



Board of Behavioral Sciences



1625 North Market Blvd., Suite S-200
Sacramento, CA 95834
(916) 574-7830
www.bbs.ca.gov

Gavin Newsom, Governor
State of California

Business, Consumer Services and Housing Agency
Department of Consumer Affairs

BOARD MEETING MINUTES

Open sessions of this board meeting were webcasted. Click on the following links for Webcast recordings:

[Thursday, May 8 - Part 1 of 2](#)

[Thursday, May 8 - Part 2 of 2](#)

[Friday, May 9 - Part 1 of 2](#)

[Friday, May 9 - Part 2 of 2](#)

DATE May 8, 2025

LOCATION Department of Consumer Affairs
1625 North Market Blvd., #S-102
Sacramento CA 95834

TIME 9:00 a.m.

ATTENDEES

Members Present at Primary Location

Christopher (Chris) Jones, Chair, LEP Member
Wendy Strack, Vice Chair, Public Member
Susan Friedman, Public Member
Abigail Ortega, LCSW Member
Kelly Ranasinghe, Public Member
John Sovec, LMFT Member
Eleanor Uribe, LCSW Member
Dr. Annette Walker, Public Member

Members Present at Remote Locations

Justin Huft, LMFT Member

Members Absent: Lorez, Bailey, Public Member
Dr. Nicholas (Nick) Boyd, LPCC Member

Staff Present: Steve Sodergren, Executive Officer
Marlon McManus, Assistant Executive Officer
Christina Kitamura, Administration Analyst

1 Sabina Knight, Department of Consumer Affairs (DCA) Legal
2 Counsel
3 Kristy Schieldge, DCA Legal Counsel
4

5 **Other Attendees:** Marcie Larson, Administrative Law Judge
6 Anahita Crawford, Deputy Attorney General
7 Jimmie Terangi Simpson II, Petitioner
8 Kelsey Lee Santos, Petitioner
9 Christian Conrado Davalos, Petitioner
10 Scott Sanford Johnson, Petitioner
11 Public participation via Webex and in-person
12

14 OPEN SESSION

17 1. Call to Order and Establishment of Quorum

18
19 Christopher Jones, Chair of the Board of Behavioral Sciences (Board), called the
20 meeting to order at 9:00 a.m. Roll was called, and a quorum was established.
21

22 2. REGULATION HEARING

23 Regulation Hearing Regarding a Proposal to Amend Title 16 of the 24 California Code of Regulations (CCR) Section 1811 Regarding Advertising 25

26 A hearing was conducted to amend the advertising regulations that were
27 approved by the Board.
28

29 Testimony

30 Shanti Ezrine, California Association of Marriage and Family Therapists (CAMFT)
31 provided the following comments, which were submitted in writing and provided
32 in the meeting materials under agenda item 3: 1) Clarifying “full name” and
33 whether that includes the middle name. CAMFT proposes that the board
34 consider specifying “first and last name” in lieu of “full name.” 2) Guidance and
35 sample advertising formats for listing nickname or form legal name. CAMFT asks
36 that the board update its Licensee and Registrant Advertising Factsheet to
37 include further guidance that defines the parameters of an appropriate nickname
38 and sample advertising formats for how a nickname or formal legal name should
39 be listed in advertisement.
40

41 Hearing closed at 9:08 a.m.
42

1 **3. Discussion and Consideration of:**

2
3 **a. Comments Received During the 45-Day Public Comment Period and at**
4 **the Regulation Hearing and Proposed Responses Thereto for the**
5 **Board’s Rulemaking to Amend CCR, Title 16, Section 1811 (Advertising)**

6 **b. Adoption of Amendments to CCR, Title 16, Section 1811 (Advertising)**

7
8 The Board received four written comments during the public comment period
9 to the advertising regulations. The written comments were provided as
10 **Attachments B – E** in the meeting materials.

11
12 Board staff and regulations counsel recommended the Board approve the
13 following proposed responses.

14
15 **a. Comments Received During the 45-Day Public Comment Period and**
16 **at the Regulation Hearing and Proposed Responses Thereto for the**
17 **Board’s Rulemaking to Amend Title 16 of the California Code of**
18 **Regulations (CCR), Section 1811 (Advertising Regulations)**

19
20 Comments were submitted by Shanti Ezrine, State Government Affairs
21 Associate and Cathy Atkins, Deputy Executive Director on behalf of the
22 California Association of Marriage and Family Therapists (CAMFT). Two
23 comments were read aloud and provided as **Attachment B**.

24
25 **Recommended Response to Comment 1:** The Board accepts this
26 comment as it relates to licensee confusion and proposes the following
27 amendment to subsection (a)(1). The amendment was provided as
28 Attachment A in the meeting materials:

29
30 (1) The full name (First Name, Last Name, and any Middle Name
31 and/or Suffix) of the licensee, or registrant, ~~or registered referral~~
32 service as filed with the board.

33
34 The Board declines to make the recommended text change of striking “full
35 name” and replacing it with “first and last name.” The Board requests the
36 full name of the applicant on its initial application for registration or
37 licensure to verify the identity of the applicant and ensure accuracy in the
38 licensing process. Requiring the licensee or registrant to provide their “full
39 name” as “filed with the board” in advertising ensures that the public has
40 complete and accurate information about an individual’s license status so
41 that a consumer can make a fully informed decision about their mental
42 health care.

43
44 **Recommended Response to Comment 2:** The Board declines to make
45 any changes due to this comment as it was merely a request for the Board
46 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.

A comment was submitted by Natalie Chen, LMFT. The comment was read aloud and provided as **Attachment C**.

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.

A comment was submitted by Del Phoenix-Wilcox, MSW, ACSW. Comment was read aloud and provided as **Attachment D**.

In an email to the Board, 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

1 since January 20th, 2025, targeting the identities, activities, healthcare,
2 and legal status of Transgender individuals. As such, the publication of
3 former names of Transgender people on business websites other than the
4 California government websites may make it easier for Transgender
5 licensees to be found in wide-range searches of the internet and to be
6 targeted for their identity. With the removal of protections for vulnerable
7 classes by the federal government, this proposed regulatory action opens
8 the door to many forms of discrimination and harm to members of the
9 Transgender community. This exposure is unnecessary, potentially
10 harmful, and violates the state of California's commitment as a sanctuary
11 state to vulnerable communities.

12
13 It is only fair that the public has access to information regarding names
14 under which a license has been held, and the BBS already provides this
15 on its website. The only acceptable regulatory proposals regarding former
16 names must take the safety and well-being of women and Transgender
17 community members into account. This proposed action does not meet
18 these criteria.”

19
20 **Recommended Response:** The Board rejects this comment and
21 declines to make any changes due to this comment. Staff believes the
22 commenter is referring to proposed subsection (g), which states, “In
23 addition to including the information required by subsection (a), a licensee
24 or registrant may use a nickname or former legal name to advertise
25 services for which a license or registration is required. If a nickname is
26 used, the nickname shall not be false, fraudulent, misleading, or deceptive
27 as specified by section 651 of the Code.”

28
29 This comment appears to be a misunderstanding as subsection (g) does
30 not require use of a nickname or former legal name in advertising but
31 permits it should the licensee or registrant choose to do so under specified
32 conditions.

33
34 Current law at BPC section 27.5, effective January 1, 2024, per Senate
35 Bill 372 (Chapter 225, Statutes of 2023), provides, in pertinent part:

36
37 (a) Notwithstanding any other law, if a board within the Department of
38 Consumer Affairs receives **government-issued documentation, as**
39 **described in subdivision (b),** from a licensee or registrant
40 demonstrating that the licensee’s or registrant’s legal name or gender
41 has been changed, the board, **upon request by the licensee or**
42 **registrant, shall update the individual’s license or registration by**
43 **replacing references to the former name or gender on the license**
44 **or registration, as applicable, with references to the current name**
45 **or gender.** (Emphasis added.)
46

1 (b) (1) The documentation identified in either of the following is
2 required to demonstrate a legal name change of a licensee or
3 registrant:
4

5 (A) A certified court order issued pursuant to a proceeding
6 authorized by subdivision (b) of Section 1277 of the Code of Civil
7 Procedure and a copy of the certificate issued under the Secretary
8 of State's Safe at Home program authorized by Chapter 3.1
9 (commencing with Section 6205) of Division 7 of Title 1 of the
10 Government Code reflecting the licensee's or registrant's updated
11 name.
12

13 (B) A certified court order issued pursuant to a proceeding
14 authorized by Section 1277.5 of the Code of Civil Procedure or
15 Article 7 (commencing with Section 103425) of Chapter 11 of Part 1
16 of Division 102 of the Health and Safety Code reflecting the
17 licensee's or registrant's updated name.
18

19 (2) Any of the following documents are sufficient to demonstrate a
20 gender change of a licensee or registrant:
21

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

23 (B) Birth certificate.

24 (C) Passport.

25 (D) Social security card.

26 (E) Court order indicating a gender change from a court of this
27 state, another state, the District of Columbia, any territory of the
28 United States, or any foreign court.
29

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

- 36 1. The licensee or registrant also includes in the advertisement their full
37 name as filed with the Board; and,
38 2. If a nickname is used, it also shall not be false, fraudulent, misleading
39 or deceptive as specified in BPC section 651.
40

41 These conditions would enable use of a former legal name or nickname
42 but prevent the advertising from being considered false or misleading
43 since the full name under which the licensee or registrant as filed with the
44 Board would also be required to be listed in the advertising. This avoids
45 conflicts with existing law that prohibits the provision of statements to the

1 public that are unlawful, including any statement or claim that is false,
2 misleading, or deceptive as prohibited by Section 651 of the BPC.

3
4 BPC section 651(b) specifies what false, fraudulent, misleading, or
5 deceptive means and under what conditions these statements would
6 make the advertising noncompliant. These include, in part:

7
8 (1) Contains a misrepresentation of fact.

9 (2) Is likely to mislead or deceive because of a failure to disclose
10 material facts.

11 (3)(A) Is intended or is likely to create false or unjustified expectations
12 of favorable results.

13 (5) Contains other representations or implications that in reasonable
14 probability will cause an ordinarily prudent person to misunderstand or
15 be deceived. . .

16 (8) Includes any statement, endorsement, or testimonial that is likely to
17 mislead or deceive because of a failure to disclose material facts.

18
19 Using a name other than the full legal name as filed with the Board in
20 advertising for licensees and registrants of the Board is currently neither
21 lawful nor authorized by Section 1811. This proposal would amend
22 Section 1811 to allow advertising under other names under specified
23 conditions. This would ensure a balanced approach of allowing the use of
24 former legal names or nicknames while ensuring that consumers are not
25 misled as to the licensee or registrant's legal identity with the Board, or
26 their qualifications based on the definition and criteria provided in BPC
27 section 651.

28
29 Again, however, this proposal would not require a licensee or registrant to
30 use a nickname or former legal name in advertising. This proposal would
31 also not prevent a licensee or registrant from using the legal process
32 available for changing their name in the Board's records as set forth in
33 BPC section 27.5 and then using their changed name in advertising alone
34 and without reference to their former legal name(s).

35
36
37 A comment was submitted by Robert Gamboa, MPP, Associate Director of
38 Public Policy and Joey Espinoza-Hernandez, Director of Policy and
39 Community Building on Behalf of the Los Angeles LGBT Center.
40 Comment was read aloud and provided as **Attachment E**.

41
42 **Recommended Response:** A hearing was scheduled for May 8th at 9:00
43 a.m. at the request of this commenter. However, the Board rejects this
44 comment and declines to make any changes due to this comment. Staff
45 believes the commenter's concern is related to the proposed addition of

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

7
8 Current law requires all persons regulated by the Board who advertise
9 their services to include the full name of the licensee or registrant as filed
10 with the board (subsection (a)(1) of section 1811). As discussed in
11 responses to comments above, Senate Bill 372 added BPC section 27.5
12 to allow a licensee or registrant to notify the licensing board or bureau
13 within the Department of Consumer Affairs (DCA) of a name and/or
14 gender change and request confidentiality of the previous name or gender
15 information, when meeting certain specified requirements.

16
17 By law, once the licensee's name or gender is updated, the former name
18 or gender will not be published online, except that if a public search of the
19 online license verification system is performed using the licensee's former
20 name, a statement will appear in connection with the search directing the
21 public to contact the applicable licensing board or bureau for more
22 information about the licensee. As noted above, subsection (g) does not
23 require use of a nickname or former legal name in advertising but permits
24 it should the licensee or registrant choose to do so.

25
26 With respect to the proposed requirement that a registrant include in
27 advertising that they are supervised by a licensed person (as proposed in
28 subsection (b)(2)), this change would simply provide additional notice of
29 the individual's status as a supervisee and would not require any further
30 personally identifying information. This is simply a statement that informs
31 the public that the individual is not yet fully licensed and has nothing to do
32 with the registrant's name.

33
34 Discussion: None

35
36 Motion: Direct staff to proceed as recommended as specified and provide the
37 responses to the comments as indicated in the staff recommended
38 responses.

39
40 M/S: Sovec/Wendy

41
42 Public Comment

43 Shanti Ezrine, CAMFT: Thanked the Board and staff for considering
44 CAMFT's comments and making modifications to clarify "full name" in any
45 advertisement. Also expressed appreciation for the clarification on the

disclaimer for the fact sheet and commitment to updating the fact sheet once regulations are updated and promulgated.

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

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

b. Adoption of Amendments to CCR, Title 16, Section 1811 (Advertising)

Discussion: None

Motion: 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.

M/S: Walker/Jones

Board Comment

Walker reminded the public that all of this information is on the website, and it is available to the public at any time.

Public Comment: None

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

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

2
3 **4. Suggestions for Future Agenda Items**
4

5 Shannon Crotts: A request was made for the Board to revisit and expand its
6 policy on how ASWs may earn supervised experience hours. Specifically, it was
7 noted that undocumented MSWs, including those with DACA status, often face
8 barriers to obtaining W-2 employment due to federal work authorization
9 restrictions. As a result, they are often limited to unpaid volunteer roles, creating
10 significant financial and logistical burdens. The commenter urged the Board to
11 consider allowing supervised hours to be earned through 1099 arrangements,
12 which would provide a more equitable and inclusive path to licensure.
13

14 **5. Public Comment for Items Not on the Agenda**
15

16 Katt Diaz: A request was made to include a future agenda item for the Board to
17 explore ways to ethically acknowledge lived experience, particularly related to
18 marginalized identities such as race, disability, gender identity, and sexual
19 orientation, in professional advertising, bios, and practice descriptions. The goal
20 is to support clinician authenticity and improve consumer access to culturally
21 responsive care. It was also suggested that examples of how this could be
22 appropriately advertised be provided as part of the discussion.
23

24 ***Administrative Law Judge Marcie Larson presided over the following petition***
25 ***hearings. Deputy Attorney General Anahita Crawford presented the facts of each***
26 ***case on behalf of the People of the State of California.***
27

28 **6. Jimmie Terangi Simpson II, LMFT 136990, Petition for Early Termination of**
29 **Probation**
30

31 The record was opened at 10:02 a.m., and Jimmie Simpson II represented
32 himself. Deputy Attorney General Anahita Crawford presented the background
33 of this case. Simpson was sworn-in and presented his request for early
34 termination of probation and information to support the request. He was

1 questioned by Crawford and board members. The record was closed at 11:08
2 a.m.
3

4 **7. Kelsey Lee Santos, LCSW 115064, Petition for Early Termination of**
5 **Probation**
6

7 The record was opened at 11:19 a.m., and Kelsey Santos represented herself.
8 Deputy Attorney General Anahita Crawford presented the background of this
9 case. Santos was sworn-in and presented her request for early termination of
10 probation and information to support the request. She was questioned by
11 Crawford and board members. The record was closed at 11:47 a.m.
12

13 **8. Christian Conrado Davalos, LMFT 52340, Petition for Early Termination of**
14 **Probation**
15

16 The record was opened at 12:26 p.m., and Christian Davalos represented
17 himself. Deputy Attorney General Anahita Crawford presented the background
18 of this case. Davalos was sworn-in and presented his request for early
19 termination of probation and information to support the request. He was
20 questioned by Crawford and board members. The record was closed at 1:08
21 p.m.
22

23 **9. Scott Sanford Johnson, AMFT 116440, Petition for Early Termination of**
24 **Probation**
25

26 The record was opened at 1:20 p.m., and Scott Johnson represented himself.
27 Deputy Attorney General Anahita Crawford presented the background of this
28 case. Johnson was sworn-in and presented his request for early termination of
29 probation and information to support the request. He was questioned by
30 Crawford and board members. The record was closed at 2:44 p.m.
31

CLOSED SESSION

The Board entered closed session at 2:55 p.m.

