



Board of Behavioral Sciences

# Memo

1625 North Market Blvd., Suite S-200  
Sacramento, CA 95834  
(916) 574-7830, (916) 574-8625 Fax  
[www.bbs.ca.gov](http://www.bbs.ca.gov)

**To:** Board Members

**Date:** May 1, 2025

**From:** Christy Berger  
Regulatory Manager

**Subject:** Discussion and Consideration of:

- a. Comments Received During the 45-Day Public Comment Period and at the Regulation Hearing and Proposed Responses Thereto for the Board's Rulemaking to Amend Title 16 of the California Code of Regulations (CCR) Section 1811, Advertising Regulations
- b. Adoption of Amendments to CCR, Title 16, Section 1811

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## **Background**

At its September 2024 meeting, the Board approved regulatory changes pertaining to its Advertising regulations. The proposed regulatory action was noticed to the public on March 14, 2025, and the 45-day public comment period ended on April 28, 2025. The Board received four written comments as summarized below, and which are provided in their entirety in **Attachments B - E**. Staff's recommended responses to the comments are also provided below. The original Board-approved language showing recommended changes as the result of the comments is provided in **Attachment A** for the Board's consideration.

Board Staff and Regulations Counsel recommend the Board approve the following proposed responses to the comments below.

**a. Comments Received During the 45-Day Public Comment Period and at the Regulation Hearing and Proposed Responses Thereto for the Board's Rulemaking to Amend Title 16 of the California Code of Regulations (CCR), Section 1811 (Advertising Regulations)**

Shanti Ezrine, MPA, State Government Affairs Associate and Cathy Atkins, JD, Deputy Executive Director on behalf of the California Association of Marriage and Family Therapists (CAMFT) (Attachment B)

In an email to the Board received on April 21, 2025, titled “Proposed changes to Advertising: Division 18 of Title 16 of the California Code of Regulations (CCR) Section 1811”, CAMFT provides two comments in regard to the proposed regulatory action, each of which serve as a separate comment. They are as follows:

**COMMENT 1: “Clarifying “Full Name.”** The proposed text in 16 CCR Section 1811 states that “(a) All persons regulated by the board who advertise their services shall include all of the following information in any advertisement. (1) The full name of the licensee or registrant as filed with the board.” CAMFT has received many questions from members related to “full name” and if that includes their middle name. To avoid confusion for providers and any unintentional violation of this requirement, we propose the BBS consider specifying “first and last name” in lieu of “full name.”

Recommended Response: The Board accepts this comment as it relates to licensee confusion and proposes the following amendment to subsection (a)(1), which is also shown in Attachment A:

(1) The full name (First Name, Last Name, and any Middle Name and/or Suffix) of the licensee, or registrant, ~~or registered referral service~~ as filed with the board.

However, the Board declines to make the recommended text change of striking “full name” and replacing it with “first and last name.” The Board requests the full name of the applicant on its initial application for registration or licensure to verify the identity of the applicant and ensure accuracy in the licensing process. Requiring the licensee or registrant to provide their “full name” as “filed with the board” in advertising ensures that the public has complete and accurate information about an individual’s license status so that a consumer can make a fully informed decision about their mental health care.

The Board believes this amendment fulfills CAMFT’s request to ensure the language provides clearer guidance to practitioners while ensuring that complete and accurate information is provided to the public about who is legally authorized to practice. Licensees or registrants who have questions about how their full name “as filed with the board” should be listed on any advertising should access the Board’s license look up feature on the Board’s website entitled “Verify a License” which shows the full name filed with the Board (see Business and Professions Code [BPC] section 4990.13, which authorizes the public to rely on information as it is displayed on the Board’s internet website).

**COMMENT 2: “Guidance and Sample Advertising Formats for Listing Nickname or Former Legal Name.** CAMFT appreciates the addition of language that permits the use of a nickname or formal legal name in an advertisement if the full name is also included in the advertisement. To ensure proper understanding of this

new provision, we ask that the BBS update their [licensee and registrant advertising factsheet](#) to include further guidance that defines the parameters of an appropriate nickname and sample for how a nickname or formal legal name should be listed in any advertisement.”

Recommended Response: The Board declines to make any changes due to this comment as it was merely a request for the Board to update its advertising fact sheet. This fact sheet simply recites the requirements of existing Section 1811 and other related statutes and provides sample formats for advertising consistent with Section 1811. The sample formats are suggestions and not the only methods for meeting the requirements of Section 1811. Therefore, the Board does not consider the fact sheet relevant to this regulatory proposal. The Board will revise the fact sheet consistent with amendments to Section 1811 once these regulations have been approved.

