y
Justin Huft	Y
Christopher Jones	absent
Abigail Ortega	Y
Kelly Ranasinghe	Y
John Sovec	absent
Wendy Strack	abstain
Eleanor Uribe	Y
Annette Walker	Y

2

3

**9. Executive Officer Report**

4

**a. Budget Report**

5

- The Board’s budget for fiscal year (FY) 24/25 is \$14,300,000.
- Fund Condition reflects a reserve of 17.9 months.

6

7

8

**b. Personnel**

9

The Board’s staffing activity is as follows:

10

- 5 new hires
- 1 vacancy

11

12

13

**c. Licensing Report**

14

1<sup>st</sup> Quarter Statistics:

15

- 5,514 licenses/registrations were issued.
- Population of approximately 147,065 licensees/associates as of October 25, 2024
- 1% gain in license/registration population since the 4<sup>th</sup> quarter of FY 23/24
- Received 10% more licensing applications than were received in 4<sup>th</sup> quarter of FY 23/24

16

17

18

19

20

21

22

23

Information provided as attachments in the meeting materials:

24

- BBS Population Report
- Licensing Applications Received/Processing Times
- Administration Applications Received
- Renewal Applications Received

25

26

27

28

1 **d. Exam Report**

2 1<sup>st</sup> Quarter Statistics: 5,714 exams were administered in the 4<sup>th</sup> quarter of FY  
3 23/24 (2% increase from 3<sup>rd</sup> quarter of FY 23/24).

4  
5 Sodergren reported on the following:

- 6 • Effective January 1, 2024, the Licensed Marriage and Family Therapist  
7 (LMFT) Clinical Exam will reduce from 120-day waiting period to 90-  
8 day waiting period.
- 9 • Staff is working with Pearson Vue on updating the exam candidate  
10 handbook and the LMFT clinical examination failed score reports.
- 11 • Pearson Vue contract has been approved through December 31, 2027
- 12 • ASWB contract ends June 30, 2025. Staff will be working with ASWB  
13 and DCA in procuring a contract through 2030.
- 14 • NBCC contract for the ACMHCE ends June 30, 2025. Staff will be  
15 working with NBCC and DCA in procuring a contract through 2030.  
16 Board staff will request NBCC to take over the approval of the non-ESL  
17 accommodations.

18  
19 Information provided as attachments in the meeting materials:

- 20 • Exam Pass Rate Report
- 21 • Exam School Report July 1, 2024 through September 30, 2024

22  
23 **e. Enforcement Report**

24 1<sup>st</sup> Quarter Statistics:

- 25 • 519 consumer complaints received
- 26 • 284 criminal convictions
- 27 • 503 cases closed
- 28 • 16 cases referred to Attorney General's (AG) Office
- 29 • Average time to complete formal discipline: 369 days
- 30 • Average time a case is at the AG's Office: 265 days
- 31 • Average time to complete board investigations: 63 days

32  
33 Information provided as an attachment in the meeting materials: Consumer  
34 Complaint and Criminal Conviction Report

35  
36 **f. Education and Outreach Report**

37 Staff conducted 10 outreach events during the 1<sup>st</sup> quarter.

38  
39 Information provided as attachments in the meeting materials:

- 40 • Social Media Engagement
- 41 • Outreach Event Report

1 **g. Organizational Development Report**

2 The following updates were reported:

- 3 • BreEZe system update on the online application project
- 4 • Consumer Information Center handled 4,010 BBS calls during the 1<sup>st</sup>
- 5 quarter.
- 6 • Staff received 32,674 emails during the 1<sup>st</sup> quarter.

7  
8 Information provided as attachments in the meeting materials:

- 9 • BBS Calls Received/Handled by CIC
- 10 • BBS Emails Received

11  
12 **h. Strategic Plan Update**

13 Progress updates on Strategic Plan goals were provided as attachment: BBS  
14 Strategic Plan Update November 2024.

15  
16 **10. Recess Until 9:00 a.m., Friday, November 15, 2024.**

17  
18 The Board recessed at 4:38 p.m.