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

The Board reconvened in open session at 4:09 p.m.

OPEN SESSION

- 11. Consent Calendar: Possible Approval of the February 27-28, 2025 Board Meeting Minutes**

This item was taken out-of-order and was heard after Item 6.

Motion: Approve the February 27-28, 2025 board meeting minutes.

M/S: Walker/Friedman

Discussion/Public Comment: None

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

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

- 12. Workforce Development Committee Update**

This item was taken out-of-order and heard after items 6 and 11.

The Committee discussed the following at its April 2025 meeting:

Restructuring the Licensure Pathway for LMFTs, LCSWs, and LPCCs

The Committee directed staff to:

- Finalize Phase I language and apply the changes to LCSW and LPCC statutes
- Update LEP regulations to extend experience hour validity from 6 to 7 years
- Return the drafted language to the Policy and Advocacy Committee for further consideration.

Education Survey for Educators and Associates

The Committee directed staff to finalize and distribute the surveys in May 2025 and report findings at the next Committee meeting in July 2025.

Review of Action Plan

Staff presented an updated Workforce Goals Status Report. No action was taken.

Discussion/Public Comment: None

13. Election of Board Chairperson and Vice Chairperson

Steve Sodergren explained the duties of the Chairperson and Vice Chair. Chris Jones provided insight to the Chairperson position, Wendy Strack provided some insight to the Vice Chair position. Sodergren announced that the Vice Chair will be more integrated moving forward.

Nomination for Chairperson

Nomination: Jones nominated Wendy Strack. Strack accepted.

Second: Sovec

No additional nominations were made.

Public Comment: None

Vote: Yea 8; Nay 0, Absent 3. Wendy Strack elected as new Chairperson.

Member	Vote
Lorez Bailey	absent
Dr. Nick Boyd	absent
Susan Friedman	Y
Justin Huft	absent
Christopher Jones	Y

Abigail Ortega	Y
Kelly Ranasinghe	Y
John Sovec	Y
Wendy Strack	Y
Eleanor Uribe	Y
Annette Walker	Y

Nomination for Vice Chairperson

Nomination: Walker nominated John Sovec. Sovec declined the nomination,

Nomination: Friedman nominated Nicholas Boyd.

Second: Walker. Boyd accepted nomination.

Nomination: Sovec nominated Annette Walker. Walker declined.

Nomination: Uribe nominated Kelly Ranasinghe. Ranasinghe declined.

Public Comment: None

Vote on Boyd nomination: Yea 8; Nay 0, Absent 3. Nicholas Boyd elected as new Vice Chairperson.

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

14. Recess Until 9:00 a.m., Friday, May 9, 2025

The Board recessed at 4:25 p.m.

1 **DATE** May 9, 2025

3 **LOCATION** Department of Consumer Affairs
4 1625 North Market Blvd., #S-102
5 Sacramento, CA 95834

7 **TIME** 9:00 a.m.

9 ATTENDEES

0 **Members Present:** Christopher Jones, Chair, LEP Member
1 Wendy Strack, Vice Chair, Public Member
2 Susan Friedman, Public Member
3 Abigail Ortega, LCSW Member
4 Kelly Ranasinghe, Public Member
5 John Sovec, LMFT Member
6 Eleanor Uribe, LCSW Member
7 Dr. Annette Walker, Public Member *(left meeting at 12:30 p.m.)*

9 **Members Present at Remote Locations**

Justin Huft, LMFT Member

2 **Members Absent:** Lorez Bailey, Public Member
3 Dr. Nicholas (Nick) Boyd, LPCC Member

5 **Staff Present:** Steve Sodergren, Executive Officer

27 Marlon McManus, Assistant Executive Officer
 28 Sabina Knight, DCA Legal Counsel
 29 Kristy Schieldge, DCA Legal Counsel
 30 Rosanne Helms, Legislative Manage
 31 Christy Berger, Regulatory Manager
 32 Christina Kitamura, Administration Analyst
 33 Syreeta Risso, Special Projects and Research Analyst

5 **Other Attendees:** Judie Bucciarelli, Department of Consumer Affairs (DCA)
6 Sarah Irani, DCA SOLID
7 Public participation via Webex and in-person

OPEN SESSION

15. Call to Order and Establishment of Quorum

Christopher Jones, Vice Chair of the Board, called the meeting to order at 9:02 a.m. Roll was called, and a quorum was established.

Jones announced that Item 32 is cut from the agenda.

16. Introductions

Board members, staff, and attendees introduced themselves.

17. Board Chair Report

Jones congratulated the newly elected Board Chair and Vice Chair. Wendy Strack was elected as Board Chair, and Dr. Nicholas Boyd was elected as Board Vice Chair. Their roles become effective at the conclusion of the May board meeting.

Jones presented a Resolution to Abigail Ortega. She has served as an LCSW member on the Board since 2021 and will not seek reappointment at the end of her term in June.

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

Ashley Castleberry received an award for 15 years of state service.

18. Executive Officer Report

a. Budget Report

- The Board's budget for fiscal year (FY) 2024-25 is \$14,061,000.
- Fund Condition reflects a reserve of 18.7 months.

b. Personnel

The Board's staffing activity is as follows:

- 4 promotions

- 2 departures
- 4 vacancies

c. Licensing Report

3rd Quarter Statistics:

- 3,921 licenses/registrations issued
- Population of approximately 151,854 licensees/associates as of April 11, 2025
- 3% gain in license/registration population from previous quarter
- 415 supervisor certifications received
- Population of 14,751 supervisors
- 11% more applications received from previous quarter

Information provided as attachments in the meeting materials:

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

d. Exam Report

3rd Quarter Statistics:

- 5,970 exams were administered (4.75% decrease from previous quarter)
- 7 exam development workshops were conducted.

The LPCC law and ethics examination publication (eff. February 1, 2025) was submitted to Pearson Vue with an incorrect passing score. The Office of Professional Services (OPES) worked with the Board and Pearson Vue to correct the error. Pearson Vue recalculated the scores on exams taken. Of the 77 LPCC law and ethics exams taken between February 1, 2025 and February 19, 2025, 44 exams remained a fail and 33 were changed to a pass result.

ASWB completed its vendor change from PSI to Pearson Vue. Candidates began scheduling with Pearson Vue beginning March 31st.

ASWB implemented a testing procedure change that will allow candidates to schedule a timed break.

Information provided as attachments in the meeting materials:

- Exam Pass Rate Report
- Exam School Report 2nd Quarter FY 2024-2025

1 **e. Enforcement Report**

2 3rd Quarter Statistics:

- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 634 consumer complaints received
 - 196 criminal convictions
 - 479 cases closed
 - 13 cases referred to Attorney General's (AG) Office
 - Average time to complete formal discipline: 503 days
 - Average time a case is at the AG's Office: 314 days
 - Average time to complete board investigations: 82 days
 - 4 petitions for modifications or early termination of probation received
 - 1 petition for reinstatement received
- 12

13 Information provided as an attachment in the meeting materials: Consumer

14 Complaint and Criminal Conviction Report

15

16 **f. Education and Outreach Report**

17 3rd Quarter Statistics:

- 18
- 19
- Facebook and Instagram reflect an increased following
 - 15 outreach events conducted.
- 20

21 The Board developed a guidance document titled "Understanding AB 1955:

22 Support Academic Futures and Equality for Today's Youth (SAFETY) Act."

23 This document provides a general overview of the provisions enacted through

24 AB 1955, which took effect on January 1, 2025.

25

26 Information provided as attachments in the meeting materials:

- 27
- 28
- 29
- Outreach Event Report
 - Understanding AB 1955 "Support Academic Futures and Equality for Today's Youth (SAFETY) Act"
- 30

31 **g. Organizational Effectiveness Report**

32 The following progress updates/ 3rd quarter statistics were reported:

- 33
- 34
- 35
- 36
- Completing final steps to transition to online AMFT registration applications
 - Consumer Information Center handled 3,311 BBS calls.
 - Staff received 32,280 emails.
- 37

38 Information provided as attachments in the meeting materials:

- 39
- 40
- BBS Calls Received/Handled by CIC
 - BBS Emails Received
- 41

h. Strategic Plan Update

Progress updates on Strategic Plan goals were provided as an attachment:
BBS Strategic Plan Update May 2025.

Discussion

Friedman: Asked if staff is working on a solution regarding the high volume of calls? Sodergren responded that staff is consistently reviewing solutions to reduce the call volume and wait times while balancing application processing times.

Public Comments

Dr. Ben Caldwell: Expressed concern regarding the ASWB exam pass rate data. OPES uses clinical exams to determine safety for independent practice. The idea that half of those testing for licensure would be unsafe to practice independently suggests that the board is making invalid decisions about licensure based on the exam. A recent change in ASWB exam structure took place without establishing measurement equivalency as required by the American Educational Research Association (AERA). When the change in structure took place, ASWB provided misleading information about whether the sectioning of the exam was optional and how the scheduled break worked. Requested future agenda item specifically regarding the ASWB exam process.

Sara Carrasco: Thanked the Board for creating the Outreach and Education Committee. Students recently benefitted from a pathway to licensure presentation from the Board's licensing unit. It was informative and beneficial, and positive feedback was received by students.

Further Discussion

Ortega: Noticing that outreach efforts are not including organizations for LEPs and LPCCs. How is the Board balancing outreach to the different licensing groups?

Sodergren responded to Ortega stating that staff is in touch with LEPs and LPCCs, as well as those associations, and using social media to reach them as well.

Jones: Added that Board staff attended the CASP event in March.

Helms: Added that the consortiums include all the license types and educators. Sodergren added that staff attempts to combine outreach events for all license types.

Ranasinge: Requested that staff conduct outreach at rural or tribal jurisdictions within the next 12 months.

1 **19. Department of Consumer Affairs (DCA) Report Which May Include Updates**
2 **on DCA's Administrative Services, Human Resources, Enforcement,**
3 **Information Technology, Communications and Outreach, and Legislative,**
4 **Regulatory, or Policy Matters**
5

6 Judy Bucciarelli from the Department's Board and Bureau Relations presented
7 the following updates:
8

- 9 • The Governor's reorganization plan to split DCA's oversight agency into two
10 state agencies – the California Housing and Homeless Agency and the
11 Business and Consumer Services Agency.
- 12 • Hybrid telework policy and return to office.
- 13 • Levi Hull was appointed as DCA's Compliance and Equity Officer. Marlon
14 McManus, Vice Chair of DCA's Steering Committee will be working closely
15 with Mr. Hull.
- 16 • Public Service Recognition Week. DCA leadership thanked the Board and
17 Board staff for its hard work and dedicated efforts.
18

19 Discussion/Public Comment: None
20

21 **20. Board Strategic Planning Update**
22

23 SOLID conducted an environmental scan that included surveys of internal and
24 external stakeholders. The stakeholder survey was distributed via email and
25 social media and remained open from April 7th through May 2nd. SOLID received
26 1,143 responses to the survey. The internal stakeholder survey had a total of 44
27 responses.
28

29 Sarah Irani provided an update on the work completed to date and outlined the
30 next steps in the strategic planning process. Ms. Irani will gather the responses
31 and provide a report to the Board at least 2 weeks prior to the Board's strategic
32 planning session in August.
33

34 Discussion/Public Comment: None
35

36 **21. Discussion and Consideration of Draft Response to Sunset Issues Raised**
37 **by the Legislative Oversight Committee**
38

39 On January 5, 2025, staff submitted the 2025 Sunset Review Report to the
40 Senate Committee on Business, Professions and Economic Development and
41 Assembly Committee on Business and Professions (oversight committee).
42

43 On March 24, 2025, Chairperson Jones and Executive Officer Steve Sodergren
44 represented the Board during the legislative oversight hearing. In preparation for
45 this hearing, a background paper was drafted by the oversight committee that

1 raised 16 issues. The Board is required to submit its responses to the issues
2 raised within this report.

3
4 The background paper and the Board's draft response were provided as
5 attachments in the meeting materials.

6 7 Discussion/Recommendations

8 Ranasinghe: Acknowledged that there is no regulatory body for AI. Asked if the
9 Board should advocate in taking legislative authority.

10
11 Helms responded to Ranasinghe: Noted that multiple groups are grappling with
12 that question. Two AI-related bills were highlighted for discussion during this
13 meeting:

- 14
15 1. One bill would grant the Board authority to take enforcement action
16 against companies—not just individuals—when AI systems misrepresent
17 themselves in regulated professional roles.
- 18
19 2. Another bill would establish a working group under a separate state
20 department to evaluate the role of AI in mental health.

21
22 Jones: Acknowledged that AI technology is moving faster than the Board's ability
23 to regulate it.

24
25 More discussion took place regarding the need for more research into AI, lack of
26 data, Board resources to oversee/regulate AI.

27 28 Public Comments

29 Shanti Ezrine, California Association of Marriage and Family Therapists
30 (CAMFT): CAMFT supported the Board at the Legislative Oversight Committee
31 Hearing. The draft responses prepared by Board staff are very comprehensive.
32 CAMFT wishes to support the Board through this process.

33
34 Dr. Ben Caldwell: Referred to item 13. Asked if that is because it's discussing
35 the professional pipeline; and if that is an opportunity to also mention the
36 legislative and regulatory proposals that will be discussed today, that would move
37 clinical exams to earlier in the process. That should reduce the average time to
38 licensure and have an immediate impact on the licensee population.

39 40 Further Discussion

41 Ortega: Referring to item 13, increasing the amount of people in the workforce is
42 important, but it's not the only thing that will fill the gaps for high need areas
43 because people are choosing to go into private practice and no into nonprofit
44 entities.

1 **22. Discussion and Consideration of:**

- 2 **a. Comments Received During the 45-Day Public Comment Period and**
3 **Proposed Responses Thereto for the Board’s Rulemaking to Amend**
4 **Title 16 of the California Code of Regulations (CCR), Section 1888**
5 **(Uniform Standards Related to Substance Abuse and Disciplinary**
6 **Guidelines)**
7 **b. Adoption of Amendments to CCR, Title 16, Section 1888 (Uniform**
8 **Standards Related to Substance Abuse and Disciplinary Guidelines)**
9

10 The Board received four written comments during the public comment period to
11 Enforcement Regulations: Uniform Standards Related to Substance Abuse and
12 Disciplinary Guidelines (Guidelines). The written comments were provided as
13 Attachments B and C in the meeting materials and were read aloud.

