Board of Behavioral Sciences

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Gavin Newsom, Governor, State of California | Business and Consumer Services Agency | Department of Consumer Affairs

MEMORANDUM

DATE	November 6, 2026
TO	California Board of Behavioral Sciences
FROM	Rosanne Helms, Legislative Manager
SUBJECT	Discussion of Amendments to Address Accreditation Candidacy and Approval of Schools by the Bureau for Private Postsecondary Education

Overview

Under the Board's statutes, applicants for licensure as a marriage and family therapist (LMFT) or professional clinical counselor (LPCC) must obtain a degree from a school, college or university that is either unconditionally approved by the Bureau for Private Postsecondary Education (BPPE), or that is accredited by a regional or national institutional accrediting agency that is recognized by the United States Department of Education[1]. Applicants for licensure as a clinical social worker (LCSW) must obtain a degree from a school that is accredited by the Commission on Accreditation of the Council on Social Work Education (CSWE).

The purpose of accreditation is to ensure that schools meet certain quality standards. Additionally, the BPPE, which is under the Department of Consumer Affairs (DCA), approves private postsecondary educational institutions operating in California in order to protect students by making sure schools meet state standards.

At the August 14, 2026 Board meeting, the Board directed staff to pursue legislative amendments regarding the following:

1. Proposed amendments to the licensing process for graduates of LMFT, LCSW, and LPCC degree programs whose schools are in accreditation candidacy (**Attachment A**); and

2. Proposed amendments related to the evolving definition and implications of BPPE school approval (**Attachment B**).

Accreditation Candidacy (Attachment A)

Recently, the Board has seen an increase in applicants whose school is still in candidacy for accreditation. While LCSW law addresses this situation for clinical social work applicants, LMFT and LPCC law does not.

[1] LMFT applicants may also obtain a degree from a school program accredited by the Commission on Accreditation for Marriage and Family Therapy Education (COAMFTE), however, that accreditation is not the focus of today's discussion.

LCSW statute (Business and Professions Code (BPC) §4996.18(c) and (d)) sets requirements for clinical social work applicants if their school is still in candidacy for accreditation upon their graduation. They are permitted to register as an associate and gain experience toward licensure. However, they may not take the clinical exam until their school has received accreditation. If the school achieves accreditation, they may move forward with taking the clinical exam and applying for full licensure.

Although this requirement has been in LCSW statute for many years, there is not a comparable provision in LMFT or LPCC statute. Therefore, staff proposed adding similar language to LMFT and LPCC law. Additionally, staff proposes a clause be added to all three practice acts (including the existing LCSW law) clarifying that once a school fails to obtain accreditation, an applicant may no longer renew their associate registration. The amendments also require schools to notify their prospective students that the school's failure to obtain accreditation will affect their license eligibility. These amendments will help both schools and applicants understand accreditation candidacy and its potential consequences.

The Board approved proposed language to address this at its August 14, 2026 meeting. However, the Board has since received a letter of concern from Dr. Tony Rousmanier, PsyD, President and Program Director at Sentio University (**Attachment D**). In response to the letter, staff has reviewed the proposed language and worked with the attorney for the BPPE to address some of the concerns raised in the letter.

Attachment A shows the proposed language for each license type. Language in blue is language that the Board approved at its August meeting. Language in red represents changes made since the last Board meeting.

The BPPE attorney suggested that instead of basing eligibility for registration on a school being in candidate status for accreditation, it instead be based on the school having a provisional approval to operate the degree program from BPPE. This is defined in Education Code §94995.5 (**Attachment C**).

BPPE School Approval (Attachment B)

Adding the above discussed amendments to LMFT and LPCC law raises a new issue that does not apply to the current LCSW law, which should also be addressed.

While the Board only accepts CSWE accreditation for LCSW applicants, what it accepts for LMFT and LPCC degrees is broader. For LMFT and LPCC degrees, a school program may be from a school, college or university that is either unconditionally approved by the Bureau for Private Postsecondary Education (BPPE), or it may be accredited by a regional or national institutional accrediting agency that is recognized by the United States Department of Education. However, the BPPE changed what school "approval" means in 2015.

Although the BPPE used to approve unaccredited educational institutions in California, that changed with SB 1247 (Chapter 840, Statutes of 2014). That bill required institutions offering degree programs in California to become accredited by an accrediting agency recognized by the U.S. Department of Education. Schools not yet accredited may obtain provisional approval to operate their degree programs from BPPE and typically must become fully accredited within 5 years (although an extension is possible). Schools with BPPE provisional approval must notify their students in writing that they are not yet accredited.

Changing references to BPPE approved schools in statute has not been an urgent need, because it now essentially means the same thing as accreditation. However, staff is concerned that adding the new language in **Attachment A**, while leaving BPPE approval in law as acceptable, could cause someone whose school's degree program had conditional BPPE approval, but ultimately failed accreditation, to point to statute allowing BPPE approval and claim their degree is qualifying. This argument wouldn't stand up, because the law requires unconditional BPPE approval, but this is an appropriate time to clarify this in statute.

Attachment B shows proposed amendments to remove references to BPPE approval throughout the Board's statutes. In addition to this, staff has added a grandfather clause in a new section (BPC §4980.36.5, BPC §4999.33.5). The grandfather clause permits the Board to accept degrees that were awarded on or before January 1, 2015, when the BPPE was still approving unaccredited schools, if the school had unconditional BPPE approval at the time the degree was granted. This will ensure that there are no unintended consequences for applicants holding a degree from one of these schools before the law changed to require accreditation.