**Natalie Chen, LMFT (Attachment C)**

In an email to the Board received on March 14, 2025, titled “Title 16 regulation Division 1811 comment”, the commenter stated that they “strongly oppose the proposed change to Title 16 regulation division 1811 section 3G allowing registrants to disclose past “nicknames and legal names.” Having folks use former legal names is dangerous for trans folks who have changed their names and is not necessary for confirming the identity of the provider. At best, the wording is unclear and will lead to trans folks being pressured to share deadnames, and at worst is blatantly transphobic. At the very least update the wording to ensure the protection of those using new legal names to not disclose dead names to avoid possible outing and digital database that could target transgender registrants.”

Recommended Response: The Board rejects this comment and declines to make any changes due to this comment. Staff believes the commenter is referring to proposed subsection (g), which states, “In addition to including the information required by subsection (a), a licensee or registrant may use a nickname or former legal name to advertise services for which a license or registration is required. If a nickname is used, the nickname shall not be false, fraudulent, misleading, or deceptive as specified by section 651 of the Code.”

This comment appears to be a misunderstanding as subsection (g) does not require use of a nickname or former legal name in advertising but permits it should the licensee or registrant choose to do so. An individual using a “new legal name” may simply use their new legal name in their advertisement, once that new legal name has been filed with the Board in accordance with BPC section 27.5 (please see responses below for further discussion).

*Del Phoenix-Wilcox, MSW, ACSW (Attachment D)*

In an email to the Board received on March 17, 2025, titled "Title 16 regulation Division 1811 comment", the commenter stated "This proposal for the publication of nicknames and former legal names in advertising is unfair to women who have been married and dangerous for Transgender licensees. The publication of former names is already listed on the BBS website when looking up a registrant's license, which has been problematic for the Transgender community by outing its' members. It is unfair to women who have been married, especially those who have been married multiple times, because they may be targeted as "immoral" for multiple marriages, regardless of whether prior marriages ended in divorce or death. Men rarely change their name when getting married, making women the default gender group impacted by this proposal.

Furthermore, this proposal may endanger Transgender community members as the Transgender community is no longer recognized as valid by the federal government because of multiple executive orders issued since January 20th, 2025, targeting the identities, activities, healthcare, and legal status of Transgender individuals. As such, the publication of former names of Transgender people on business websites other than the California government websites may make it easier for Transgender licensees to be found in wide-range searches of the internet and to be targeted for their identity. With the removal of protections for vulnerable classes by the federal government, this proposed regulatory action opens the door to many forms of discrimination and harm to members of the Transgender community. This exposure is unnecessary, potentially harmful, and violates the state of California's commitment as a sanctuary state to vulnerable communities.

It is only fair that the public has access to information regarding names under which a license has been held, and the BBS already provides this on its website. The only acceptable regulatory proposals regarding former names must take the safety and well-being of women and Transgender community members into account. This proposed action does not meet these criteria."

Recommended Response: The Board rejects this comment and declines to make any changes due to this comment. Staff believes the commenter is referring to proposed subsection (g), which states, "In addition to including the information required by subsection (a), a licensee or registrant may use a nickname or former legal name to advertise services for which a license or registration is required. If a nickname is used, the nickname shall not be false, fraudulent, misleading, or deceptive as specified by section 651 of the Code."

This comment appears to be a misunderstanding as subsection (g) does not require use of a nickname or former legal name in advertising but permits it should the licensee or registrant choose to do so under specified conditions.

Current law at BPC section 27.5, effective January 1, 2024, per Senate Bill 372 (Chapter 225, Statutes of 2023), provides, in pertinent part:

(a) Notwithstanding any other law, if a board within the Department of Consumer Affairs receives **government-issued documentation, as described in subdivision (b)**, from a licensee or registrant demonstrating that the licensee's or registrant's legal name or gender has been changed, the board, **upon request by the licensee or registrant, shall update the individual's license or registration by replacing references to the former name or gender on the license or registration, as applicable, with references to the current name or gender.**

(Emphasis added.)

(b) (1) The documentation identified in either of the following is required to demonstrate a legal name change of a licensee or registrant:

(A) A certified court order issued pursuant to a proceeding authorized by subdivision (b) of Section 1277 of the Code of Civil Procedure and a copy of the certificate issued under the Secretary of State's Safe at Home program authorized by Chapter 3.1 (commencing with Section 6205) of Division 7 of Title 1 of the Government Code reflecting the licensee's or registrant's updated name.