14
15 Board staff and regulations counsel recommended the Board approve the
16 following proposed responses.

- 17
18 **a. Comments Received During the 45-Day Public Comment Period and**
19 **Proposed Responses Thereto for the Board’s Rulemaking to Amend**
20 **Title 16 of the California Code of Regulations (CCR), Section 1888**
21 **(Uniform Standards Related to Substance Abuse and Disciplinary**
22 **Guidelines Regulations)**
23

24 Comment dated February 10, 2025 was submitted by Shanti Ezrine, State
25 Government Affairs Associate and Cathy Atkins, Deputy Executive Director
26 on behalf of the California Association of Marriage and Family Therapists
27 (CAMFT). Comment was read aloud and provided as Attachment B.

28
29 **Recommended Response:** The proposal merely clarifies current
30 implementation policy of the Board as set forth in the Initial Statement of
31 Reasons. Existing regulation at Section 1888, subsection (b), in pertinent
32 part, states:

33
34 “...if the conduct found to be a violation involves drugs and/or alcohol, the
35 violation is a substance abuse violation for purposes of Section 315 of the
36 Code. If the licensee or registrant does not rebut that the violation is a
37 substance abuse violation, then the Uniform Standards Related to
38 Substance Abuse shall apply without deviation.”
39

40 Historically, the Board has interpreted the second sentence to mean that the
41 licensee or registrant must rebut the Board’s “presumption” that the violation
42 is a substance abuse violation if it involves drugs and/or alcohol, and that a
43 licensee must rebut that presumption “successfully”, otherwise the Uniform
44 Standards will apply in their case. However, the above text does not
45 precisely convey this interpretation, so the Board has proposed to further
46 refine the text to avoid confusion, as follows:

Notwithstanding subsection (a), if the conduct found to be a violation involves drugs and/or alcohol, the violation is presumed to be a substance abuse violation for purposes of Section 315 of the Code. If the licensee or registrant does not successfully rebut the presumption that the violation is a substance abuse violation, then the Uniform Standards Related to Substance Abuse shall apply without deviation.

For these reasons and the reasons set forth below in the next response, the Board declines to make any changes due to this comment.

Comments dated February 24, 2025 were submitted by Shanti Ezrine, State Government Affairs Associate and Cathy Atkins, Deputy Executive Director on behalf of the California Association of Marriage and Family Therapists (CAMFT). Two comments were read aloud and provided as Attachment C.

Recommended Response to Comment 1: The Board declines to make any changes due to this comment. This change was merely to clarify some ambiguities in the language as noted above and does not substantively change the Board's approach to deciding these types of cases. The changes clarify that the Uniform Standards Related to Substance Abuse apply unless the licensee "successfully" rebuts the legal "presumption" that there is a substance abuse violation if the conduct involves drugs or alcohol. If the licensee does not "successfully" rebut the presumption that it is a substance abuse violation, then the Uniform Standards do apply since the Board has evidence in the case that they are a substance-abusing licensee per Business and Professions Code (BPC) section 315.

Recommended Response to Comment 2: While this commenter did not specify which probationary periods that they specifically had concerns about, staff believes the commenter is referencing the following proposed amendments, which are excerpted from the Guidelines document in **Attachment A:**

<u>Statutes and Regulations</u>	<u>Violation Category</u>	<u>Minimum Penalty</u>	<u>Maximum Penalty</u>
<u>MFT:</u> B&P § 4982(e); 4982(u) <u>LCSW:</u> B&P § 4992.3(f); 4992.3(s) <u>LEP:</u> B&P § 4989.54(f) <u>LPCC:</u> B&P § 4999.90(e) 4999.90(u) <u>GP:</u> B&P § 480	Violations of the Chapter or Regulations by licensees or registrants / Violations Involving Acquisition and Supervision of Required Hours of Experience <u>Violating, Attempting to Violate, or Conspiring to Violate any Provision of the Chapter or any Regulation Adopted by the Board</u>	- Revocation stayed Registration on probation until exams are passed and license issued License issued on probation for one year Rejection of all illegally acquired hours 3-5 years probation; sStandard terms and conditions - Education <u>pertaining to the violation</u> <u>Law and ethics course</u> - Cost recovery - Reimbursement of probation program costs	- Revocation / Denial of license or registration - Cost recovery

<u>LMFT: B&P § 4982(u)</u> <u>LCSW: B&P § 4992.3(s)</u> <u>LEP: B&P § 4989.54(ac)</u> <u>LPCC: B&P § 4999.90(u)</u> <u>GP: B&P § 480</u>	<u>Violations Involving</u> <u>Gaining Required Hours of</u> <u>Experience or Supervision</u> <u>of Required Hours of</u> <u>Experience</u>	• <u>Revocation stayed</u> • <u>3-5 years probation; standard terms and conditions</u> • <u>Rejection of all illegally acquired hours</u> • <u>Supervised practice</u> • <u>Education pertaining to the violation</u> • <u>Law and ethics course</u> • <u>Cost recovery</u> • <u>Reimbursement of probation program costs</u>	• <u>Revocation / Denial of license</u> • <u>Cost recovery</u>
--	---	--	---

The above amendments split one category into two, as they are separate types of violations and therefore, due to differences in subject matter and differing impacts on public safety, the penalties should differ.

For the newly split out category “Violating, Attempting to Violate, or Conspiring to Violate any Provision of the Chapter or any Regulation Adopted by the Board” (currently titled “Violations of the Chapter or Regulations by licensees or registrants”):

The currently listed terms regarding probation length “Registration on probation until exams passed and license issued” and “License issued on probation for one year” are not directly applicable to this category as it could be violated by someone who is already licensed. Therefore, a standard probation length needs to be set. 3-5 years’ probation for this category is likely sufficient to ensure adequate rehabilitation in the Board’s experience. This provision is most commonly used when a licensee conspires to violate the Board’s laws regarding unlicensed activity, which presents significant risk of harm to the consumer. This penalty is appropriate considering the high risk of harm to a consumer receiving services from an unlicensed individual who has not met the standards for professional licensure.

For the other newly split out category “Violations Involving Gaining Required Hours of Experience or Supervision of Required Hours of Experience”:

Striking “Registration on probation until exams are passed and license issued” and “License issued on probation for one year” and replacing it with “3-5 years probation” will decrease the length of probation for many individuals, but will increase the length for others depending on how close the individual is to becoming licensed. This change will provide a consistent length of probation, and in the Board’s experience, 3-5 years is typically sufficient to monitor probationers for this type of violation. This penalty is appropriate, as the Board considers violations based upon gaining required hours of experience or supervision of such required hours serious, as these violations directly relate to competency of the supervisee and their ability to practice with safety to the public.

Therefore, the Board declines to make any changes due to this comment. While the Board is sympathetic to the financial strain of probation, the Board's highest priority is public safety.

Discussion: None

Motion: Option No. 1: Direct staff to proceed as recommended as specified and provide the responses to the comment as indicated in the staff recommended responses.

M/S: Strack/Walker

Public Comment

Shanti Ezrine, CAMFT: CAMFT has no further questions regarding the clarification provided for Comment 1. Regarding Comment 2, the violations that CAMFT was referring to was correctly provided by staff, and CAMFT acknowledges and supports public safety as the highest priority. Regarding Comment 3, CAMFT wanted to bring the financial implications to the Board's attention.

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

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

b. Adoption of Amendments to CCR, Title 16, Section 1888 (Uniform Standards Related to Substance Abuse and Disciplinary Guidelines)

Motion: Direct staff to take all steps necessary to complete the rulemaking process including the filing of the final rulemaking package with the Office of Administrative Law, authorize the Executive Officer to make any non-substantive changes to the proposed regulation and the rulemaking documents, and adopt the proposed regulations as noticed for Title 16 California Code of Regulations section 1888.

M/S: Sovec/Friedman

Public Comment: None

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

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

23. Discussion and Possible Action to Initiate a Rulemaking to Amend CCR, Title 16, Sections 1816, 1816.1, 1816.2 and 1816.4 (Fee Reductions)

At its February 2025 meeting, the Board discussed its current reserve fund balance and the need for a proposal to reduce current fees to comply with the 24-month reserve limitation in BPC Section 128.5(b). It is currently projected that, under the current fee structure, the Board will exceed the 24-month reserve limit and reach a fund balance of 26.3 months by the end of FY 2024-25.

In consultation with the Department's budget office, it is recommended that the Board's initial licensing, initial registration, examination, and renewal fees be reduced by 50 percent (50%) for a period of 48 months, starting January 1, 2026. It is currently projected that a 48-month reduction would lower the reserve fund to 15.4 months by the end of FY 2029-2030, bringing the Board's operating expenses within the limits imposed by BPC section 128.5. The projections are based upon a July 1, 2026, implementation date.

In consultation with the budget office and in Board staff's experience, a reserve fund equivalent to 15.4 months of operating expenses is considered acceptable to ensure the Board can withstand economic uncertainties while retaining the flexibility to pursue any necessary budget realignments in the future.

The Board would need to pursue regulatory amendments to implement a temporary reduction of the current fees.

The proposed amendments will reduce the fees for the period of July 1, 2026, through June 30, 2030, and are as follows:

- 1 1. Reduce Renewal Fees by 50% for a Four-Year Period, Proposed
2 Amendments to Section 1816.
3

4 There is also an additional amendment to correct wording in 1816(c) that
5 refers to “associate professional clinical counselors” registration. It would
6 be amended to read “associate professional clinical counselor”
7 registration.
8

- 9 2. Reduce Initial License and Registration Fees by 50% for a Four-Year
10 Period, Proposed Amendments to Section 1816.1
11

12 In addition, this proposal would make a technical correction for accuracy
13 to the title in subsection (a) to add the word “licensed” before the words
14 “marriage and family therapist.”
15

- 16 3. Reduce Examination Fees by 50% for a Four-Year Period, Proposed
17 Amendments to Section 1816.2
18

- 19 4. Reduce Fees for Application for Licensure by 50% for a Four-Year Period,
20 Proposed Amendments to Section 1816.4
21

22 Additionally, the proposal amends the current title of the section from
23 “Examination Eligibility Application Fees” to “Fees for Application for
24 Licensure” to more accurately reflect the content of this section.
25

26 Discussion

27 Strack: Expressed concern that reducing the fees by 50% now will mean that the
28 fees will double four years later.
29

30 Sodergren: Responded that staff will look at how this plays out over the next year
31 or two years, evaluate it, and have a discussion at that time.
32

33 Sovec: What other avenues of reduction were considered?
34

35 Sodergren: This was the only avenue considered.
36

37 Schieldge: Staff looks to the budget office for guidance with respect to
38 maintaining a healthy fund condition because there is a legal requirement on the
39 board members and executive officer to maintain an adequate reserve fund.
40

41 Sovec: Questioned if the Board can hire more staff and if more limited-term
42 positions can be created. Asked if funds be diverted to other programs, such as
43 outreach. Asked if fee reduction is the only option considered. He expressed that
44 he is unsure if fee reduction is the best option.
45

1 Sodergren: Due to California's current budget challenges, submitting budget
2 change proposals for additional positions is risky. There's no guarantee they will
3 be approved, as proposals are being heavily scrutinized.
4

5 Sovec: Raised concern about whether maintaining a 15-month reserve, while
6 currently keeping the budget manageable, might limit the board's ability to pursue
7 future programs, budget increases, or hiring opportunities by not exploring
8 alternative options.
9

10 Sodergren: Responded that it will not limit the board's ability to pursue those
11 things. Staff reviews the yearly budget and unspent funds, which can be used to
12 temporarily support staffing under a "blanket" approach. Using unreserved funds
13 for staffing carries risk, as those funds may not be available in the following year,
14 impacting supported positions. For staffing solutions, a BCP would be required.
15

16 Sovec: Asked if enforcement fees reduction was considered.
17

18 Schieldge: Responded that probation monitoring costs is at the discretion of the
19 board. If a petitioner requests a reduction of penalty and elimination of monitoring
20 fees, the board may grant it if deemed appropriate. However, there is no
21 regulation prohibiting monitoring fees; decisions would be made on a case-by-
22 case basis based on board discretion.
23

24 Uribe: Welcomes the fee reduction for licensees and associates.
25

26 Motion: Approve the proposed regulatory text as presented in **Attachment C**
27 and submit the approved text to the Director of the Department of Consumer
28 Affairs and the Business, Consumer Services, and Housing Agency for review,
29 and if no adverse comments are received, authorize the Executive Officer to take
30 all steps necessary to initiate the rulemaking process, make any non-substantive
31 changes to the text and the package, and set the matter for a hearing if
32 requested. If after the 45-day public comment period, no adverse comments are
33 received and no public hearing is requested, authorize the Executive Officer to
34 take all steps necessary to complete the rulemaking, and adopt the proposed
35 regulations as noticed for Title 16, California Code of Regulations sections 1816,
36 1816.1, 1816.2 and 1816.4.
37

38 M/S: Uribe/Walker
39

40 Public Comments/Additional Discussion

41 Shanti Ezrine, CAMFT: CAMFT is in general support of the adjustments to
42 reduce the Board's fee structure. Echoes the need for mindfulness to maintain a
43 reserve amount that accounts for future growth.
44

45 Dr. Ben Caldwell: While a 50% across-the-board fee reduction is the simplest
46 option, a more targeted approach may be more effective. Proposed alternatives

would be a 25% reduction in license renewal and application fees over four years and 75–100% reduction in initial registration, registration renewal, and exam fees. This approach aims to alleviate financial burdens on early-career clinicians, helping to address licensure pipeline attrition. Asked if the implementation date of July 1, 2026 is realistic.

Schildge: The Board has been relying on the budget office's guidance for across-the-board cuts to get where we need to. If this is to be reconsidered, staff would have to take it back to the budget office. The statute states that fees can be reduced, not waived. Further review is needed to determine if fees could be waived because OAL may argue that a waiver is not a fee reduction. As for timeframe, the target a year ago was to get a regulation approved and implemented through OAL by July 1, 2026. If other options are to be considered, then the date would be pushed out further.

Sovec: Would like to continually explore other ways to implement a reduction.

Vote: Yea 7; Nay 2, Absent 2. Motion carried.

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

**24. Discussion and Possible Action Regarding Assembly Bill 427 (Jackson)
Social Workers: Interstate Compact**

AB 427 would establish California as a member state in the Social Work Licensure Compact, which permits a licensed clinical social worker in a member state to practice in other member states. The Compact would only become operative in California if a majority of the Board votes in favor of joining the Compact, and the vote is certified by the Director of Consumer Affairs.

Staff Comments

California-Specific Coursework Requirements for Out-of-State Applicants.

The bill exempts multistate applicants from California-specific coursework and the law and ethics exam. This differs from the LPCC compact reviewed last year. Under that compact, LPCC applicants requesting to practice in California would

1 need to pass a California law and ethics exam, though they would not be
2 required to complete any California-specific coursework.

3
4 **Compact Voting.** Each state has one vote on the Compact Commission,
5 regardless of licensee population. California's large LCSW population raises
6 concerns about lack of proportional representation

7
8 **Delegation of Board's Authority.** Joining the Compact requires the Board to
9 delegate some of its ability to act autonomously to the Compact Commission.

10
11 **Supervision of Associates.** Unclear if out-of-state licensees with practice
12 privileges can supervise associates. There would likely be a need for regulatory
13 clarification.

14
15 Fiscal Impact. There is potential for revenue loss if licensees choose to obtain
16 multistate licenses through other states instead of renewing in California.
17 However, this may be offset if California becomes the home state for multistate
18 licensees. The total number of LCSW licensees nationwide—and how many may
19 seek to practice in California—is currently unknown, making it difficult to estimate
20 the fiscal impact accurately.