19



---

## OPEN SESSION

---

### 11. Call to Order and Establishment of Quorum

Wendy Strack, Vice Chair of the Board, called the meeting to order at 9:00 a.m. Roll was called, and a quorum was established.

*Agenda item 15 heard after agenda item 22. Agenda item heard after agenda item 17. Agenda item 18 is cut from the agenda.*

### 12. Introductions

Board members, staff, and attendees introduced themselves.

### 13. Board Chair Report

#### a. Board Member Attendance

The current fiscal year attendance report was provided.

#### b. Future Board Meetings

The 2025 board meeting and committee meeting dates were provided.

#### c. Staff Recognitions

The following BBS employees received awards:

- Brandy Psomas: 5 years
- Priscila Sazo: 5 years
- Veronica Rosas, 5 years
- Marlon McManus, 25 years

### 14. Department of Consumer Affairs Update

Korrina Moreno presented the following DCA updates:

- Diversity, Equity and Inclusion Steering Committee and leadership appointments
- Unconscious Bias training for board members. Launching in 2025. Members will be required to take the course annually.
- DCA hosting its 2<sup>nd</sup> live webinar, Military Licensing Resources, on November 21, 2024
- Department of Human Resources released an updated travel policy to align with federal policies. Effective October 1<sup>st</sup>, DCA will use federal



1 standard meals and incidental expense rates, and standard and non-  
2 standard reimbursement lodging rates for travel.

- 3 • DCA’s annual charitable campaigns

#### 4 5 **15. Workforce Development Committee Update**

6  
7 The Workforce Development Committee (Committee) met in October 2024.  
8 During its meeting, the Committee discussed the following:

- 9  
10 • Possible changes to eligibility requirements for the clinical exams and the  
11 licensure process.
- 12 • Possible change to the requirements for alcohol and substance abuse  
13 coursework for all license types.
- 14 • Short-term and long-term goals that may increase support for applicant and  
15 registrants and work towards addressing barriers that exist in the licensure  
16 pathway

17  
18 Public Comment: None

#### 19 20 **16. Wellness Coach Certification Program Presentation by the Department of** 21 **Health Care Access and Information (HCAI)**

22  
23 Ann Powell and Christian Jones, HCAI Office of Health Workforce Development,  
24 gave a presentation on HCAI’s Wellness Coach Certification Program:

- 25 • Overview of Process for Creating the Certified Wellness Coach Profession
- 26 • Detail on Certified Wellness Coach Profession
  - 27 ○ Scope of Services and Competencies
  - 28 ○ Education
  - 29 ○ Operating Model

30  
31 Some board members expressed concerns regarding supervision (lack of  
32 supervisors), lack of enforcement/disciplinary mechanisms, scope of practice, no  
33 examinations for certification, consumer protection. Another concern raised is  
34 that this program creates a low wage job that does not create upward mobility  
35 and does not create an equitable, culturally responsive mental health workforce.

36  
37 Other board members expressed support for the creation of this certification  
38 program to address shortages and bridging gaps.

39  
40 Public Comments

41 Shanti Ezrine, California Association of Marriage and Family Therapists  
42 (CAMFT): CAMFT is looking forward to engaging with HCAI on the rollout of the  
43 program, especially on the following issues: 1) Ensuring consumer protection,

1 and 2) supporting pathways to licensure for those who are working in these  
2 positions.

3  
4 Dr. Sabrina Morris, California Association of Licensed Professional Clinical  
5 Counselors (CALPCC): Echoed the board's concerns regarding consumer  
6 protection as well as the workforce development issues. Also expressed  
7 concerns regarding the expectation that these paraprofessionals have knowledge  
8 of all areas of wellness and to be able to deliver these services when they are the  
9 least trained, and that they are expected to serve the most vulnerable  
10 populations.