(B) A certified court order issued pursuant to a proceeding authorized by Section 1277.5 of the Code of Civil Procedure or Article 7 (commencing with Section 103425) of Chapter 11 of Part 1 of Division 102 of the Health and Safety Code reflecting the licensee's or registrant's updated name.

(2) Any of the following documents are sufficient to demonstrate a gender change of a licensee or registrant:

(A) State-issued driver's license or identification card.

(B) Birth certificate.

(C) Passport.

(D) Social security card.

(E) Court order indicating a gender change from a court of this state, another state, the District of Columbia, any territory of the United States, or any foreign court.

This proposal would not affect any licensee or registrant's ability to request removal of references to their former name or gender and replacement of their former name or gender with the current name or gender as specified above. Rather, this proposal is limited to authorizing a licensee or registrant, if they so choose, to use their former legal name or nickname in advertising if:

1. The licensee or registrant also includes in the advertisement their full name as filed with the Board; and,
2. If a nickname is used, it also shall not be false, fraudulent, misleading or deceptive as specified in BPC section 651.

These conditions would enable use of a former legal name or nickname but prevent the advertising from being considered false or misleading since the full name under which the licensee or registrant as filed with the Board would also be required to be listed in the advertising. This avoids conflicts with existing law that prohibits the provision of statements to the public that are unlawful, including any statement or claim that is false, misleading, or deceptive as prohibited by Section 651 of the BPC.

BPC section 651(b) specifies what false, fraudulent, misleading, or deceptive means and under what conditions these statements would make the advertising noncompliant. These include, in part:

- (1) Contains a misrepresentation of fact.
- (2) Is likely to mislead or deceive because of a failure to disclose material facts.
- (3)(A) Is intended or is likely to create false or unjustified expectations of favorable results. . . . .
- (5) Contains other representations or implications that in reasonable probability will cause an ordinarily prudent person to misunderstand or be deceived. . .
- (8) Includes any statement, endorsement, or testimonial that is likely to mislead or deceive because of a failure to disclose material facts.

Using a name other than the full legal name as filed with the Board in advertising for licensees and registrants of the Board is currently neither lawful nor authorized by Section 1811. This proposal would amend Section 1811 to allow advertising under other names under specified conditions. This would ensure a balanced approach of allowing the use of former legal names or nicknames while ensuring that consumers are not misled as to the licensee or registrant's legal identity with the Board, or their qualifications based on the definition and criteria provided in BPC section 651.

Again, however, this proposal would not require a licensee or registrant to use a nickname or former legal name in advertising. This proposal would also not prevent a licensee or registrant from using the legal process available for changing their name in the Board's records as set forth in BPC section 27.5 and then using their changed name in advertising alone and without reference to their former legal name(s).

Robert Gamboa, MPP, Associate Director of Public Policy and Joey Espinoza-Hernandez, Director of Policy and Community Building on Behalf of the Los Angeles LGBT Center (Attachment E)

In an email from Robert Gamboa with an attached letter to the Board signed by Joey Espinoza-Hernandez received on March 24, 2025, titled "Title 16 regulation Division 1811 comment", the commenters stated "This policy change creates serious concerns for the safety, privacy, and well-being of mental health professionals, particularly those who are transgender, nonbinary, and gender non-conforming. The proposed amendment, which would require registrants to disclose that they are supervised by a licensed professional and clarify when a licensee or registrant may use a nickname or former legal name, has the potential to force clinicians to use their deadname or inadvertently disclose their transgender or nonbinary identity. This not only violates their right to privacy but also puts them at risk of discrimination, harassment, or even violence. Furthermore, the policy could discourage LGBTQ+ individuals from entering or remaining in the mental health profession, exacerbating the shortage of affirming providers available to serve our communities." The commenter also requested a hearing.

Recommended Response: A hearing was scheduled for May 8<sup>th</sup> at 9:00 a.m. at the request of this commenter. However, the Board rejects this comment and declines to make any changes due to this comment. Staff believes the commenter's concern is related to the proposed addition of subsection (g), which states, "In addition to including the information required by subsection (a), a licensee or registrant may use a nickname or former legal name to advertise services for which a license or registration is required. If a nickname is used, the nickname shall not be false, fraudulent, misleading, or deceptive as specified by section 651 of the Code."