21
22 Additional anticipated costs include:

- 23 • System updates
- 24 • Staffing needs
- 25 • Development and implementation of new regulations
- 26 • Possible annual assessments imposed by the Compact Commission
- 27 (amounts currently unspecified)

28
29 **Board Vote Required to Join.** Compact becomes operative only if a majority of
30 the Board votes to join and the DCA Director certifies the vote. This allows time
31 to assess impacts and review rules adopted by the Commission before
32 committing.

33
34 However, if the Board has concerns about the Compact's foundational
35 provisions, those issues would require legislative changes prior to the Board's
36 vote in order to authorize the state to join the Compact under modified terms.

37 Discussion

38
39 Ranasinghe: Indicated a position to oppose the bill due to the following concerns.

- 40 • The Compact does not require a California law and ethics exam, which
41 includes critical topics such as mandated child abuse reporting and
42 confidentiality.
- 43 • Raised alarm over the lack of enforcement authority in California if a
44 multistate licensee from another state engages in conversion therapy,
45 which is unlawful in California.

- Noted that only the home state can take disciplinary action and questioned whether states without bans on conversion therapy would act on violations occurring in California.
- Emphasized California's role as a sanctuary state for LGBTQ+ and trans populations, and expressed concern that the Compact could undermine these protections.
- Clarified that opposition is not to interstate practice or license portability, but to the lack of safeguards in the current bill language.

Jones: Expressed the following:

- The lack of a requirement for California-specific law and ethics training and diversity education for multistate licensees.
- Echoed earlier concerns about the importance of aligning with California's existing standards for out-of-state applicants, which include continuing education and law and ethics coursework.
- Referenced Assembly member Jackson's interest in negotiation and emphasized that any discussions should include California's current requirements for out-of-state practitioners.
- Stated opposition to the Compact as currently written but indicated openness to further discussion if California's standards are incorporated.

Ortega:

- Expressed opposition to the Compact, agreeing with previous comments.
- Questioned whether the Compact would address therapist shortages, particularly in underserved communities.
- Emphasized the need for clearer data on shortage areas and community needs before adopting solutions that may not be effective.

Huft:

- Opposed the Compact, stating it does not improve or maintain public safety.
- Highlighted the lack of required training or experience in California-specific issues, including mandated reporting and LGBTQ+ concerns.
- Raised concern that the Compact further entrenches reliance on a licensing exam with known racial disparities in pass rates.
- Noted that prior requests for research on the Compact's impact on workforce shortages were unmet; independent research suggests compacts may worsen shortages by shifting providers from low-income to high-income areas.

- Concluded that the Compact either worsens existing problems or creates new ones and expressed strong opposition to revisiting it in its current form.

Helms: Noted that the Compact Commission provided two studies related to other professions. However, both studies were paywalled and due to copyright restrictions, the studies could not be included in the meeting packet.

Motion: Oppose AB 427 as currently written.

M/S: Huft/Ranasinghe

Public Comments

Kaitlyn Bison, representing the Social Work Licensure Compact Commission: addressed concerns raised.

- Addressed concerns regarding voting structure, noting that the Compact Commission's duties are administrative only, and each state retains authority over its scope of practice.
- Clarified that California can take action against a multistate licensee practicing unlawfully (e.g., conversion therapy) within the state, even though the home state retains control over the multistate license.
- Noted that multistate license fees are typically higher to help boards recoup cost and reflect the broader access granted.
- Offered to share a resource on fiscal impacts for further review.
- Explained that requiring California-specific CE requirements would necessitate applying the same standard across all member states, which may not be feasible under the Compact model.

Dr. Ben Caldwell:

- Echoed board concerns and referenced the prior presentation on the Social Work Compact and the repeated claims to protecting public safety. Stated that the bill does not protect public safety.
- Noted that the bill grants practice privileges to individuals with no training or accountability in California-specific laws (e.g., child abuse reporting, involuntary holds, confidentiality).
- Objected to the Compact's requirement to use the ASWB clinical exam, citing ongoing concerns about fairness and bias.
- Argued the bill would exclude qualified practitioners while allowing underprepared individuals to practice in California.
- Urged the Board to take an oppose position on the bill and vote yes on the motion to oppose.

Dr. Jasmine Smith, Co-Interim Executive Officer, National Association of Social Workers, California Division (NASW-CA):

- Shared that, in collaboration with Assemblymember Dr. Corey Jackson's office and the NASW California Board President, the organization is interested in further dialogue with BBS.
- Expressed a desire to explore amendments to the bill that would align with California's clinical social work values.
- Emphasized the importance of a collaborative approach and expressed interest in building a working relationship with BBS.

Vote: Yea 8; Nay 0, Abstain 1; Absent 2. Motion carried.

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

25. Discussion and Possible Action Regarding Assembly Bill 489 (Bonta) Health Care Professions: Deceptive Terms or Letters: Artificial Intelligence

AB 489 would prohibit a person or entity who develops or deploys an artificial intelligence or generative artificial intelligence (AI) system from having that system represent or imply that it is a licensed health care provider by using prohibited terms, letters, or phrases. It makes violations subject to the jurisdiction of the applicable licensing board.

Staff Comments

Author's Intent. The author's office emphasized the need for regulation in response to the rapid advancement of AI. They highlighted that AI systems, particularly those capable of generating natural-sounding language, can convincingly mimic health professionals, posing risks to consumers. AB 489 addresses this concern by establishing a clear prohibition against automated systems misrepresenting themselves as licensed health professionals. The bill aims to ensure transparency and protect Californians from potential harm, especially in healthcare-related interactions.

1 **Enforcement Action.** The Board currently holds authority to take enforcement
2 action against individuals—not businesses—for unlicensed practice. Disciplinary
3 measures include issuing a citation and fine. If the fine remains unpaid, the
4 matter may be referred to the Franchise Tax Board or a collection agency for
5 recovery.
6

7 **Fiscal Impact.** The frequency of violations under this provision is currently
8 unknown. Investigations would be handled by Board staff or DCA's Division of
9 Investigation. A high volume of complaints could result in a fiscal impact due to
10 increased workload.
11

12 Discussion

13 Ranasinghe: When researching, he found a platform advertising "AI therapy,"
14 which appears to be a bot advertising therapeutic services. While further
15 research is needed, immediate consumer protections are necessary. At the
16 bottom of the webpage, in small fonts, a disclaimer states "assistant is not a
17 licensed mental health therapist, psychologist, or psychiatrist." Claims that the
18 platform is advertising unlawful practice of therapy.
19

20 Strack: Asked if this bill addresses the issue brought up by Ranasinghe.
21

22 Helms: Responded that the bill would not apply to AI platforms that advertise "AI
23 therapy" without claiming to be a licensed professional. Enforcement action
24 under AB 489 would only be applicable if an automated system falsely
25 represents itself as a licensed mental health professional
26

27 Strack: While AB 489 is a positive step and has support, it does not address AI
28 platforms that offer therapy without claiming to be a person or licensed
29 professional. Asked if the Board should consider requesting amendments to
30 strengthen consumer protections in this area.
31

32 Ranasinghe: Agreed that the protections should go further.
33

34 Board members Strack and Ranasinghe agreed support the bill and direct staff to
35 have a conversation with the author's office.
36

37 Motion: Support AB 489.
38

39 M/S: Strack/Ranasinghe
40

41 Public Comments

42 Shanti Ezrine, CAMFT: CAMFT supports AB 489.
43

44 Dr. Ben Caldwell: AB 489 is not a perfect bill, but it is a good place to start and
45 encouraged the Board to support the bill.
46

1 Vote: Yea 8; Nay 0, Absent 3. Motion carried.

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

2
3 **26. Discussion and Possible Action Regarding Assembly Bill 742 (Elhawary)**
4 **Department of Consumer Affairs: Licensing: Applicants who are**
5 **Descendants of Slaves**
6

7 AB 742 would require boards within DCA to prioritize applicants seeking
8 licensure if they are certified by the State Bureau for Descendants of American
9 Slavery as a descendant of American slaves.

10
11 SB 518 is a companion bill to AB 742. AB 742 only becomes operative if SB 518
12 is also enacted. SB 518 proposes the establishment of the Bureau for
13 Descendants of American Slavery. The effective date would commence once
14 that bureau establishes a process to certify descendants of American slaves.

15
16 Staff Comments
17

18 **Authors Intent.** The author's office emphasized that descendants of slaves
19 have historically faced systemic barriers to licensure due to racial bias. AB 742
20 aims to address this by prioritizing these individuals in the licensing process,
21 increasing representation in underrepresented professions. The bill also removes
22 arbitrary waiting periods, allowing qualified applicants to begin practicing sooner.
23 This is presented as a step toward correcting historical injustices.

24
25 **Fiscal Impact.** This bill requires the Board to "prioritize" applicants seeking
26 licensure who are verified by a new state bureau as being descendants of
27 slaves. The meaning of "prioritize" is not specified and should be clarified.
28 Staff assumes the intended meaning is that these applications will be
29 expedited. Staff believes the increased workload from this bill is minor and
30 absorbable within existing resources.

31
32 Motion: Support SB 742

33
34 M/S: Huft/Strack

1 Public Comment

2 Shanti Ezrine, CAMFT: AB 742 is one of several prioritization bills that have been
3 proposed in the last year. While CAMFT supports efforts to assist providers in the
4 application process, CAMFT typically maintains a neutral position on such bills.
5 This is due to ongoing processing delays and concerns about potential
6 unintended impacts on overall application timelines.

7
8 Vote: Yea 8; Nay 0, Absent 3. Motion carried.

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

9
10 **27. Discussion and Possible Action Regarding Senate Bill 470 (Laird) Bagley-**
11 **Keene Open Meeting Act: Teleconferencing**

12
13 In 2023, SB 544 was signed into law, modernizing the Bagley-Keene Open
14 Meeting Act to provide two new teleconference meeting options for state bodies
15 to hold public meetings. Those two options are set to sunset on January 1, 2026.
16 SB 470 would extend sunset date for the two options until January 1, 2030.

17
18 Staff Comments

19
20 **Author's Intent.** The author states the continuation of the provisions in the 2023
21 bill, SB 544, promote ongoing equity and public and disability access in state
22 board and commission meetings.

23
24 **Board Utilization of Teleconference Meetings.** The Board has successfully
25 utilized the hybrid provisions under the Bagley-Keene Act, allowing remote
26 attendance at Board meetings. This flexibility has helped maintain quorum and
27 increased participation. All Board members attend advisory committee meetings
28 remotely, which supports consistent engagement without disrupting work
29 schedules or requiring travel to Sacramento. This approach also reduces travel-
30 related costs.

31
32 Public participation has also improved through the hybrid format. Offering both in-
33 person and virtual options has made meetings more accessible, especially for

1 stakeholders with full-time jobs or travel limitations, thereby enhancing overall
2 engagement.

3
4 Motion: Support SB 470

5
6 M/S: Ranasinghe/Sovec

7
8 Public Comment: None

9
10 Vote: Yea 8; Nay 0, Absent 3. Motion carried.

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

11
12 **28. Discussion and Possible Action Regarding Senate Bill 497 (Wiener) Legally**
13 **Protected Health Care Activity**

14
15 SB 497 seeks to protect the privacy and safety of individuals seeking gender
16 affirming health care and mental health care in California, as well as the health
17 care providers delivering these services, by strengthening protections in law
18 related to the sharing of their health care information.

19
20 **Author's Intent.** The author of SB 497 emphasized the bill's role in
21 safeguarding the privacy and safety of individuals seeking gender affirming care
22 in California. Key provisions include:

- 23
- 24 • Protecting sensitive data from being disclosed to out-of-state law
 - 25 enforcement to prosecute people receiving care that is legal in California;
 - 26 • Establishing criminal penalties for accessing sensitive health data without
 - 27 a warrant;
 - 28 • Strengthening the Confidentiality of Medical Information Act to expand
 - 29 protections introduced in SB 107;
 - 30 • Expressing the intent to protect teachers affirming of transgender youth.

31
32 Motion: Support SB 497.

M/S: Sovec/Huft

Public Comments

Shanti Ezrine, CAMFT: CAMFT supports SB 497.

Dr. Ben Caldwell: Expressed support for SB 497.

Vote: Yea 7; Nay 0, Abstain: 1; Absent 3. Motion carried.

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

29. Discussion and Possible Action Regarding Senate Bill 579 (Padilla) Mental Health and Artificial Intelligence Working Group

SB 579 would require the State Government Operations Agency to appoint a mental health and artificial intelligence (AI) working group by July 1, 2026, to examine the role of artificial intelligence in mental health treatment.

Author's Intent. The author's office relays a desire to ensure proper guardrails are in place so that AI is incorporated into mental health treatment in a thoughtful and safe way.

Motion: Support SB 579.

M/S: Friedman/Sovec

Public Comments

Shanti Ezrine, CAMFT: CAMFT is co-sponsoring SB 579 with the California Psychological Association. This bill proposes the creation of a working group focused on evaluating the role of AI in mental health care. The group would:

- Ensure ethical standards.
- Explore technology and diagnosing and treating mental health concerns.
- Identify risks associated with AI in mental health settings.

The bill acknowledges the growing use of AI by mental health professionals for administrative tasks, while also addressing concerns about AI tools marketed as digital therapists. The intent is to position California as a leader in the responsible integration of AI into mental health care, with a strong emphasis on patient safety and well-being.

Dr. Ben Caldwell: The rapid development of AI systems in mental healthcare raises a number of important regulatory and public safety concerns. This workgroup will ensure that policy responses to AI will be thoughtful and well informed. Encouraged the Board to support SB 579.

Vote: Yea 8; Nay 0, Absent 3. Motion carried.

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

**30. Discussion and Possible Action Regarding Senate Bill 641 (Ashby)
Department of Consumer Affairs and Department of Real Estate: States of
Emergency: Waivers and Exemptions**

SB 641 would permit boards under the DCA and the Department of Real Estate to waive certain specified provisions of their licensing laws for licensees and applicants who are affected by a declared federal, state, or local emergency.

Author's Intent. The author highlighted that licensed professionals in disaster-affected areas often face challenges in maintaining their licensure due to disruptions caused by emergencies. Current law does not account for these circumstances, potentially leading to lapses in licensure. SB 641 would authorize licensing programs to waive certain requirements—such as renewal deadlines, fees, and continuing education—for individuals in declared disaster areas. This measure aims to reduce administrative burdens and ensure professionals can continue working to support recovery efforts.

Confirmation of Emergency. There is uncertainty regarding how Board staff would verify the existence of a declared emergency under SB 641. Would official government notice be provided to DCA? Or would staff be responsible for confirming all declared emergencies? If staff must confirm, an additional staff

1 position may be necessary to monitor emergency declarations and assess the
2 scale of their impact.

3
4 **May Not Cover All Provisions of Law.** While the bill grants authority to waive
5 specific requirements, it does not appear to cover all aspects of the Board's
6 licensing requirements.

7
8 **Existing Email Requirement.** This bill requires all applicants and licensees to
9 provide the Board with an email address. The Board currently has a law in place
10 requiring its applicants, registrants, and licensees to provide their email address
11 if they have one.

12
13 **Fiscal Impact.** This bill permits the Board to waive laws in a declared
14 emergency. The waiver authority is permissive, not mandatory. As such, any
15 fiscal impact would only occur if the Board elected to implement the waiver.