## 11 12 **17. Discussion and Possible Recommendations for the Board's Sunset Report**

13  
14 The Board's 2025 Sunset Review report was provided for review. This report  
15 must be submitted to the Senate Committee on Business, Professions and  
16 Economic Development and Assembly Committee on Business and Professions  
17 (Committee) by January 6<sup>th</sup>, 2025. The report will serve as the basis for a  
18 background paper prepared by the Committee. The Board may need to respond  
19 to additional questions in preparation for the Sunset Oversight hearings. The  
20 hearings will be announced in early 2025.

### 21 22 Discussion

23 Board members asked procedural questions and questions for clarifications,  
24 which were answered by Sodergren.

25  
26 Initial Motion (later withdrawn): Direct staff to make any discussed changes and  
27 make any non-substantive changes and obtain final approval to submit from the  
28 Board Chairperson.

29  
30 M/S: Ranasinghe/Walker

### 31 32 Public Comment and Additional Discussion:

33 Dr. Ben Caldwell asked if the topic of clinical exam problems, such as the ASWB,  
34 should be in the report.

35  
36 Sodergren responded that the ASWB issue is not reported in the document. He  
37 opened the discussion to add a new issue in the report addressing disparities  
38 and the exam pass rate. The Board agreed to adding this issue. Ranasinghe  
39 withdrew his motion.

40  
41 Revised Motion: Direct staff to make any discussed changes, include a new item  
42 addressing disparities in exam outcomes, and make any non-substantive  
43 changes, and obtain final approval to submit from the Board Chairperson.

44  
45 M/S: Ranasinghe/Walker  
46

1 Public Comments on the Revised Motion

2 Shanti Ezrine, California Association of Marriage and Family Therapy (CAMFT):  
3 Pointed out formatting corrections on the document.  
4

5 G.V. Ayers, California Association for License Professional Clinical Counselors  
6 (CALPCC): CALPCC supports Issue 4 regarding adding an LPCC member to  
7 the board and Issue 9 regarding license compacts.  
8

9 Vote: Yea 9; Nay 0; Absent 2. Motion carried.

Member	Vote
Lorez Bailey	Y
Dr. Nick Boyd	Y
Susan Friedman	Y
Justin Huft	Y
Christopher Jones	absent
Abigail Ortega	Y
Kelly Ranasinghe	Y
John Sovec	absent
Wendy Strack	Y
Eleanor Uribe	Y
Annette Walker	Y

10  
11 **18. Discussion and Possible Action Regarding Statutory Amendments to the**  
12 **Board’s Retired License Requirements (BPC §§ 4984.41, 4989.45, 4997.1,**  
13 **4999.113)**  
14

15 This item was cut from the agenda.  
16

17 **19. Discussion and Possible Action Regarding Proposed Amendments to the**  
18 **Business and Professions Code: Amend BPC §4999.46.2 Regarding**  
19 **Supervision for Professional Clinical Counselor Trainees; Amend BPC**  
20 **§§4980.43.3, 4996.23.2, and 4999.46.3 Regarding W-2 Forms for Supervised**  
21 **Experience Claimed; Amend BPC §§4982, 4989.54, and 4992.3 Regarding**  
22 **Unprofessional Conduct Provisions for Telehealth; and Amend BPC**  
23 **§4980.38 Regarding Degree Program Certification of Meeting Licensure**  
24 **Requirements**  
25

26 The Board approved some amendments for inclusion in the coming year’s  
27 omnibus or sunset bill at its September 2024 meeting. Today, staff proposed  
28 additional amendments for the Board to consider.  
29

- 30 1. Amend Business and Professions Code (BPC) §4999.46.2: Supervision for  
31 Professional Clinical Counselor Trainees  
32

33 Background: BPC §4999.46.2(a)(2) states the following:

1                   *“For experience gained after January 1, 2009, no more than six hours of*  
2                   *supervision, whether individual, triadic, or group, shall be credited during*  
3                   *any single week.”*  
4