Current law requires all persons regulated by the Board who advertise their services to include the full name of the licensee or registrant as filed with the board (subsection (a)(1) of section 1811). As discussed in responses to comments above, Senate Bill 372 added BPC section 27.5 to allow a licensee or registrant to notify the licensing board or bureau within the Department of Consumer Affairs (DCA) of a name and/or gender change and request confidentiality of the previous name or gender information, when meeting certain specified requirements.

By law, once the licensee's name or gender is updated, the former name or gender will not be published online, except that if a public search of the online license verification system is performed using the licensee's former name, a statement will appear in connection with the search directing the public to contact the applicable licensing board or bureau for more information about the licensee. As noted above, subsection (g) does not require use of a nickname or former legal name in advertising but permits it should the licensee or registrant choose to do so.

With respect to the proposed requirement that a registrant include in advertising that they are supervised by a licensed person (as proposed in subsection (b)(2)), this change would simply provide additional notice of the individual's status as a supervisee and would not require any further personally identifying information. This is simply a statement that informs the public that the individual is not yet fully licensed and has nothing to do with the registrant's name.

### **Comments Received During the Hearing**

With respect to any comments received during the hearing, after the hearing closes, there will be an opportunity for Board members to discuss whether to accept or reject the comments received and determine appropriate responses to comments received during today's hearing, if any, and to consider any staff recommendations. The public will also be given an opportunity after Board member discussion to comment on the Board's discussions and any proposed motions that the members make regarding the comments received or the proposed regulatory language. If a remote participant emails a written comment during the hearing, the Board Chair may also take a recess to ensure that any written comments have been received and distributed to the Board members.

### **Staff Recommendation for Part a of this Agenda Item (Response to Comments):**

Staff recommends the Board consider the comments and approve the recommended responses.

### **Proposed Motion Language – Response to Comments:**

**Option No. 1** (If the members **agree** with the staff recommended responses):

Direct staff to proceed as recommended as specified and provide the responses to the comments as indicated in the staff recommended responses.

**Option No. 2:** (If the members have any **edits** to the recommended responses **or disagree** with staff and wish to accept the comments or make any other changes to the responses):

Direct staff to accept the following comments and make the following edits to the text:  
*[identify comment(s) to accept or reject and text to change here and explain why].*

### **Staff Recommendation for Part b of this Agenda Item (Adoption of Amendments to CCR, Title 16, Section 1811):**

Staff recommends that the Board review the proposed regulatory text shown in **Attachment A** and consider whether to approve it as written, or to suggest changes to



the proposed modified text. After review and discussion, consider one of the following motions:

**Motion A:** (To be used if the Board has **no** suggested changes for the proposed modified regulatory text):

Approve the proposed modified regulation text for CCR section 1811 as set forth in **Attachment A**, and direct staff to take all steps necessary to complete the rulemaking process, including preparing modified text for notice of a 15-day public comment period. If after that 15-day comment period, the Board does not receive any objections or adverse recommendations specifically directed at the modified text, the notice, or to the procedures followed by the Board in proposing or adopting this action, authorize the Executive Officer to make any non-substantive changes to the proposed regulations and rulemaking file, and adopt amendments to Title 16, CCR, section 1811 as set forth in **Attachment A**.

**Motion B:** (To be used if the Board **does** have suggested changes for the proposed modified regulatory text)

Approve the proposed modified regulatory text for CCR section 1811 as set forth in **Attachment A** with the following changes: *[specify the proposed changes to the proposed text]* and direct staff to take all steps necessary to complete the rulemaking process, including preparing modified text for notice of a 15-day public comment period. If after that 15-day comment period, the Board does not receive any objections or adverse recommendations specifically directed at the modified text, the notice, or to the procedures followed by the Board in proposing or adopting this action, authorize the Executive Officer to make any non-substantive changes to the proposed regulations and rulemaking file, and adopt amendments to Title 16, CCR, section 1811 as set forth in **Attachment A**.

### **Attachments**

**Attachment A:** Board-Approved Regulatory Language with Modified Text for 15-day Notice

**Attachment B:** Comments from the California Association of Marriage and Family Therapists with Board Fact Sheet entitled “Licensee and Registrant Advertising Requirements”

**Attachment C:** Comment from Natalie Chen, LMFT

**Attachment D:** Comment from Del Phoenix-Wilcox, MSW, ACSW

**Attachment E:** Comment from the Los Angeles LGBT Center

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## Attachment A

### TITLE 16. BOARD OF BEHAVIORAL SCIENCES DEPARTMENT OF CONSUMER AFFAIRS

#### MODIFIED TEXT

#### Title 16, Division 18, California Code of Regulations Section 1811

Originally proposed amendments to the regulatory language are shown in single underline for text to be added and ~~single strikethrough~~ for text to be deleted.