16
17 Additional Board Meetings Possibly Required. Formal Board action is required to
18 implement a waiver. If a state of emergency occurs between scheduled
19 meetings, the Board may need to convene an additional meeting, resulting in:

- 20 • Travel costs for Board members
- 21 • Possible site rental expenses
- 22 • Board member pay and per diem costs

23
24 Confirmation of an Emergency. It is unclear how the Board would receive official
25 confirmation of a declared emergency, particularly for smaller-scale or local
26 emergencies. Additional staff resources may be needed to monitor for and
27 confirm emergencies and assess whether they warrant Board action.

28
29 Potential Lost Fee Revenue. Waiving the \$25 duplicate license fee will result in
30 some lost revenue. While this is expected to be minor and absorbable, future
31 waivers of other fees could lead to more significant revenue losses depending on
32 the scale and frequency of emergencies.

33
34 Potential Breeze Costs. Depending on the types of waivers implemented, there
35 may be associated costs to update the Breeze licensing system. DCA's Office of
36 Information Services would need to assess and determine any such costs.

37
38 Discussion/Public Comment: None

39
40 Staff will continue to watch this bill.

1 **31. Discussion and Possible Action Regarding Senate Bill 775 (Ashby) Board**
2 **of Behavioral Sciences**

3
4 SB 775 would extend the Board's sunset date until January 1, 2030. It also
5 contains several amendments that the Board is sponsoring this year:
6

7 Amendments Sponsored by the Author

- 8
- Extends the operation of the Board until January 1, 2030.
 - 9 • Names the LMFT practice act the "Marriage and Family Therapist Practice
10 Act" and makes technical changes to reflect this throughout the bill as
11 needed.
 - 12 • Changes references to correctly reference the "Clinical Social Worker
13 Practice Act" instead of the "Social Work Licensing Law."
 - 14 • Places technical amendments regarding any potential future repeal of
15 §4990 in a separate section.
 - 16 • Also serves as the sunset bill for the Board of Psychology, extending that
17 board's sunset date and making various amendment to its practice act.
18

19 Amendments Sponsored by the Board

- 20
- Technical and/or non-substantive amendments.
 - 21 • Statutory amendments to potentially allow adoption of the Association of
22 Marital and Family Therapy Regulatory Boards' (AMFTRB) Marital and
23 Family Therapy National Examination as the clinical examination via
24 regulations: These amendments are not yet included in the bill, but the
25 Senate Committee on Business, Professions and Economic Development
26 has indicated they are discussing adding them as future amendments.
 - 27 • Sunsetting statutory provisions, which would delete or extend the sunset
28 dates for two provisions of the Board's practice acts that sunset on
29 January 1, 2026:
 - 30 ○ Supervision allowance via videoconferencing.
 - 31 ○ Temporary practice allowance.
 - 32 • Licensing requirements for LEPs
 - 33 • Amendments to retired license statute.
34

35 Discussion: None
36

37 Motion: Support the author-sponsored amendments to the extending the Board's
38 sunset date January 1, 2030 (BPC §4990) and direct staff to work with the
39 Business and Professions Committee to ensure the following:

- 40
- That the same sunset date is also added into BPC §4990.04.

- That the LMFT license type's practice act is consistently named throughout the law.

M/S: Jones/Strack

Public Comment

Shanti Ezrine, CAMFT: Appreciation was expressed for raising the issue of ensuring consistent titling of the licensing acts, specifically referring to the Licensed Marriage and Family Therapist Act. CAMFT thanks staff for the update regarding the forthcoming amendment to the bill, which would allow for the adoption of the AMFTRB MFT national exam through regulation. CAMFT looks forward to reviewing the amendment once it is in print and proceeding with support for the remainder of the bill.

Vote: Yea 8; Nay 0, Absent 3. Motion carried.

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

- 32. Discussion and Possible Action regarding amendments to BBS bill proposal (to be amended into SB 775 (Ashby)): BPC sections 4980.03, 4980.11, 4980.38, 4980.397, 4980.40, 4980.41, 4980.43.2, 4980.43.3, 4980.50, 4980.54, 4980.72, 4980.74, 4982, 4982.05, 4984.41, 4984.7, 4989.20, 4989.45, 4989.49, 4989.54, 4992.2, 4992.3, 4996.16.1, 4996.23.1, 4996.23.2, 4997.1, 4999.12, 4999.23, 4999.46.2, 4999.46.3, and 4999.113**

This item was cut from the agenda.

- 33. Update on Board-Sponsored Legislation (To Be Included in Senate Bill 775 (Ashby) Board of Behavioral Sciences):**

The only update for this item was SB 775, which was provided under Item 31.

1 **34. Update on Board Rulemaking Proposals**

2
3 **Disciplinary Guidelines**

4 Status: Comment period ended February 25, 2025; comments were reviewed
5 under Item 22.

6
7 **Telehealth**

8 Status: Notice of Modified Text as approved by the Board at the February
9 2025 meeting mailed April 18, 2025; comment period ends May 5, 2025.

10
11 **Continuing Education**

12 Status: Submitted for DCA production phase review April 8, 2025.

13
14 **Advertising**

15 Status: Noticed to the public March 14, 2025; comment period ended
16 April 28, 2025; Regulation Hearing took place on May 8th under Item 2.

17
18 **English as a Second Language: Additional Examination Time**

19 Status: In preparation for DCA Production Phase Review

20
21 **Discussion/Public Comment:** None

22
23 **35. Suggestions for Future Agenda Items**

24
25 Dr. Ben Caldwell: A renewed request was made for a representative from the
26 ASWB testing program to speak directly with the Board and stakeholders. The
27 purpose is to address recent changes in ASWB's exam process and to clarify
28 any steps taken to ensure measurement equivalency prior to implementing those
29 changes. Concerns were raised regarding the low pass rate on the ASWB
30 Clinical Exam, which may indicate potential validity issues with the exam.

31
32 Ortega: A stakeholder suggestion for future agenda under Item 4 was
33 referenced regarding the need to create more accessible licensure pathways for
34 individuals such as DACA therapists. Requested to place this item on a future
35 agenda.

36
37 Sovec: Referred to an earlier discussion about the imbalance between the
38 number of associates progressing through the licensure process and the limited
39 availability of qualified supervisors. This shortage is a significant barrier for many
40 associates. A suggestion was made to explore the creation of a program focused
41 on the development of more supervisors within the stakeholder community. Such
42 a program could help expedite the process towards licensure.

1 **36. Public Comment for Items not on the Agenda**

2
3 Ranasinghe: Thanked Abigail Ortega for her service on the Board.

4
5 Sovec: Acknowledged the Board's strong track record in considering the needs
6 of California's diverse populations. Encouraged continued commitment to
7 Diversity, Equity, Inclusion, and Accessibility—emphasizing the importance of not
8 reducing these principles to a buzzword. Urged the Board to remain intentional in
9 using and applying each of these values as a guiding framework in program
10 development and legislative efforts moving forward.

11
12 **37. Adjournment**

13
14 The Board adjourned at 1:58 p.m.



Board of Behavioral Sciences



1625 North Market Blvd., Suite S-200
Sacramento, CA 95834
(916) 574-7830
www.bbs.ca.gov

Gavin Newsom, Governor
State of California

Business, Consumer Services and Housing Agency
Department of Consumer Affairs

BOARD MEETING MINUTES

Open sessions of this board meeting were webcasted. Click on the following links for Webcast recordings:

[Board of Behavioral Sciences Meeting - August 21, 2025](#)

[Board of Behavioral Sciences Meeting - August 22, 2025](#)

DATE

August 21, 2025

LOCATION

Newport Beach Marriott Bayview
Newport Ballroom
500 Bayview Circle
Newport Beach, CA 92660

TIME

9:00 a.m.

ATTENDEES

Members Present at Primary Location

Wendy Strack, Chair, Public Member
Dr. Nicholas (Nick) Boyd, Vice Chair, LPCC Member
Lorez, Bailey, Public Member
Susan Friedman, Public Member
Justin Huft, LMFT Member
Christopher (Chris) Jones, LEP Member
John Sovec, LMFT Member
Rebecca Thiess, Public Member
Eleanor Uribe, LCSW Member
Dr. Annette Walker, Public Member

Members Absent: Kelly Ranasinghe, Public Member

Staff Present: Steve Sodergren, Executive Officer
Marlon McManus, Assistant Executive Officer
Sabina Knight, Department of Consumer Affairs (DCA) Legal Counsel
Rachael Lanzone, Analyst

Other Attendees: Abraham M. Levy, Administrative Law Judge

Blair McGregor, Deputy Attorney General
Steven Mason, Petitioner
Scott Harris, Counsel to Steven Mason
Kelsey Lee Santos, Petitioner
Jessica Hinojosa, Petitioner
In-person public participation

OPEN SESSION

1. Call to Order and Establishment of Quorum

Wendy Strack, Chair of the Board of Behavioral Sciences (Board), called the meeting to order at 9:10 a.m. Roll was called, and a quorum was established.

Items 3-10 were taken out of order and heard after item 3.

2. Suggestions for Future Agenda Items

Boyd: Discuss how the Board can collaborate with HCAI on scholarships and loan forgiveness programs, particularly for educational psychologists; and discuss how the changes with educational funding will affect recruitment of professionals who must do additional schooling.

3. Public Comment for Items Not on the Agenda

None

Administrative Law Judge Abraham M. Levy presided over the following petition hearings. Deputy Attorney General Blair McGregor presented the facts of each case on behalf of the People of the State of California.

4. Steven Mason, AMFT 124332, Petition for Early Termination of Probation

The record was opened at 9:55 a.m., and Steven Mason was represented by attorney Scott Harris. Deputy Attorney General Blair McGregor presented the background of this case. Mason was sworn-in and was examined by McGregor regarding his request for early termination of probation and information to support the request. He was also questioned by board members. The record was closed at 11:28 a.m.

5. Jessica Hinojosa, LMFT 121817, Petition for Early Termination of Probation

The record was opened at 11:45 a.m., and Jessica Hinojosa represented herself. Deputy Attorney General Blair McGregor presented the background of this case.

1 Hinojosa was sworn-in and presented her request for early termination of
2 probation and information to support the request. She was questioned by
3 McGregor and board members. The record was closed at 12:45 p.m.
4

6 CLOSED SESSION

7
8
9 **6. Pursuant to Section 11126(c)(3) of the Government Code, the Board will**
10 **Meet in Closed Session for Discussion and to Take Action on Disciplinary**
11 **Matters, Including the Above Petitions.**

12
13 *The Board entered closed session at 2:10 p.m. and recessed at the end of closed*
14 *session.*
15

17 OPEN SESSION: *Open session items 7 through 10 were heard after item 3.*

18
19
20 **7. Consent Calendar: Possible Approval of the February 27-28, 2025 Board**
21 **Meeting Minutes**

22
23 *This item was removed from the agenda.*
24

25 **8. Workforce Development Committee Update**

26
27 The Committee discussed the following at its July 2025 meeting:
28

29 Education Survey for Educators and Associates

30 The Committee discussed the results of the education requirement surveys.
31

32 Education Requirements for Licensed Marriage and Family Therapists

33 The Committee discussed the initial review of the LMFT education
34 requirements to address confusion and inequalities created by the current
35 three pathway structure. The Committee directed staff to review LMFT
36 education in other states, as well as standards set by LMFT accrediting
37 agencies, and develop language for further consideration at the next
38 committee meeting.
39

40 Update on the Department of Health Care Services "Building a Thriving
41 Behavioral Health Workforce

42 Staff updated the Committee in the "Building a Thriving Behavioral Workforce"
43 forum that to addressed challenges in strengthening California's behavioral
44 health workforce. Key issues included complex and inequitable licensure

processes, gaps between education and real-world practice, limited access to paid training and quality supervision, evolving technology needs, fragmented stakeholder efforts, and workforce burnout.

Review of Action Plan

Staff presented an updated Workforce Goals Status Report. No action was taken.

Discussion/Public Comment: None

9. Strategic Planning Update

In September 2025, SOLID facilitated the second pre-strategic planning session with Board management to brainstorm ideas for the BBS 2026 Strategic Plan. The information generated from these sessions and from the environmental scan report will be used to facilitate the Board's strategic planning session that is planned for the beginning of 2026.

Discussion/Public Comment: None

10. Board Sunset Review Update

In July, the Board testified in front of the Assembly Business and Professions Committee. Amendments were proposed on the Board's sunset bill.

More discussion regarding the amendments to the sunset bill will take place during tomorrow's board meeting.

Discussion/Public Comment: None

11. Recess Until 9:00 a.m., Friday, August 22, 2025

The Board recessed at the conclusion of closed session at 3:29 p.m.

1 **DATE** August 22, 2025

2

3 **LOCATION** Newport Beach Marriott Bayview

4 Newport Ballroom

5 500 Bayview Circle

6 Newport Beach, CA 92660

7

8 **TIME** 9:00 a.m.

9

10 **ATTENDEES**

11 **Members Present at Primary Location**

12 Wendy Strack, Chair, Public Member

13 Dr. Nicholas (Nick) Boyd, Vice Chair, LPCC Member

14 Lorez, Bailey, Public Member

15 Susan Friedman, Public Member

16 Justin Huft, LMFT Member

17 Christopher (Chris) Jones, LEP Member

18 John Sovec, LMFT Member

19 Rebecca Thiess, Public Member

20 Eleanor Uribe, LCSW Member (*Absent: Item 27-conclusion*)

21 Dr. Annette Walker, Public Member

22

23 **Members Absent:** Kelly Ranasinghe, Public Member

24

25 **Staff Present:** Steve Sodergren, Executive Officer

26 Marlon McManus, Assistant Executive Officer

27 Christy Berger, Regulatory Manager

28 Rosanne Helms, Legislative Manage

29 Sabina Knight, DCA Legal Counsel

30 Rachael Lanzone, Budget Analyst

31 Syreeta Risso, Special Projects and Research Analyst

32 Kristy Schieldge, DCA Legal Counsel

33

34 **Other Attendees:** Lois Paff Bergen, Executive Director, AMFTRB

35 In-person public participation

36

OPEN SESSION

12. Call to Order and Establishment of Quorum

Wendy Strack, Chair of the Board, called the meeting to order at 9:02 a.m. and introduced newly appointed board member, Rebecca Thiess.

Roll was called, and a quorum was established.

Strack announced that items 20, 23, 25, 26 will not be discussed.

13. Introductions

Board members, staff, and attendees introduced themselves.

14. Board Chair Report

a. Board Member Attendance

The current fiscal year attendance report was provided.

b. Future Board Meetings

The proposed 2026 board meeting and committee meeting dates were provided.

c. Staff Recognitions

No recognitions this quarter.

15. Executive Officer Report

a. Budget Report

- The Board's budget for fiscal year (FY) 2024-25 is \$14,061,000.
- Fund Condition reflects a reserve of 19.1 months.

b. Personnel

The Board's staffing activity is as follows:

- 6 new hires/promotions
- 0 departures
- 3 vacancies

c. Licensing Report

4th Quarter Statistics:

- 3,995 licenses/registrations issued
- Population of approximately 151,854 licensees/associates as of July 29, 2025
- 2% gain in license/registration population from previous quarter
- 270 supervisor certifications received
- Population of 15,125 supervisors
- 35% more applications received from previous quarter
- Registrant application processing times decreased from 3rd quarter
- LMFT application processing times at 58 days
- LCSW application processing times increased to 58 days
- LPCC application processing times decreased to 7 days

Information provided as attachments in the meeting materials:

- BBS Population Report
- Licensing Applications Received/Processing Times
- Administration Applications Received
- Renewal Applications Received
- License Data Four Year Comparison

d. Examination Report

4th Quarter Statistics:

- 6,367 exams were administered (6.65% increase from 3rd quarter)
- 4 exam development workshops were conducted.