5                   This statement may be misleading and confusing because PCC trainees are  
6                   not permitted to count pre-degree hours. While this limitation applies to and  
7                   is appropriate for marriage and family therapist trainees, who do count pre-  
8                   degree hours, it is not needed for PCC trainees.  
9

10                  Recommendation: Delete the above sentence in BPC §4999.46.2(a)(2).  
11

12                  Note: BPC §4999.46.2 has two sections: one sunsetting on January 1, 2026,  
13                  and another becoming effective January 1, 2026, due to previous legislation  
14                  allowing supervision via videoconferencing in all settings. Both sections need  
15                  to be amended to preserve the change being made to law.  
16

- 17                  2. Amend BPC §§4980.43.3, 4996.23.2, and 4999.46.3: W-2 Forms for  
18                  Supervised Experience Claimed  
19

20                  Background: BPC §§ 4980.43.3(a)(1), 4996.23.2(a)(1), and 4999.46.3(a)(1)  
21                  require associates applying for LMFT, LCSW, and LPCC licensure,  
22                  respectively, to provide the Board with copies of their W-2 tax forms for each  
23                  year of experience claimed upon application for licensure.  
24

25                  An associate may not have a W-2 tax form yet for experience gained in the  
26                  current tax year in which they are applying for licensure. In that case, the  
27                  Board requests a copy of the most recent pay stub for that year.  
28

29                  Recommendation: Add clarifying language to each of the specified sections  
30                  stating if the W-2 is not available for experience gained during the tax year  
31                  that has not ended yet, then the associate needs to provide the Board with a  
32                  copy of the most recent pay stub.  
33

- 34                  3. Amend BPC §§ 4982, 4989.54, and 4992.3: Unprofessional Conduct  
35                  Provisions for Telehealth  
36

37                  Background: BPC §§4982, 4989.54, 4992.3, and 4999.90 contain the  
38                  unprofessional conduct provisions for the LMFT, LEP, LCSW, and LPCC  
39                  practice acts, respectively.  
40

41                  Each of these sections contains a provision making it unprofessional conduct  
42                  to violate BPC §2290.5, which is the section of law that outlines the  
43                  requirements for the provision of health care services via telehealth. However,  
44                  each section uses slightly different language to state that violating BPC  
45                  §2290.5 is unprofessional conduct.

1 To ensure consistency and clarity, each of these four subdivisions should all  
2 utilize the same language to state that a violation of BPC §2290.5 constitutes  
3 unprofessional conduct.  
4

5 Recommendation: Amend BPC §§4982(z), 4989.54(d), and 4992.3(aa) to use  
6 the same language used in LPCC statute (BPC §4999.90(ac)).  
7

- 8 4. Amend BPC §4980.38: Degree Program Certification of Meeting Registration  
9 and Licensure Requirements (Attachment D).  
10

11 Background: BPC §§ 4980.36 and 4980.37 contain the degree requirements  
12 for AMFT registration and LMFT licensure depending on the date that the  
13 degree was begun and completed.  
14

15 While BPC §4980.36 contains the current degree requirements, BPC  
16 §4980.37 contains the requirements for older degrees that were begun before  
17 August 1, 2012 and completed before December 31, 2018.  
18

19 Applicants with older degrees qualifying under BPC §4980.37 must also  
20 complete additional coursework described in BPC §4980.41 before sitting for  
21 the licensing exams. Two of these required courses, described in BPC  
22 §4980.41(a)(4) and (5), are alcoholism and other chemical substance  
23 dependency, and spousal or partner abuse assessment, detection, and  
24 intervention, respectively.  
25