Modifications to the proposed regulatory language are shown in double underline for new text and ~~double strikethrough~~ for newly proposed deletions.

#### AMEND § 1811. IN TITLE 16 OF DIVISION 18 OF THE CALIFORNIA CODE OF REGULATIONS TO READ AS FOLLOWS:

##### § 1811. Advertising.

(a) All persons ~~or referral services~~ regulated by the board who advertise their services shall include all of the following information in any advertisement.

(1) The full name (First Name, Last Name, and any Middle Name and/or Suffix) of the licensee, or registrant, ~~or registered referral service~~ as filed with the board.

(2) The complete title of the license or registration held or an acceptable abbreviation, as follows:

(A) Licensed Marriage and Family Therapist, or MFT, or LMFT.

(B) Licensed Educational Psychologist or LEP.

(C) Licensed Clinical Social Worker or LCSW.

(D) Registered Associate Marriage and Family Therapist or Registered Associate MFT. The abbreviation "AMFT" shall not be used in an advertisement unless the title ~~"registered associate marriage and family therapist"~~ "Registered Associate Marriage and Family Therapist" appears in the advertisement.

(E) Registered Associate Clinical Social Worker ~~or Registered Associate CSW~~. The abbreviation "ASW" shall not be used in an advertisement unless the title ~~"registered associate clinical social worker"~~ "Registered Associate Clinical Social Worker" appears in the advertisement.

~~(F) Registered MFT Referral Service.~~

~~(G)~~(F) Licensed Professional Clinical Counselor or LPCC.

~~(H)~~(G) Registered Associate Professional Clinical Counselor or Registered Associate PCC. The abbreviation “APCC” shall not be used in an advertisement unless the title ~~“registered associate professional clinical counselor”~~ “Registered Associate Professional Clinical Counselor” appears in the advertisement.

(3) The license or registration number.

(b) Registrants must include both of the following in any advertising: the name of his or her employer in an advertisement, or if not employed, the name of the entity for which he or she volunteers.

(1) The name of their employer, or if not employed, the name of the entity for which they volunteer.

(2) That they are supervised by a licensed person.

(c) Licensees may use the words “psychotherapy” or “psychotherapist” in an advertisement provided that all the applicable requirements of subsection (a) are met.

(d) It is permissible for a person to include academic credentials in advertising as long as the degree is earned, and the representations and statements regarding that degree are true and not misleading and are in compliance with Section 651 of the Code. For purposes of this subdivision, “earned” shall not mean an honorary or other degree conferred without actual study in the educational field.

(e) The board may issue citations and fines containing a fine and an order of abatement for any violation of Section 651 of the Code.

(f) For the purposes of this section, “acceptable abbreviation” means the abbreviation listed in subsection (a)(2) of this Section.

(g) In addition to including the information required by subsection (a), a licensee or registrant may use a nickname or former legal name to advertise services for which a license or registration is required. If a nickname is used, the nickname shall not be false, fraudulent, misleading, or deceptive as specified by section 651 of the Code.

Note: Authority cited: Sections 137, 4980.60 and 4990.20, Business and Professions Code. Reference: Sections 125.9, 137, ~~650.4~~, 651, 4980.03, 4980.09, 4980.44, 4982, 4989.49, 4989.54, 4992.2, 4992.3, 4999.12, 4999.12.5 and 4999.90, Business and Professions Code.

## Attachment B



**CONNECT  
ENRICH  
ACHIEVE**

California Association of Marriage and Family Therapists  
3298 Governor Dr. #22627, San Diego, CA 92192  
Phone: (858) 292-2638 | Fax: (858) 292-2666 | [www.camft.org](http://www.camft.org)

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April 21, 2024

VIA EMAIL to [BBS.Rulemaking@dca.ca.gov](mailto:BBS.Rulemaking@dca.ca.gov)

Attn: Christy Berger  
Board of Behavioral Sciences  
1625 North Market Blvd., Suite S-200  
Sacramento, CA 95834

**RE: Proposed changes to Advertising: Division 18 of Title 16, California Code of Regulations (CCR) Section 1811**

Dear Ms. Berger:

On behalf of our more than 38,000 members, the California Association of Marriage and Family Therapists (CAMFT) would like to comment on the proposed revisions to the Advertising regulations as noticed on February 4, 2025, for public comment.