Staff continues to work with the Office of Professional Examination Services (OPES) on recruiting Subject Matter Experts for the various Board-administered exams.

OPES Chief, Heidi Lincer, retired in July 2025. Amy Welch-Gandy is the new OPES Chief.

A new contract for July 1, 2025 through June 20, 2030 was executed on July 28, 2025 with the Association of Social Work Boards (ASWB).

ASWB recently implemented changes to the administration format of the LCSW Clinical Examination. These changes were made to improve testing conditions for candidates and did not involve any modifications to the exam content itself. OPES conducts a formal review of ASWB's examination development and administration processes every five years. It is anticipated that during the next review cycle, ASWB will have collected sufficient data to assess the outcomes associated with the administration format change and OPES will evaluate those findings accordingly.

1 The National Clinical Mental Health Counseling Examination (NCMHCE)
2 contract through the National Board for Certified Counselors (NBCC) expired
3 on June 30, 2025. DCA's Contract Unit is working with NBCC to finalize a
4 new contract.

5
6 Information provided as attachments in the meeting materials:

- 7 • Exam Pass Rate Report
- 8 • Exam School Report 4th Quarter FY 2024-2025

9 10 **e. Enforcement Report**

11 4th Quarter Statistics:

- 12 • 686 consumer complaints received
- 13 • 257 criminal convictions
- 14 • 680 cases closed
- 15 • 37 cases referred to Attorney General's (AG) Office
- 16 • Average time to complete formal discipline: 464 days
- 17 • Average time a case is at the AG's Office: 342 days
- 18 • Average time to complete board investigations: 55 days
- 19 • 0 petitions for modifications or early termination of probation received

20
21 Information provided as an attachment in the meeting materials: Consumer
22 Complaint and Criminal Conviction Report

23 24 **f. Education and Outreach Report**

25 4th Quarter Statistics:

- 26 • Facebook and Instagram reflect an increased following
- 27 • 17 outreach events conducted.

28
29 The Outreach Event Report provided was as an attachment in the meeting
30 materials:

31 32 **g. Organizational Effectiveness Report**

33 The following progress updates/4th quarter statistics were reported:

- 34 • Staff is working with Office of Information Services (OIS) to add
- 35 registration applications online
- 36 • Consumer Information Center (CIC) handled 3,378 BBS calls.
- 37 • Staff received 30,491 emails.

38
39 Information provided as attachments in the meeting materials:

- 40 • BBS Calls Received/Handled by CIC
- 41 • BBS Emails Received

h. Strategic Plan Update

Progress updates on Strategic Plan goals were provided as an attachment:
BBS Strategic Plan Update August 2025.

Discussion

Walker: Requested to change the Education and Outreach Update to “Outreach and Education” Update.

Boyd: Suggested that staff explore ways to improve engagement with license holders and registrants, particularly at the point of registration or license renewal. It was noted that participation rates in current outreach efforts are low. One idea proposed was to leverage the BreEZe system to automatically enroll individuals into email communications or similar outreach channels at the time of registration or renewal. He requested staff to consider how existing technology, and resources could be better utilized to increase engagement rates.

Boyd: Noted that while certifications are being captured, there was a question raised about whether any consideration has been given to identifying supervisors who are currently registered and have met the necessary supervision requirements. The intent is to explore ways to make this information accessible for others who may need to verify supervisory qualifications.

Boyd: What is the audit rate of registered supervisors? How is the BBS verifying that supervisors are meeting the requirements to be an eligible supervisor?

Sodergren: Responding to Dr. Boyd, he clarified that supervisor certification is currently based on self-attestation, and staff have not conducted audits of this process to date. However, there is interest in pursuing auditing efforts moving forward. Staff will explore the possibility of adding a modifier in the BreEZe system to indicate supervisor status. In the past, there was discussion about creating a list of certified supervisors, which could be discussed by the Outreach and Education Committee. Additionally, that committee may consider further discussion on strategies to enhance engagement with licensees and registrants.

Uribe: What efforts have been made to communicate to licensees about the incentives for being a supervisor?

Sodergren: Responding to Uribe, that will be discussed at the committee level.

Sovec: Asked about the voluntary collection of demographic information, particularly how the rollout has been going, what types of data are being collected, and whether any of it is being compiled into a report.

Sodergren: Responded that the demographic information is not being pursued.

1 Sovec: Expressed a concern about not collecting the data and requested the
2 Board be more responsive to the needs of the population through gathering
3 voluntary information.
4

5 Sodergren: Demographic information is being gathered by Healthcare and
6 Access Information (HCAI) at the renewal period. HCAI has some reports and
7 will start including that information to the Board.
8

9 Sovec: Expressed concern about signing a 5-year contract with ASWB when
10 concerns with the exam have not been adequately responded to and Board
11 concerns have not been addressed.
12

13 Public Comments

14 Dr. Ben Caldwell: Emphasized the importance of examinees knowing what
15 content and format to expect on licensing exams. Concerns were raised about
16 recent changes to the ASWB clinical exam format, noting a lack of pre-testing for
17 measurement equivalency and insufficient communication to examinees. Similar
18 concerns were expressed regarding the MFT exams, specifically the lack of
19 clarity over which code of ethics is tested. It was noted that this issue has been
20 raised multiple times over the past decade, with no resolution to date. The
21 comment highlighted that examinees perceive the process as unfair and called
22 for greater attention to exam standards.
23

24 Dr. Leah Brew: The LMFT law and ethics exam pass rate was only 58% for first
25 time test takers. The pass rate typically runs between the upper 60s to lower 70s.
26 Her students only passed at 60%.
27

28 Cathy Atkins, California Association of Marriage and Family Therapists (CAMFT):

- 29 • Reported that it frequently receives inquiries from its members regarding
30 which code of ethics is used for examination purposes. CAMFT requested
31 clarification and guidance from the Board on this matter.
- 32 • Noted that both CAMFT and the American Association for Marriage and
33 Family Therapy (AAMFT) are currently in the process of revising their
34 respective codes of ethics, which adds complexity to the issue.
- 35 • Encouraged the Board to collaborate with professional associations when
36 disseminating or gathering information related to supervision
- 37 • Regarding demographic data, CAMFT recommended that the Board refer
38 to the Department of Health Care Access and Information (HCAI) as a
39 resource.
- 40 • CAMFT also conducts its own demographic survey of its membership and
41 indicated a willingness to share this data with the Board, if helpful.
42

43 Dr. Leah Brew: Noted that the American Counseling Association is also
44 changing their code of ethics in the next few years.
45

1 Dr. Jasmine Smith, National Association of Social Workers California Division
2 (NASW-CA):

- 3 • Expressed concerns regarding potential racial and cultural bias in the
4 ASWB exam, citing notably low pass rates among Black test takers,
5 individuals whose first language is not English, and older test takers.
- 6 • Agreed that there is a lack of transparency around the knowledge being
7 assessed and the overall validity of the exam.
- 8 • Expressed interest in continuing dialogue and offering support to address
9 these issues.
- 10 • While acknowledging that ASWB has made some efforts to address
11 exam-related concerns, NASW-CA noted that the emphasis on free exam
12 resources may imply that the issue lies with test preparation rather than
13 with the structure or framing of the exam questions themselves.
- 14 • Emphasized the importance of ensuring cultural responsiveness in the
15 development and administration of the exam.

16
17 **16. Department of Consumer Affairs (DCA) Report Which May Include Updates**
18 **on DCA's Administrative Services, Human Resources, Enforcement,**
19 **Information Technology, Communications and Outreach, and Legislative,**
20 **Regulatory, or Policy Matters**

21
22 Steve Sodergren presented the DCA updates:

- 23
24 • The Governor's FY 25/26 budget includes a plan to split DCA's oversight into
25 two new agencies: the California Housing and Homeless Agency and the
26 Business and Consumer Services Agency. The reorganization was enacted
27 on July 5, 2025, and will become operative July 1, 2026
- 28 • An Executive Order issued on March 3, 2025, requires state agencies to
29 increase in-office workdays from two to four per week starting July 1, 2025.
30 However, labor agreements delayed this requirement by one year for most
31 DCA employees.
- 32 • On June 9, 2025, the Department of Finance issued guidance limiting out-of-
33 state travel to essential, mission-critical business. Requests must be
34 submitted to DCA's budget office at least 8 weeks in advance.
- 35 • Board members and staff were reminded of the collective responsibility to
36 minimize the costs to the state when planning and scheduling travel,
37 especially when traveling for board business. Carpooling is highly encouraged
38 when renting vehicles.
- 39 • The Annual Report is one of DCA's major projects that is submitted to the
40 Legislature. The Director thanked the board staff for their effort and
41 contributions. This report is available on the DCA website.

42
43 Discussion/Public Comment: None
44

17. **Discussion and Possible Action to Initiate a Rulemaking to Accept the Association of Marital and Family Therapy Regulatory Boards' Marital and Family Therapy National Examination as the Clinical Exam for California Licensure as a Marriage and Family Therapist (Title 16 of the California Code of Regulations (16 CCR) §§ 1816.2 and 1829.1)**

Since the initial discussion of adopting the AMFTRB National Exam in November 2022, staff have worked with AMFTRB to address concerns regarding exam content, scope, and accessibility. The identified acceptance criteria and status of each are as follows:

1. Collaborate with AMFTRB on addressing examination content and measurement scope concerns. (Content & Scope)

The Office of Professional Examination Services (OPES) reviewed the AMFTRB National Exam and presented its findings in a closed session at the November 2022 Board meeting. OPES found that the national exam measures broad practice competencies, while California's LMFT Clinical Exam focuses on state-specific competencies.

AMFTRB is conducting a Job Task Analysis with significant input from California LMFTs. AMFTRB noted that national trends are increasingly aligning with California's practices, which may influence future exam content and scope. AMFTRB also plans to incorporate items from California's LMFT Clinical Exam to support content alignment

2. Collaborate with AMFTRB on addressing accessibility for testing candidates to ensure exam candidates are not adversely affected by the transition to the AMFTRB National Exam. (Accessibility)

AMFTRB is actively exploring options to expand exam availability, including both frequency and capacity, to meet California's candidate volume.

3. Work with DCA's Office of Information Services to ensure an automated system is in place for transferring national examination eligibilities and test scores. (System Changes)

Initiating system changes will require the Board to adopt the AMFTRB National Exam by approving the necessary regulatory language.

4. Pursue the statute and regulatory amendments necessary to accept the AMFTRB National Exam for licensure.

The statutory amendments were approved by the Board at the September 2024 meeting and are currently included in the Board's sunset bill, SB 775.

Implementation Timeline

- Staff estimate full implementation of the AMFTRB National Exam will take 12–18 months after Board approval of the regulatory language.
- Key transition steps have been identified, but substantive work cannot begin until the Board confirms its intent to adopt the exam.
- Implementation activities will include completing the rulemaking process, preparing systems for transferring exam eligibilities and scores, and working with stakeholders to establish clear administrative procedures.
- Once approved, staff will coordinate with AMFTRB, provide regular updates to the Board, and continue efforts toward final adoption.
- The proposal allows continued use of the Board-administered exam through December 31, 2026, with full transition to the AMFTRB exam effective January 1, 2027.

Discussion

Lois Paff Bergen, Executive Director of AMFTRB: Noted that AMFTRB is revising its code of ethics. AMFTRB is waiting for the Board's final vote to adopt the AMFTRB exam before proceeding with in-person meetings and planning the transition. Transition planning will focus on ensuring exam content and measurement alignment, as well as addressing accessibility—both in terms of physical access to the exam and statewide availability across California.

Sodergren: If any concerns are raised, it can be discussed in future discussions when approving regulatory language.

Boyd: Expressed concern regarding accessibility as it deviates from California's current offering. What will be the frequency of contact with the Board to ensure there will not be disruptions to the implementation?

Sodergren: If this is approved, staff will work with AMFTRB over the next year or more. If accessibility becomes a concern, the Board could look at the regulation and extend it or not approve the regulation.

Knight: Clarified that if language is approved today, it's not the last time the Board can address it. There will opportunities for change.

Huft: Expressed concerns with transparency on pass rates and racial disparities. Expressed concerns regarding exam vendors in California and whether the Board will have oversight determining if the vendors are meeting its needs. Expressed concerns regarding the extent to which exam content will be updated and how much oversight the Board will have in the content. Board has previously requested exam data and has not received it to date.

1 Walker: Requested clearer reassurances regarding consumer protection. Noted
2 that the goal of adopting the AMFTRB exam is to reduce administrative barriers
3 for licensees and ease the Board's administrative demands, while maintaining
4 strong consumer protections. Raised concerns about the vagueness of this
5 language and how it translates to actual consumer benefits. Questioned how
6 consumer needs are being addressed and whether consumer voices have been
7 included in the process over the years.

8
9 Sovec: Following OPES's findings presented in November 2022, the Board
10 raised specific concerns. The Board has not yet received responses to a series
11 of follow-up questions submitted after that meeting.

12
13 Strack: Requested a closed session item for the November meeting to address
14 the Board's concerns/questions with AMFTRB staff.

15
16 Further discussion took place about whether to take action or table this item until
17 November.

18
19 Schieldge: Explained that the proposed January 1, 2027 implementation date
20 allows time for the regulation to become effective (approximately one year) and
21 for necessary implementation steps. The Board was asked to consider whether it
22 is comfortable with this timeline or would prefer to adjust it, especially considering
23 additional information expected at the November meeting

24
25 Walker: Asked if the Board tabled this item to November, would it affect the
26 timeline, especially if comments are received, which would have to be brought to
27 the following Board meeting.

28
29 Berger: In response to Walker's question, it was noted that the timeline could
30 potentially be affected. If comments are received, they would have to be brought
31 to the following board meeting. The agency is required to review the regulations.
32 With the upcoming agency reorganization, it is currently unclear how or if this
33 reorganization will impact their regulatory review.

34
35 Walker: Requested to involve more voices in this process and requested that
36 staff reach out to consumers and stakeholders to attend the November meeting.

37
38 Huft: It was noted that in February 2024, the Board received a confidential
39 packet during closed session, outlining several concerns that could be of interest
40 to stakeholders. Requested for clear and direct responses to each of the issues
41 identified in that packet during the November meeting. Meaningful progress may
42 be difficult until these concerns are fully addressed.

43
44 Public Comment

45 Dr. Ben Caldwell:

- While expressing general concerns about clinical exams, voiced support for the transition to the AMFTRB exam.
- Noted that the AMFTRB exam offers improvements over the California exam, particularly in collecting demographic data and identifying potential bias.
- Acknowledged concerns about differences between California and national standards but emphasized the importance of consistency, as national exams are already used for other professions
- Encouraged the Board to use its influence to ensure AMFTRB meets testing standards, publishes pass rate data disaggregated by various demographic factors, and evaluates its exam for differential item functioning and differential test functioning.
- Supported moving the regulatory language forward, with flexibility to adjust the timeline if needed.

Cathy Atkins, CAMFT:

- CAMFT strongly supports the transition to the AMFTRB exam and urged the Board to vote to move it forward.
- Noted that California is the only state not using the national exam, which negatively impacts license portability, job access, and federal employment opportunities for California MFTs.
- Stated that BBS staff have structured the process to allow the Board to move forward while continuing to gather data, with the option to pause if needed.
- Emphasized that AMFTRB may be less likely to invest in improvements without a clear commitment from the Board.
- Acknowledged the exam is not perfect but believes it is a better option than the current California exam.
- Highlighted AMFTRB's efforts to address exam bias and improve access.
- Urged the Board to take action on behalf of the 39,000 MFTs represented by CAMFT.