26 Prior to 2014, those two courses must have been completed within the  
27 qualifying master's degree program. If they were not, they could not be  
28 remediated, and the degree was considered non-qualifying. An unintended  
29 consequence of this was that some applicants did not have this coursework in  
30 their qualifying degree and were unable to qualify for licensure unless they  
31 obtained a new degree. To address this, the Board sponsored AB 428  
32 (Chapter 376, Statutes of 2013), which allowed these two courses to be  
33 remediated outside of the degree program by taking either an additional  
34 master's level course, or coursework from an accepted continuing education  
35 provider.  
36

37 However, BPC §4980.38, which requires degree programs to certify that their  
38 degree meets the requirements for licensure, mistakenly still requires schools  
39 with degrees that qualified under BPC §4980.37 to certify that the two above-  
40 discussed courses listed in in BPC §4980.41(a)(4) and (5) are contained in  
41 their qualifying degree.  
42

43 Recommendation: Strike the requirement in BPC §4980.38(b)(2) that a  
44 qualifying degree program certify that it meets the requirements in BPC  
45 §4980.41(a)(4) and (5), as those two courses are permitted to be remediated  
46 outside of the qualifying degree program.

1 Motion: Direct staff to make any discussed changes and any non-substantive  
2 changes and to pursue as a legislative proposal.

3  
4 M/S: Ranasinghe/Uribe

5  
6 Public Comments

7 Shanti Ezrine, CAMFT: CAMFT has no concerns.

8  
9 G.V. Ayers, CALPCC: CALPCC has no concerns.

10  
11 Vote: Yea 9; Nay 0; Absent 2. Motion carried.

Member	Vote
Lorez Bailey	Y
Dr. Nick Boyd	Y
Susan Friedman	Y
Justin Huft	Y
Christopher Jones	absent
Abigail Ortega	Y
Kelly Ranasinghe	Y
John Sovec	absent
Wendy Strack	Y
Eleanor Uribe	Y
Annette Walker	Y

12  
13 **20. Discussion and Possible Action to Initiate a Rulemaking to Amend the**  
14 **Board's Additional Examination Time: English as a Second Language**  
15 **Regulations (16 CCR § 1805.2)**

16  
17 The Board established its English as a Second Language (ESL) additional  
18 examination time allowance via regulation in 2017. The regulations, 16 CCR  
19 §1805.2, supersede any allowances offered by the Board's test vendors. They  
20 allow the Board to grant additional examination time of time-and-a-half (1.5x) to  
21 an ESL applicant if they meet one of the specified criteria:

- 22
- 23 1. A score of 85 or below on the Test of English as a Foreign Language, Internet  
24 Based Test (TOEFL-iBT), taken in the past 2 years.
  - 25  
26 2. Documentation from the qualifying master's degree program that the program  
27 had granted the applicant additional exam time or another allowance due to  
28 speaking English as a second language.
  - 29  
30 3. Documentation that the qualifying master's degree was obtained from a  
31 school outside the U.S. and that at least half the coursework was presented in  
32 a language other than English.
- 33

1 Each of the Board’s exam vendors have their own ESL allowances. But because  
2 the Board has established its own ESL regulations, the exam vendors accept the  
3 Board’s ESL policies as overriding their own. Furthermore, the Board’s approval  
4 process can take some time to either approve or deny.  
5

6 **Workforce Development Committee and Policy and Advocacy Committee**  
7 **Discussion**

8 The Workforce Development Committee considered this topic at its January and  
9 April 2024 meetings. It also directed staff to do the following research:

- 10
- 11 • Examine the Board’s current exam time allowances and compare those with  
12 the amount of time time-and-a-half allows (provided as Attachment B in the  
13 meeting materials).
  - 14 • Review the ESL allowances of other DCA boards to determine how they  
15 compare with the Board’s ESL allowance.  
16
    - 17 ○ The Boards of Occupational Therapy, Physical Therapy, Optometry,  
18 Veterinary Medicine, Dental Board, and Dental Hygiene Board do not  
19 have ESL allowances in their statutes or regulations.
    - 20 ○ Acupuncture Board does not have ESL regulations, but offers their exam  
21 in English, Mandarin, and Korean. They have a mechanism in law to  
22 request translation into another language if that language represents over  
23 5% of its applicants.
    - 24 ○ Psychology Board has ESL Regulations that are very similar to this  
25 Board’s. It requires an attestation that English is the second language,  
26 and a TOEFL score of 85 or below, taken within the past two years.  
27 Qualifying test-takers receive time-and-a-half.  
28