CAMFT appreciates that the Board of Behavioral Sciences (BBS) is proposing language that would align its regulations with law, make consistent advertising requirements for all registrant types, and permit the use of a nickname or former legal name in an advertisement.

We provide the following comments for inclusion in the Final Rulemaking:

- **Clarifying “Full Name.”** The proposed text in 16 CCR Section 1811 states that “(a) All persons regulated by the board who advertise their services shall include all of the following information in any advertisement. (1) The full name of the licensee or registrant as filed with the board.” CAMFT has received many questions from members related to “full name” and if that includes their middle name. To avoid confusion for providers and any unintentional violation of this requirement, we propose the BBS consider specifying “first and last name” in lieu of “full name.”
- **Guidance and Sample Advertising Formats for Listing Nickname or Former Legal Name.** CAMFT appreciates the addition of language that permits the use of a nickname or formal legal name in an advertisement if the full name is also included in the advertisement. To ensure proper understanding of this new provision, we ask that the BBS update their [licensee and registrant advertising factsheet](#) to include further guidance that defines the parameters of an appropriate nickname and sample

advertising formats for how a nickname or formal legal name should be listed in any advertisement.

Thank you for considering our comments. We look forward to continuing the discussion regarding our concerns.

Sincerely,

A handwritten signature in black ink, appearing to be 'SE', with a long horizontal stroke extending to the right.

Shanti Ezrine, MPA  
State Government Affairs Associate

A handwritten signature in black ink, appearing to be 'CA', with a long horizontal stroke extending to the right.

Cathy Atkins, JD  
Deputy Executive Director

## Fact Sheet

### Licensee and Registrant Advertising Requirements

Licensees and registrants must include all of the following information in any advertisement:

1. Your full name, as filed with the Board; and
2. Your license or registration number; and
3. Your complete title, or an abbreviation deemed acceptable by the Board. Acceptable titles and abbreviations are as follows:

If you are a...	You may use the following titles and/or abbreviations in advertisements:
<b>Licensed Marriage and Family Therapist</b>	<ul style="list-style-type: none"> <li>Licensed Marriage and Family Therapist; OR</li> <li>MFT; OR • LMFT</li> </ul>
<b>Registered Associate Marriage and Family Therapist</b>	<ul style="list-style-type: none"> <li>Registered Associate Marriage and Family Therapist [1]; OR</li> <li>Registered Associate MFT</li> </ul>
<b>Licensed Educational Psychologist</b>	<ul style="list-style-type: none"> <li>Licensed Educational Psychologist; OR</li> <li>LEP</li> </ul>
<b>Licensed Clinical Social Worker</b>	<ul style="list-style-type: none"> <li>Licensed Clinical Social Worker; OR</li> <li>LCSW</li> </ul>
<b>Registered Associate Clinical Social Worker</b>	<ul style="list-style-type: none"> <li>Registered Associate Clinical Social Worker [2]; OR</li> <li>Registered Associate CSW</li> </ul>
<b>Licensed Professional Clinical Counselor</b>	<ul style="list-style-type: none"> <li>Licensed Professional Clinical Counselor; OR</li> <li>LPCC</li> </ul>
<b>Registered Associate Professional Clinical Counselor</b>	<ul style="list-style-type: none"> <li>Registered Associate Professional Clinical Counselor [3]; OR</li> <li>Registered Associate PCC</li> </ul>

[1] The abbreviation-**AMFT** may only be used in an advertisement if the title “Registered Associate Marriage and Family Therapist” is also used.

[2] The abbreviation-**ASW** may only be used in an advertisement if the title “Registered Associate Clinical Social Worker” is also used.

[3] The abbreviation-**APCC** may only be used in an advertisement if the title “Registered Associate Professional Clinical Counselor” is also used.

**Additional Requirement for Registrants:** If you are a registered associate, your advertisement must also include the name of your employer or the name of the entity for which you volunteer. If you are an AMFT, you must also state in the advertisement that you are supervised by a licensed person.

**Requirements for MFT Trainees:** Any advertisement by or on behalf of an MFT Trainee shall include all of the following<sup>1</sup>:

- That he or she is a “marriage and family therapist trainee”
- The name of his or her employer
- That he or she is supervised by a licensed person.

**Use of the Terms “Psychotherapy” or “Psychotherapist”:** Use of these terms is permissible as long as your advertisement contains all of the information required by law, as listed above.