Motion: Approve the proposed regulatory text as presented in Attachment A and submit the approved text to the Director of the Department of Consumer Affairs and the Business, Consumer Services, and Housing Agency for review, and if no adverse comments are received, authorize the Executive Officer to take all steps necessary to initiate the rulemaking process, make any non-substantive changes to the text and the package, and set the matter for a hearing if requested. If after the 45-day public comment period, no adverse comments are received and no public hearing is requested, authorize the Executive Officer to take all steps necessary to complete the rulemaking, and adopt the proposed regulations as noticed for Title 16, California Code of Regulations sections 1816.2 and 1829.1.

M/S: Bailey/Huft

Public Comment: None

1 Vote: Yea 10; Nay 0, Absent 1. Motion carried.

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

2
3
4 **18. Discussion and Possible Action to Initiate a Rulemaking to Amend the**
5 **Board's Experience Requirements for Licensed Educational Psychologists**
6 **(16 CCR § 1856)**

7
8 Staff presented potential amendments to the Board's regulations that specify
9 experience requirements for LEP applicants. Staff also requested the Board
10 initiate rulemaking after related statutory changes are enacted. Previous
11 discussions took place in January and August 2024, and July 2025 at the Policy
12 and Advocacy Committee meetings. Since that time, previously discussed
13 statutory changes have been included in SB 775, which is currently pending
14 legislative review.

15
16 The proposed regulation amendments if SB 775 is enacted were provided as
17 Attachment A in the meeting materials. Proposed statutory amendments to LEP
18 licensure requirements currently pending via SB 775 were provided as
19 Attachment B.

20
21 Requirements for LEP licensure:

- 22
- 60 semester hours of postgraduate work in pupil personnel services; and
 - Two years of full-time or equivalent experience as a credentialed school psychologist; and
 - One of the following:
 - One year of supervised professional experience in an accredited school psychology program; or
 - One additional year of full-time or equivalent experience as a credentialed school psychologist in the public school under the direction on an LEP.
- 23
24
25
26
27
28
29
30
31

32 Pending Statutory Amendments (Attachment B): BPC § 4989.20 via SB 775

1 a. Specifying Experience Requirements in Greater Detail

- 2 • Replace the current measurement of experience in “years” to instead be
3 measured in “school terms.”
- 4 • Provide a definition of “full time” and “equivalent to full time.”
- 5 • Specifying that all required experience as a credentialed school
6 psychologist be gained over a period of at least one or two school terms.
- 7 • Clarifying that supervised professional experience in an accredited school
8 psychology program must be 1,200 hours.
- 9 • Clarifies that for California credential holders, the one school term of
10 additional experience must be under the direction of a LEP with a
11 California license.

12
13 b. Clarifying Requirements for In-State Versus Out-of-State School
14 Psychologists

15 Specifies that if the required two school terms of experience as a credentialed
16 school psychologist was not gained with a California credential in a school
17 located in California, that an additional one school term of experience must be
18 gained with a California credential in a school located in California and under
19 the direction of a California-licensed LEP.

20
21 c. Adding an Age Limit to a Passing Score on the LEP Exam
22

23 Proposed Amendments to Regulation (16 CCR §1856) (Attachment A)

24 The following proposed changes to LEP experience requirements in 16 CCR
25 §1856 will be run after related statutory changes are enacted into law.
26

27 1. Strike language that would be covered by statute as follows:

- 28 • Delete subsection (a) which specifies that no more than one year of
29 experience will be granted for any 12-month period.
- 30 • Delete subsection (b) which specifies requirements pertaining to part-time
31 experience.
32

33 2. Specify documentation required for experience gained in a private or
34 parochial school (subsection (a)):
35

36 Proposed language would require a supervisor or authorized school
37 representative to certify, under penalty of perjury, that the applicant performed
38 the full range of school psychologist duties as defined by the Commission on
39 Teacher Credentialing (CTC) regulations in Title 5, CCR § 80049.1(a)(3).
40

41 3. Specify documentation required for experience gained while employed by a
42 temporary employment agency (subsection (b)):

1 Proposed language would require a supervisor or authorized school
2 representative to certify, under penalty of perjury, that the applicant performed
3 the full range of school psychologist duties as defined by the CTC regulations
4 in Title 5, CCR § 80049.1(a)(3).
5

- 6 4. Specify the documentation of experience required to be submitted by
7 applicants:
8

9 The proposal adds subsections (c), (d), and (e) to specify the minimum
10 documentation needed to verify completion of experience required for
11 licensure.
12

- 13 5. Specify additional requirements for experience gained under the direction of
14 an LEP:

- 15 • Subsection (e)(1) defines “under the direction of” and “supervision” to
16 clarify expectations.
- 17 • Subsection (e)(2) requires supervisors to hold a current, active, and
18 unrestricted California LEP license and prohibits specified conflicts of
19 interest.
- 20 • Subsection (e)(3) would require the supervisor to be competent in the
21 areas of practice and techniques being supervised and would provide a
22 definition for “competent.”
23

24 Discussion/Comment

25 Jones: Comfortable with the proposed amendments as it will increase
26 accountability for LEPs and will ensure safety, specifically from applicants that
27 come from out-of-state.
28

29 Motion: Approve the proposed regulatory text as presented in Attachment A, and
30 submit the approved text to the Director of the Department of Consumer Affairs
31 and the Business, Consumer Services, and Housing Agency for review, and if no
32 adverse comments are received, authorize the Executive Officer to take all steps
33 necessary to initiate the rulemaking process, make any non-substantive changes
34 to the text and the package, and set the matter for a hearing if requested. If after
35 the 45-day public comment period, no adverse comments are received and no
36 public hearing is requested, authorize the Executive Officer to take all steps
37 necessary to complete the rulemaking, and adopt the proposed regulations as
38 noticed for Title 16, California Code of Regulations section 1856.
39

40 M/S: Jones/Walker
41

42 Public Comment: None
43

44 Vote: Yea 10; Nay 0, Absent 1. Motion carried.

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

19. Discussion and Consideration of:

a. Comments Received on Modified Text During the 15-Day Public Comment Period and Proposed Responses Thereto for the Board's Rulemaking to Amend 16 CCR § 1811 (Advertising Regulations)

b. Adoption of Amendments to 16 CCR § Section 1811 (Advertising Regulations)

a. Comments Received on Modified Text During the 15-Day Public Comment Period and Proposed Responses Thereto for the Board's Rulemaking to Amend 16 CCR § 1811 (Advertising Regulations)

The Board received one written comment during the public comment period to the advertising regulations. The written comment was read aloud and provided as Attachment C in the meeting materials.

The written comment was submitted by Shanti Ezrine, State Government Affairs Associate and Cathy Atkins, Deputy Executive Director on behalf of the California Association of Marriage and Family Therapists (CAMFT).

To summarize, CAMFT expressed concern about requiring licensees to include their middle name and/or suffix, in advertisements. They argued that omitting the middle name does not mislead the public, especially since license numbers are already required and verifiable. They noted practical challenges, confusion among licensees, and potential costs related to implementation and enforcement. CAMFT requested clarification on whether the middle name is essential for consumer protection and asked about penalties for unintentional omissions.

Recommended Response to Comment: The Board accepted this comment and proposed the following amendment to subsection (a)(1), which was provided as Attachment A in the meeting materials.

(1) The ~~full name (First Name, and Last Name, and any Middle Name and/or Suffix)~~ of the licensee, or registrant, ~~or registered referral~~

Discussion

Schildge: Believes that removing the existing requirement for licensees and registrants to disclose their full names in advertising and replace it with a requirement to disclose only the first and last name is problematic.

- Cited the First Amendment limitations on regulating speech and referenced the Bonnie Moore v. California State Board of Accountancy case, which held that only potentially misleading terms may be restricted.
- Requiring the full name helps prevent public confusion, especially when aliases are used, and that removing this requirement could risk noncompliance with BPC section 651. Attachment B, subsection G, was referenced to support this point.
- Recommended that if the Board accepts the staff's recommendation to remove the full name requirement, it should consider making further edits to subsection G to require that licensees using a nickname or former legal name also include their full name as filed with the Board in the same advertisement to avoid public confusion.

Sovec: Noted that a licensee or associate's full name appears on the Board's license verification page, even when searched using only the first and last name.

Helms: Confirmed Mr. Sovec's observation is correct. When multiple licensees or associates share the same first and last name, advertisements must also include the license or registration number to ensure accurate identification.

Public Comments

Cathy Atkins, CAMFT: While CAMFT defers to the Board and its counsel, they emphasized the practical concerns and thanked the Board for considering their input.

Dr. Ben Caldwell: Reiterated Mr. Sovec's point, stating that if a licensee is listed with the Board as "Benjamin Everett Caldwell," using "Benjamin Caldwell" or "Ben Caldwell" in advertising—along with the required license type and number—should not cause public confusion.

Dr. Jasmine Smith, NASW-CA: Agreed with Dr. Caldwell's comment. Noted that although many individuals share her name, entering her license number on the Board's license verification page accurately brings up her information.

Sierra Smith, Open Paths Counseling Center: Noted that she did not have a middle name until she was married.

Motion: Option No. 1: Direct staff to proceed as recommended as specified and provide the responses to the comment as indicated in the staff recommended responses.

M/S: Huft/Friedman

Vote: Yea 10; Nay 0, Absent 1. Motion carried.

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

b. Adoption of Amendments to CCR, Title 16, Section 1811

Staff recommended that the Board review the proposed regulatory text shown provided in Attachment A of the meeting materials and consider whether to approve it as written, or to suggest changes to the proposed modified text.

Motion: 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.

M/S: Huft/Friedman

Public Comment: None

Vote: Yea 10; Nay 0, Absent 1. Motion carried.

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

20. Discussion and Consideration of Amendments to Title 16, California Code of Regulations Section 1815.5 (Telehealth Regulations)

This item was removed from the agenda.

21. Discussion and Possible Action Regarding Restructuring the Pathway to Licensure for Licensed Marriage and Family Therapists, Licensed Clinical Social Workers, and Licensed Professional Clinical Counselors (Business and Professions Code (BPC) §§4980.397, 4980.398, 4980.399, 4980.40, 4980.41, 4980.43, 4980.50, 4984.01, 4984.7, 4984.72, 4989.20, 4989.68, 4992.05, 4992.07, 4992.09, 4992.1, 4996.1, 4996.3, 4996.4, 4996.23, 4996.28, 4999.46, 4999.46.1, 4999.50, 4999.52, 4999.53, 4999.55, 4999.64, 4999.100, 4999.120)

At previous meetings, the Workforce Development Committee considered several potential modifications to the licensure process aimed at reducing barriers to entry.

The Board's licensing and examination statutes are complex, and any amendments must be carefully evaluated to prevent unintended consequences and ensure effective implementation. Staff recommends a phased approach to implementing changes to the licensure and examination process.

- Phase I would involve amendments to the licensing and examination framework.
- Phase II would implement the transition to the Association of Marital and Family Therapy Regulatory Boards (AMFTRB) national exam as the clinical exam for Licensed Marriage and Family Therapists (LMFTs).
- Phase III would adjust the timing of the Board's clinical examinations to allow candidates to take those exams earlier in the licensure process.

Discussion focused on Phase 1 changes provided as Attachments A-1 through A-4 in the meeting materials.

Phase I: General Licensing Process Changes: LMFT, LCSW and LPCC

The following changes are proposed to take place in Phase I and have been drafted into the LMFT, LCSW, and LPCC practice acts.

a. Timing of the California Law and Ethics Exam

Under the proposal, associates would take the Law and Ethics Exam when ready, rather than annually for registration renewal. Passing the exam would still be required before a subsequent registration number is issued and before becoming eligible for the clinical exam. This change aims to prevent renewal delays if the exam is missed in a given year.

b. Age Limit for the California Law and Ethics Exam

The proposal places an age limit of 7 years on a passing score for the California Law and Ethics Exam.

c. Change in Registration Number Length and Time Supervised Experience Hours Valid

The proposal extends the extend the validity of registration numbers and supervised experience hours from 6 years to 7 years.

d. Add an Exception to the Prohibition on Working in a Private Practice with a Subsequent Registration Number

Under the proposal, the law would continue to prohibit associates with a subsequent associate registration number from working for a private practice or professional corporation. However, it would allow a one-time, two-year hardship extension for associates with a subsequent registration number to work in these settings.

e. Technical Clean-Up Changes

The proposal makes minor, technical clean-up changes:

- Deleting outdated exam transition and rescoring provisions
- Removing the 7-year retake requirement for the law and ethics exam
- Clarifying acceptance of early clinical exam scores from other states
- Removing repetitive language in statute
- Clarifying when eligibility is granted for the law and ethics exam

Phase I for LEPs

The following changes are proposed to take place in Phase I for LEPs:

- This proposal extends the time limit on qualifying experience hours to 7 years.
- Technical clean-up to delete outdated exam rescoring fee.

Need for Regulations

If the proposed statutory amendments are successfully adopted, corresponding regulatory changes will be required to ensure consistency with the statute.

Committee Discussion

Workforce Development Committee, April 2025: This committee reviewed the draft LMFT practice act language and directed staff to make revisions. The Committee also requested draft language for the LCSW and LPCC practice acts, and limited amendments for the LEP practice act, to be presented at the next Policy and Advocacy Committee meeting.

Policy and Advocacy Committee, July 2025: This committee reviewed the proposal and directed staff to make clarifying revisions to the exception to the prohibition on working in a private practice with a subsequent registration number in BPC §§4984.01(e), 4996.28(d), and 4999.100(e) as follows:

- Clarify it is a one-time extension;
- Clarify that work for the employer must not begin or continue until the Board approves the extension; and
- Clarify that applicants must specify the date the extension is needed to begin or continue work.

The committee directed staff to bring the revised proposal to the Board for consideration as a legislative proposal.

Discussion

Boyd: Asked how “hardship” would be defined.

Helms: Staff will take a lenient approach when evaluating hardship extension requests. “Good cause” may include medical leave, family caregiving, difficulty finding employment, or other circumstances beyond the applicant’s control. Staff will develop an FAQ to provide guidance.

Procedural questions were asked during the discussion. Staff provided responses and confirmed that an FAQ will be developed to address common questions and provide guidance.

1 Public Comment

2 Dr. Leah Brew: Expressed concern about maintaining continuity of care for
3 clients during the turnaround time for processing extension requests, and asked
4 whether there is a way to expedite the processing of the requests?

5
6 Sodergren: Currently, subsequent registrations requests are prioritized to
7 support continuity of care. It is expected that extension requests will be
8 processed even faster than subsequent registrations.

9
10 Sierra Smith:

- 11 • Noted the ongoing challenges nonprofit community mental health centers
12 face in hiring associates due to limited funding and lack of a sustainable
13 revenue stream.
- 14 • Noted that many nonprofits cannot bill Medi-Cal unless providing specialty
15 mental health services, making it difficult to employ associates for general
16 mental health care.
- 17 • Expressed support for allowing associates to gain hours in private
18 practice, given the current financial constraints in the nonprofit sector.