29 The proposed amendments resulting from the Workforce Development  
30 Committee’s discussion were provided as Attachment A in the meeting materials.  
31 The language creates a new option to qualify for an ESL allowance by certifying  
32 the following under penalty of perjury:  
33

34 *“I hereby certify that I do not speak English as my primary language. I most  
35 frequently speak another language to communicate with others and have  
36 difficulty reading, writing or speaking English proficiently.”*  
37

38 The language for the attestation was recommended by the Board’s Regulatory  
39 Counsel based on the California Civil Rights Department’s definitions of “Limited  
40 English proficient persons” and “Primary language” in regulations. Those  
41 definitions can be found in California Code of Regulations Title 2, §14100(d) and  
42 (e).  
43  
44  
45

1 The Board’s Policy and Advocacy Committee considered the language at its  
2 August 2024 meeting and directed staff to bring that language, as written, to the  
3 Board for consideration as a regulatory proposal.  
4

5 Public Comments

6 Dr. Ben Caldwell: Supports the proposed language.  
7

8 Shanti Ezrine, CAMFT: Supports the proposed language and has no concerns.  
9

10 G.V. Ayers, CALPCC: Supports the proposed language.  
11

12 Motion: Approve the proposed regulatory text in Attachment A and complete all  
13 the following actions:  
14

- 15 i. Direct staff to submit the text in Attachment A to the Director of the  
16 Department of Consumer Affairs and the Business, Consumer Services,  
17 and Housing Agency for review and if no adverse comments are received,  
18 authorize the Executive Officer to take all steps necessary to initiate the  
19 rulemaking process, make any non-substantive changes to the package,  
20 and set the matter for a hearing if requested.  
21
- 22 ii. If no adverse comments are received during the 45-day comment period  
23 and no hearing is requested, authorize the Executive Officer to take all  
24 steps necessary to complete the rulemaking and adopt the proposed  
25 regulations as noticed for title 16, California Code of Regulations section  
26 1805.2.  
27

28 M/S: Walker/Bailey  
29

30 Public Comment: None  
31

32 Vote: Yea 9; Nay 0; Absent 2. Motion carried.

Member	Vote
Lorez Bailey	Y
Dr. Nick Boyd	Y
Susan Friedman	Y
Justin Huft	Y
Christopher Jones	absent
Abigail Ortega	Y
Kelly Ranasinghe	Y
John Sovec	absent
Wendy Strack	Y
Eleanor Uribe	Y
Annette Walker	Y



1 **21. Discussion and Possible Action Regarding Statutory Amendments to**  
2 **Licensing Requirements for Licensed Educational Psychologists (BPC §**  
3 **4989.20)**  
4

5 The purpose of this agenda item is to discuss potential amendments to BPC  
6 §4989.20, the statute that specifies licensing requirements for LEPs.  
7

8 If the statutory change becomes law, the Board will need to pursue regulatory  
9 amendments, which are currently being discussed in the Policy and Advocacy  
10 Committee.  
11

12 The proposed statutory amendments were provided as Attachment A in the  
13 meeting materials.  
14

15 **Previous Board Action**

16 The Board approved this proposal at its September 2024 meeting and directed  
17 staff to pursue it as a legislative proposal. However, at that meeting, a Board  
18 member raised a concern about the language in BPC §4989.20(a)(4) requiring  
19 completion of “60 semester hours of postgraduate work” in pupil personnel  
20 services.  
21