**Use of Academic Credentials:** Reference to academic credentials is permitted in your advertisement as long as your degree is earned (not an honorary degree or conferred without actual study) and representations and statements made about your degree are not misleading.

**Definition of “Advertising”:** Advertising includes, but is not limited to<sup>2</sup>, any public communication (including, but not limited to mail, television, radio, motion picture, newspaper, book, list or directory of healing arts practitioners, Internet, or other electronic communication), the issuance of any card, sign, or device to any person, or the causing, permitting, or allowing of any sign or marking on, or in, any building or structure, or in any newspaper or magazine or in any directory, or any printed matter whatsoever, with or without any limiting qualification. For more information, see [Section 651](#) of the Business and Professions Code.

**Unprofessional Conduct in Advertising:** The following are considered unprofessional conduct<sup>3</sup>:

- Advertising in a manner that is false, fraudulent, misleading or deceptive.
- Misrepresentation as to the type or status of a license or registration, or otherwise misrepresenting education, professional qualifications, or professional affiliations.

For more information, see the Board’s [Statutes and Regulations](#).

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<sup>1</sup> Business and Professions Code (BPC) Section 4980.48(c)

<sup>2</sup> BPC Sections 4980.03(e) (LMFT); 4989.49 (LEP); 4992.2 (LCSW); and 4999.12(j) (LPCC)

<sup>3</sup> BPC Sections 4982(f),(p) (LMFT); 4989.54(e),(i) (LEP); 4992.3(g),(q) (LCSW); and 4999.90(f),(p) (LPCC)



## REGISTRANTS

Mary Doe  
Registered Associate Marriage and Family Therapist  
AMFT 99999  
Employed by Company ABC  
  
Supervised by Jane Smith,  
Licensed Marriage and Family Therapist

Mary Doe, M.A., Ph.D., AMFT  
Registered Associate Marriage and Family Therapist  
Registration No. AMFT 99999  
Company ABC  
  
Supervised by Jane Smith, LMFT

Rafael Garcia  
Registered Associate Clinical Social Worker  
ASW 99999  
  
Employed by Any Town Therapy

Rafael Garcia, M.S.W., Ph.D.  
Registered Associate Clinical Social Worker  
  
Any Town Therapy  
Registration No. ASW 99999

Jack Smith  
XYZ Charity  
  
Registered Associate Professional Clinical Counselor  
APCC 99999

Jack Smith, M.A., Ph.D., APCC  
Registered Associate Professional Clinical Counselor  
Registration Number APCC 99999  
  
Volunteer for XYZ Charity

## LICENSEES

Jane Smith  
Any Town Therapy  
Licensed Marriage and Family Therapist  
LMFT 99999

Jane Smith, Ph.D., LMFT  
Psychotherapist  
License No. LMFT 99999

Mary Lopez, LEP  
Licensed Educational Psychologist  
LEP 9999

Mary Lopez, M.A., Ed.D., LEP  
Psychotherapist  
License Number LEP 9999

John Jones  
Licensed Clinical Social Worker  
LCSW 99999

John Jones, M.S.W., LCSW  
License No. LCSW 99999  
Providing Psychotherapy Since 2000

Jin Fong  
Licensed Professional Clinical Counselor  
LPCC 99999

Jin Fong, M.S., Ph.D., LPCC  
Any Town Therapy  
Psychotherapy Services  
License Number LPCC 99999

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## Attachment C

**From:** [Natalie Chen](#)  
**To:** [Rulemaking, BBS@DCA](#)  
**Subject:** Title 16 regulation Division 1811 comment  
**Date:** Friday, March 14, 2025 5:22:34 PM

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Hello,

I am an MFT licensed in CA and am writing to strongly oppose the proposed change to Title 16 regulation division 1811 section 3G allowing registrants to disclose past "nicknames and legal names." Having folks use former legal names is dangerous for trans folks who have changed their names and is not necessary for confirming the identity of the provider.

At best, the wording is unclear and will lead to trans folks being pressured to share deadnames, and at worst is blatantly transphobic. At the very least update the wording to ensure the protection of those using new legal names to not disclose dead names to avoid possible outing and digital database that could target transgender registrants.

Thank you,  
Natalie

--

Natalie Chen, CA LMFT 128940 | OR LMFT T2952 | CTPP-II 788806  
they/she

call or text: (408) 645-0973

<https://www.anaffirmingspace.com/>

To reschedule or cancel an appointment click [here](#)

Hours: T-F 10am-6pm, emails received outside of this time will be replied to during the above hours.