19
20 Dr. Jasmine Smith, NASW-CA:

- 21 • Asked if BBS will be sharing processing times for subsequent registration
22 approvals so the public will know how long it is taking to approve those.
- 23 • Acknowledged concerns about exploitation in private practice but noted
24 that similar concerns exist in agencies and government organizations due
25 to limited staffing, particularly a shortage of LCSWs for supervision.
- 26 • Mentioned that organizations like Motivo are hiring LCSWs to provide
27 supervision where agencies cannot.
- 28 • Noted that private practices may offer better supervision, higher income,
29 and lower caseloads, which can improve client care.

30
31 Motion: Direct staff to make any discussed changes to BPC Sections 4984.01,
32 4996.28, 4999.100 and any non-substantive changes to the language, and to
33 pursue as a legislative proposal.

34
35 M/S: Strack/Uribe

36
37 Public Comment: None

38
39 Vote: Yea 10; Nay 0, Absent 1. Motion carried.

Member	Vote
Lorez Bailey	Y
Dr. Nick Boyd	Y
Susan Friedman	Y
Justin Huft	Y
Christopher Jones	Y

Kelly Ranasinghe	absent
John Sovec	Y
Wendy Strack	Y
Rebecca Thiess	Y
Eleanor Uribe	Y
Annette Walker	Y

22. Discussion and Possible Action Regarding Statutory Amendments Related to the Practice of Pastoral Counseling (Amend BPC §§4980.01, 4996.13, 4999.22)

At the January 2023 Licensing Committee meeting, the topic of pastoral counseling was discussed with the intent to propose clarifying the exemption language in the Board's practice acts. Staff presented examples of exemption laws from other states that offer clearer guidance for individuals operating in religious or faith-based roles.

Staff collaborated with Subject Matter Experts (SMEs) to conduct further research. This included a review of pastoral counseling practices in comparison to those used in mental health professions. Staff also compiled and cited relevant materials on the subject.

Given the religious and cultural diversity across the United States, staff and SMEs expanded their review to include additional exemption laws from other states. The findings were presented at the Policy and Advocacy Committee meeting in January 2025.

Exemption laws in the states of Texas, Florida, and Arizona were provided in the meeting materials as Attachment B. Research findings of additional exemption laws in other states were provided as Attachment C.

Staff began drafting amendments to statute, using Business and Professions Code section 4996.13 as the foundational model due to its more comprehensive and detailed language compared to the other practice acts.

In consultation with SMEs and legal counsel, it was determined that the amendments should focus on faith-based counseling rather than pastoral counseling. The proposed language aims to establish clear criteria to distinguish faith-based counseling from clinical mental health counseling. Key differentiating factors include:

- Services are performed are under the direct auspices of a recognized faith-based entity (e.g., church, synagogue, mosque, or other recognized religious organization);
- No fees are charged or received beyond the religious official's compensation from the faith-based entity;

- Individuals do not claim or imply to be licensed or registered to practice clinical social work, and they do not hold themselves out to the public by any title or description of services incorporating the words psychosocial, psychotherapy, or clinical social worker; and
- Services are limited to counseling in a religious or spiritual context and do not involve the diagnosis or treatment of mental health disorders.

The proposed amendments for the three license types were presented before the Policy and Advocacy Committee in July 2025. The Committee directed staff to revise the proposed language.

The revisions to the proposed amendments were provided in the meeting materials as Attachments A-1 through A-3.

Discussion: None

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

M/S: Boyd/Strack

Public Comment

Cathy Atkins, CAMFT: Expressed appreciation for the inclusion of the word “psychotherapy.”

Vote: Yea 9; Nay 0, Abstention 1, Absent 1. Motion carried.

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

23. Discussion and Possible Action Regarding Assembly Bill 489 (Bonta) Health Care Professions: Deceptive Terms or Letters: Artificial Intelligence

This item was removed from the agenda.

1 **24. Discussion and Possible Action Regarding Assembly Bill 742 (Elhawary)**
2 **Department of Consumer Affairs: Licensing: Applicants who are the**
3 **Descendants of Slaves**
4

5 AB 742 would require boards within DCA to expedite applicants seeking
6 licensure if they are certified by the State Bureau for Descendants of American
7 Slavery as a descendant of American slaves.
8

9 This bill provides that this requirement becomes effective only if the companion
10 bill, SB 518, is enacted. SB 518 proposes the establishment of the Bureau for
11 Descendants of American Slavery. The effective date would commence once
12 that bureau implements a process to certify Descendants of American Slavery.
13

14 AB 742 includes a sunset date of four years from the operative date, or until
15 January 1, 2032, whichever occurs first.
16

17 At its May 2025 meeting, the Board adopted a support position on AB 742. Since
18 that time, the bill undergone substantive amendments. The primary amendment
19 clarifies that boards under DCA are required to expedite licensure applications
20 for descendants of slaves.
21

22 Discussion

23 Thiess: Asked for distinction between expedite and prioritize.
24

25 Helms: The Medical Board uses the term “priority review status”. The term
26 “expedite” is consistent with BBS’ current practice.
27

28 Motion: Support AB 742.
29

30 M/S: Huft/Walker
31

32 Public Comment
33

34 Sierra Smith: Expressed support for AB 742. Noted that if the bill is enacted,
35 outreach to registrants will be important to ensure they are informed that state
36 certification is required in order to qualify for the expedited application process.
37

38 Vote: Yea 10; Nay 0, Absent 1. Motion carried.

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

John Sovec	Y
Wendy Strack	Y
Rebecca Thiess	Y
Eleanor Uribe	Y
Annette Walker	Y

25. Discussion and Possible Action Regarding Senate Bill 497 (Wiener) Legally Protected Health Care Activity

This item was removed from the agenda.

26. Discussion and Possible Action Regarding Senate Bill 641 (Ashby) Department of Consumer Affairs and Department of Real Estate: States of Emergency: Waivers and Exemptions

This item was removed from the agenda.

27. Discussion and Possible Action Regarding Senate Bill 744 (Cabaldon) Accrediting Agencies

SB 744 safeguards California's higher education institutions, financial aid eligibility, and licensure pathways from potential federal disruptions by providing that any national or regional accrediting agency that was recognized by the U.S. Department of Education (USDE) as of January 1, 2025, will retain recognition under California law through January 20, 2029, provided it continues to operate in substantially the same manner.

Author's Intent

The author's fact sheet expresses concern over recent federal actions, including Executive Order #14279 and a May 1, 2025 memo from the U.S. Department of Education, which direct accreditors to eliminate diversity, equity, and inclusion (DEI) standards and threaten accreditation for institutions that maintain such initiatives. The author notes that California statutes often rely on federal recognition of accrediting bodies for eligibility in financial aid and licensure pathways. The bill aims to address the risk that federal pressure on accreditors could unjustly impact California institutions, potentially making them ineligible for state programs and services.

Background

The Board relies on degrees and coursework from institutions accredited by agencies recognized by USDE. If federal actions result in the loss of USDE-recognized accreditation, it could create significant challenges for the Board. This bill establishes a contingency plan to mitigate resulting challenges.

1 Measuring Compliance

2 In its July 8, 2025 analysis, the Assembly Committee on Higher Education raised
3 a policy question regarding whether the state would be responsible for ensuring
4 that educational institutions continue to operate in a substantially similar manner
5 if the bill is triggered by federal action. The appropriate mechanism to address
6 this concern has yet to be determined.

7
8 Motion: Support SB 744.

9
10 M/S: Walker/Jones

11
12 Public Comment: None

13
14 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	Y
Kelly Ranasinghe	absent
John Sovec	Y
Wendy Strack	Y
Rebecca Thiess	Y
Eleanor Uribe	absent
Annette Walker	Y

15
16 **28. Discussion and Possible Action Regarding Senate Bill 775 Amendments**
17 **(Board of Psychology and Board of Behavioral Sciences) (Ashby) (BPC §§:**
18 **25, 28, 29, 4980.11, 4990, 4996.16.1, and 4999.23)**

19
20 SB 775 is the Board's sunset bill. The bill proposes to extend the Board's sunset
21 date until January 1, 2030. At its May 2025 meeting, the Board adopted a
22 support position on that provision of the bill.

23
24 The Board is also sponsoring several amendments in SB 775 related to its
25 practice acts. One of these amendments proposes extending the sunset date of
26 the temporary practice allowance from January 1, 2026 until January 1, 2030.

27
28 As part of the Board's 2025 sunset review, the Senate Committee on Business,
29 Professions and Economic Development, and the Assembly Committee on
30 Business and Professions requested an additional amendment be added to the
31 temporary practice allowance statute in SB 775 (BPC §§ 4980.11, 4996.16.1,
32 and 4999.23). The following amendment would strengthen accountability of the
33 out-of-state licensee providing services to a client temporarily located in
34 California, by requiring them to submit a signed statement, under penalty of

1 perjury, acknowledging the Board's jurisdiction and agreeing to comply with
2 California law:

3
4 (c) A person who provides services pursuant to this section ~~is deemed to~~
5 ~~have agreed to practicing under~~ *shall submit a signed statement, under*
6 *penalty of perjury, acknowledging that they are subject to* the jurisdiction of
7 the board and *agreeing* to be bound by the laws of this state.
8

9 At its July 2025 meeting, the Policy and Advocacy Committee reviewed the
10 proposed amendments to BPC §§4980.11(c), 4996.16.1(c), and 4999.23(c), and
11 recommended that the Board adopt a support position on the amendments.
12

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

15 Additional Amendments

16 Since the July 2025 Policy and Advocacy Committee meeting, the Senate
17 Business and Professions Committee has proposed additional amendments to
18 three sections of the Business and Professions Code (BPC) related to the Board.
19 The proposed amendments would relocate the provisions from general BPC
20 sections into each licensing board's specific administrative statutes.
21

- 22 • BPC §25 – Requires training in human sexuality for applicants and new
23 licensees with this Board or the Board of Psychology.
- 24
25 • BPC §28 – Mandates this Board and the Board of Psychology to establish
26 required training for its applicants in child abuse assessment and
27 reporting, and encourages both boards to require coursework in elder and
28 dependent adult abuse assessment and reporting.
- 29
30 • BPC §29 – Requires this Board and the Board of Psychology to consider
31 adopting continuing education requirements for its licensees in chemical
32 dependency and early intervention.
33

34 The proposed amendments will be incorporated into three newly created
35 sections: BPC §§ 4990.26.1, 4990.26.2, and 4990.26.3. The intent is to preserve
36 existing law without making substantive changes. Upon reviewing the draft
37 language, staff identified the need for technical revisions to ensure the timing of
38 the Board's licensure requirements remains consistent. Staff will continue to
39 provide technical assistance as the amendments move forward.
40

41 Motion: Support on SB 775 amendments, and direct staff to continue working
42 with the Senate Business and Professions Committee on the additional
43 amendments they are pursuing to BPC §§4990.26.1, 4990.26.2, and 4990.26.3.
44

45 M/S: Strack/Huft
46

1 Public Comment

2 Dr. Ben Caldwell: Asked about the first proposed amendment, specifically what it
3 would mean on a practical level for the out-of-state practitioner to be subject to
4 the jurisdiction of the Board. Noted that such individuals would not hold a
5 California license or registration, raising questions about the Board's ability to
6 enforce disciplinary action.

7
8 Helms: Explained that out-of-state practitioners would be required to comply with
9 California laws. If they fail to do so, they could be subject to enforcement for
10 unlicensed practice and may be fined. Helms acknowledged that the Board's
11 jurisdiction in these cases is limited, which highlights one of the challenges
12 associated with temporary practice allowances.

13
14 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	Y
Kelly Ranasinghe	absent
John Sovec	Y
Wendy Strack	Y
Rebecca Thiess	Y
Eleanor Uribe	absent
Annette Walker	Y

15
16 **29. Update on Board-Sponsored and Board-Monitored Legislation**

17
18 The following bills were highlighted:

19
20 **Board-Sponsored Legislation**

21 SB 775 (Ashby) Board of Psychology and Board of Behavioral Sciences: This
22 bill is currently in the Assembly Appropriations Committee.

23
24 **Board-Supported Legislation**

- 25 • AB 742 (Elhawary) Department of Consumer Affairs: Licensing: Applicants
26 who are Descendants of Slaves: This bill is in the Senate Appropriations
27 Committee.
28
29 • AB 489 (Bonta) Health Care Professions: Deceptive Terms or Letters: Artificial
30 Intelligence: This bill is in the Senate Appropriations Committee.
31

- SB 579 (Padilla) Mental Health and Artificial Intelligence Working Group: This is a 2-year bill.

Board-Opposed Legislation

AB 427 (Jackson) Social Workers: Interstate Compact: This is a 2-year bill.

The full update was provided in the meeting materials.

30. Update on Board Rulemaking Proposals

Disciplinary Guidelines

Status: In the final phase and is close to being submitted to Office of Administrative Law (OAL) for its final review.

Telehealth

Status: Approved by OAL and will go into effect January 1, 2026.

Continuing Education

Status: Submitted for DCA Production Phase Review April 8, 2025; Staff Working on Requested Edits to Documents

Advertising

Status: Comment Period Ended July 1, 2025; Comments to be Reviewed by the Board at August 2025 Meeting

English as a Second Language: Additional Examination Time

Status: In preparation for DCA Production Phase Review

Fee Reductions

Status: Submitted for DCA Production Phase Review

Discussion/Public Comment: None

31. Suggestions for Future Agenda Items

Boyd: Requested discussion on the following topics:

- Requested continuing education audit rates on supervisors and license holders in the EO Report.
- Request to discuss a legislative proposal for the Board to pursue adding an additional LPCC member.

Dr. Jasmine Smith, NASW-CA: Requested discussion on the following topics:

- Licensure Readiness Survey: Proposal for the Board to consider developing a survey targeting LCSWs, ASWs, educators, and MSW students to assess perceptions of readiness for licensure and clinical practice.
- Transparency in Registration Data: Interest in increasing transparency around subsequent ASW registration numbers, in addition to how data is shared for initial ASW applications.
- Title Protection for Social Workers: Although previous legislative efforts have not been successful, there is interest in re-engaging the conversation around title protection for the social work profession.
- Exam Disparities
- Federal Legislation – Senior Access to Mental Health Services: Monitoring a federal bill that would expand access to mental health services for seniors and individuals with chronic illnesses by LCSWs to bill for services in skilled nursing facilities and for health and behavioral assessments.
- Concerns Regarding Online Therapy Platforms: Interest in examining the services provided by organizations such as BetterHelp.

Sierra Smith: A request was made for the Board to take a stronger stance in support of an initiative addressing Medi-Cal reimbursement barriers for nonprofit counseling centers. Currently, 501(c)(3) nonprofit agencies employing BBS-licensed therapists are unable to receive Medi-Cal reimbursement for services provided, despite therapists being licensed and qualified.

32. Public Comment for Items not on the Agenda

Jones: Reported that John Sovec will be a keynote speaker for LGBTQ+ at the California Association of School Psychologists convention in October.

Cathy Atkins, CAMFT: Expressed appreciation to the Board for moving forward with the AMFTRB national exam.

Dr. Jasmine Smith, NASW-CA: Expressed appreciation for the Board's support in reducing barriers to licensure. NASW-CA will hold its annual conference November 14-15 in Irvine.

Nick McCarthy, LMFT: Recommends and requests the reinstatement of the oral examination as an essential component of the licensure process.

Kelly Michael Kilcoin: Endorses reinstatement of the oral examination.

Dr. Jasmine Smith, NASW-CA: In light of ongoing discussions around bias and the importance of cultural humility and responsiveness, it was emphasized that these considerations must remain central in the development of any standardized examination—whether written or oral.

1 **33. Adjournment**

2

3 The Board adjourned at 1:25 p.m.