22 After investigating further and consulting with stakeholders, staff believes the  
23 following amendment provides more clarity and better aligns with the current  
24 Commission on Teacher Credentialing Program Standards:

25 *BPC §4989.20)(a)(4) Successful completion of 60 semester hours of*  
26 *postgraduate work semester units or 90 quarter units of postgraduate study in*  
27 *pupil personnel services.*  
28

29 Motion: Direct staff to make any discussed changes and any non-substantive  
30 changes, and to pursue as a legislative proposal.  
31

32 M/S: Uribe/Ranasinghe  
33

34 Public Comment: None  
35

36 Vote: Yea 9; Nay 0; Absent 2. Motion carried.

Member	Vote
Lorez Bailey	Y
Dr. Nick Boyd	Y
Susan Friedman	Y
Justin Huft	Y
Christopher Jones	absent
Abigail Ortega	Y
Kelly Ranasinghe	Y
John Sovec	absent

Wendy Strack	Y
Eleanor Uribe	Y
Annette Walker	Y

1  
2 **22. Update on Board-Sponsored and Board-Monitored Legislation**  
3

4 **Board-Sponsored Legislation**  
5

6 SB 1024 (Ochoa Bogh) Healing Arts: Board of Behavioral Sciences:  
7 Licensees and Registrants  
8

9 *Status: This bill was signed by the Governor and becomes effective January*  
10 *1, 2025.*  
11

12 SB 1526 (Senate Business, Professions and Economic Development  
13 Committee) Consumer Affairs (Omnibus Bill Proposal)  
14

15 *Status: This bill was signed by the Governor.*  
16

17 **Board-Supported Legislation**  
18

19 SB 26 (Umberg) Mental Health Professions: CARE Scholarship Program  
20

21 *Status: Vetoed by the Governor.*  
22

23 SB 1067 (Smallwood-Cuevas) Healing Arts: Expedited Licensure Process:  
24 Medically Underserved Area or Population  
25

26 *Status: Vetoed by the Governor.*  
27

28 **Board Member/Public Comments**

29 Ranasinghe: Disappointed that SB 26 was vetoed.  
30

31 Ortega: Excited that AB 2270 and AB 2581 were signed by the Governor.  
32

33 Shanti Ezrine, CAMFT: The FAQs on SB 1024, developed by board staff, were  
34 very helpful.  
35

36 **23. Update on Board Rulemaking Proposals**  
37

38 **Disciplinary Guidelines**

39 Status: In the initial review process and now at Business, Consumer Services  
40 and Housing Agency  
41

1           **Unprofessional Conduct**

2           Status: Approved by the Office of Administrative Law and takes effect  
3           January 1, 2025

4  
5           **Telehealth**

6           Status: Public comment period began November 1<sup>st</sup> and ends on December  
7           16<sup>th</sup>.

8  
9           **Continuing Education**

10          Status: Submitted to DCA Legal Affairs to begin the initial review process

11  
12          **Advertising regulation**

13          Status: Submitted to DCA Legal Affairs to begin the initial review process

14  
15          Discussion/Public Comment: None

16  
17   **24.    Suggestions for Future Agenda Items**

18  
19          Boyd: 1) To specify, in law, the courses that need to be satisfied before trainees  
20          enter their clinical experiences. Currently as it is written, it gives a unit number of  
21          hours, but it does not specify what courses should be satisfied. 2) The law does  
22          not specify the credentials that supervisors for trainees must have, and what the  
23          requirements are of those supervisors. What are the expectations of  
24          supervision? The Board should make it a priority to establish regulations that  
25          make explicit the type of field experience required for trainees and who is  
26          considered an eligible supervisor.

27  
28          Ranasinghe: Update on statements BBS will make on the Certified Wellness  
29          Coach supervision.

30  
31   **25.    Public Comment for Items not on the Agenda**

32  
33          None

34  
35   **26.    Adjournment**

36  
37          The Board adjourned at 12:08 p.m.