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## Attachment D

**From:** [Del Phoenix-Wilcox](#)  
**To:** [Rulemaking, BBS@DCA](#); [Helms, Rosanne@DCA](#)  
**Subject:** Comment regarding Proposed Regulatory Action- Advertising  
**Date:** Monday, March 17, 2025 4:00:04 PM

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To Whom it May Concern,

This proposal for the publication of nicknames and former legal names in advertising is unfair to women who have been married and dangerous for Transgender licensees. The publication of former names is already listed on the BBS website when looking up a registrant's license, which has been problematic for the Transgender community by outing its' members. It is unfair to women who have been married, especially those who have been married multiple times, because they may be targeted as "immoral" for multiple marriages, regardless of whether prior marriages ended in divorce or death. Men rarely change their name when getting married, making women the default gender group impacted by this proposal.

Furthermore, this proposal may endanger Transgender community members as the Transgender community is no longer recognized as valid by the federal government because of multiple executive orders issued since January 20th 2025 targeting the identities, activities, healthcare, and legal status of Transgender individuals. As such, the publication of former names of Transgender people on business websites other than the California government websites may make it easier for Transgender licensees to be found in wide-range searches of the internet and to be targeted for their identity. With the removal of protections for vulnerable classes by the federal government, this proposed regulatory action opens the door to many forms of discrimination and harm to members of the Transgender community. This exposure is unnecessary, potentially harmful, and violates the state of California's commitment as a sanctuary state to vulnerable communities.

It is only fair that the public has access to information regarding names under which a license has been held, and the BBS already provides this on its website. The only acceptable regulatory proposals regarding former names must take the safety and well-being of women and Transgender community members into account. This proposed action does not meet these criteria.

Sincerely,

***Del Phoenix-Wilcox, MSW, ACSW***

*Pronouns: They/Them/Theirs or He/Him/His*

*Salutation: Mx. (See [www.mypronouns.org](http://www.mypronouns.org) to learn more.)*

<https://del-phoenix.com/>

*Associate Therapist, ASW98296*

*Gender Diversity Consultant*

*Community Educator*

*Expressive Arts Coach*

*Broadcaster*

*Freelance Writer*

*(530) 559-6478*

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Anita May Rosenstein Campus  
1118 N. McCadden Place  
Los Angeles, CA 90038

T: 323-993-7400  
F: 323-308-4480

[lalgbtcenter.org](http://lalgbtcenter.org)

Facebook: @lalgbtcenter  
Twitter: @LALGBTCenter  
Instagram: @lalgbtcenter

## Attachment E

March 24, 2025

Board of Behavioral Sciences (BBS)  
1625 N Market Blvd, Suite S-200  
Sacramento, CA 95834

RE: Opposition to the Notice of Proposed Action to Amend Title 16, California Code of Regulations Section 1811

Dear Members of the Board of Behavioral Sciences,

On behalf of the Los Angeles LGBT Center, we write to express our strong opposition to the proposed amendments to Title 16, California Code of Regulations Section 1811. This policy change creates serious concerns for the safety, privacy, and well-being of mental health professionals, particularly those who are transgender, nonbinary, and gender non-conforming.

The proposed amendment, which would require registrants to disclose that they are supervised by a licensed professional and clarify when a licensee or registrant may use a nickname or former legal name, has the potential to force clinicians to use their deadname or inadvertently disclose their transgender or nonbinary identity. This not only violates their right to privacy but also puts them at risk of discrimination, harassment, or even violence. Furthermore, the policy could discourage LGBTQ+ individuals from entering or remaining in the mental health profession, exacerbating the shortage of affirming providers available to serve our communities.

To discuss this matter further, we respectfully request a meeting with the leadership of the BBS and the California Department of Consumer Affairs, which oversees the BBS. We urge the BBS to hold a public hearing on this policy to fully consider the harm it could cause to clinicians and the broader LGBTQ+ community.

The Los Angeles LGBT Center remains committed to advocating for policies that protect and uplift mental health professionals, ensuring they can serve their clients with dignity, privacy, and safety. We appreciate your attention to this urgent matter and look forward to engaging in further dialogue.

Sincerely,

Joey Espinoza-Hernandez  
Director of Policy and Community Building  
Los Angeles LGBT Center  
[Joey.hernandez@lalgbtcenter.org](mailto:Joey.hernandez@lalgbtcenter.org)