Since the last Board meeting, some amendments have been made to the language shown in **Attachment B**. These technical corrections are shown in red, and relate to the fact, pointed out by BPPE's attorney, that COAMFTE accreditation is not a school accreditation, but rather a school program accreditation.

Relevant BPPE Statutes

- **SB 1247 (Chapter 840, Statutes of 2014):** Required an institution not accredited by an accrediting agency recognized by the U.S. Department of Education, that had obtained BPPE approval to operate on or before January 1, 2015, to either become accredited by July 1, 2015 or to have an accreditation plan and become fully accredited by July 1, 2020. (Education Code (EC) §94885.1)

- **EC §94885.5 (Attachment C):** Sets requirements for institutions granted provisional approval to operate by BPPE, including:

    - Notifying its students in writing before enrollment that the school's approval to operate is contingent upon it becoming accredited.

    - Schools must provide evidence of accreditation candidacy or pre-accreditation within two years, and evidence of accreditation within 5 years.

Recommendation

Conduct an open discussion of the proposed language in **Attachment A** and **Attachment B**. Direct staff to make any discussed changes, and any nonsubstantive changes, and direct staff to pursue the language in both attachments as a legislative proposal.

Attachments

Attachment A: Proposed Accreditation Candidacy Amendments

Attachment B: Proposed Amendments: References to "Approved" Schools

Attachment C: Education Code (EC) §94885.5 *(Effective January 1, 2027)*

Attachment D: Letter from Dr. Tony Rousmanier, PsyD, President and Program Director at Sentio University

Link to BPPE Document Explaining Accreditation and the Accreditation Process: https://bppe.ca.gov/schools/accred_basics.pdf

ATTACHMENT A

PROPOSED ACCREDITATION CANDIDACY AMENDMENTS

(NOTE: LANGUAGE IN BLUE WAS APPROVED BY THE BOARD AT ITS AUGUST 14, 2026 BOARD MEETING. LANGUAGE IN RED REPRESENTS ADDITIONAL AMENDMENTS

LMFT

AMEND BPC §4980.38.

(a) Each educational institution preparing applicants to qualify for registration or licensure shall notify each of its students by means of its public documents or otherwise in writing that its degree program is designed to meet the requirements of Section 4980.36 or 4980.37, and shall certify to the board that it has so notified its students.

(b) An applicant for registration or licensure shall submit to the board a certification by the applicant's educational institution that the institution's required curriculum for graduation and any associated coursework completed by the applicant does one of the following:

(1) Meets all of the requirements set forth in Section 4980.36.

(2) Meets all of the requirements set forth in Section 4980.37.

(c) An applicant who possesses a qualifying doctoral or master's degree in the discipline described in subdivision (b) of section 4980.36, whose degree was obtained from a school, college, or university ~~that is in candidate status for accreditation as defined in section 4980.03,~~ with a provisional approval to operate the degree program under Education Code Section 94885.5, shall be eligible, and, except as provided in subdivision (b) of Section 4980.43, shall be required to register as an associate marriage and family therapist in order to gain experience toward licensure if the applicant is not subject to denial of licensure pursuant to Section 480. That applicant shall not, however, be eligible to take the clinical examination or qualify for licensure until the school, college or university has achieved accreditation, as defined in Section 4980.03.

(d) An applicant who possesses a qualifying doctoral or master's degree from an accredited school, college, or university shall be able to apply experience the applicant obtained during the time the accredited school, college or university ~~was in candidacy status~~ held a provisional approval to operate the degree program under Education Code section 94885.5 toward the licensure requirements, if the experience meets the requirements of this chapter. This subdivision shall apply retroactively to persons who possess a qualifying doctoral or master's degree from an accredited school, college, or university and who obtained experience during the time the accredited school, college or university ~~was in candidacy status~~ held a provisional approval to operate the degree program under Education Code section 94885.5.

(e) An applicant possessing a master's or doctoral degree pursuant to subdivision (c) from a school, college, or university that fails to obtain accreditation pursuant to Education Code section 94885.5, shall not be eligible to renew their registration, sit for the clinical examination, or qualify for licensure.

~~(f) For purposes of subdivision (e), "fails to obtain accreditation" means that the school, college, or university:~~

~~1) Does not achieve full accreditation upon completion of its candidate status period or within a reasonable extension approved by the accrediting body.; or~~

~~2) Its candidacy is withdrawn, revoked, or terminated by the accrediting body for any reason before full accreditation is granted.~~

(~~g~~f) Any school, college, or university purporting to prepare ~~preparing~~ applicants to qualify for registration or licensure with the board that is ~~in accreditation candidacy~~ operating under a provisional approval to operate the degree program pursuant to Education Code section 94885.5 shall provide each prospective student, prior to enrollment, with a written notice stating that the institution is not ~~yet~~ accredited, and that failure of the institution to obtain accreditation will disqualify the student from eligibility for licensure.

1) The notice shall be provided as a separate, standalone document.

2) The notice shall be printed in at least 12-point type and shall be conspicuously titled, in boldface, "IMPORTANT NOTICE REGARDING ACCREDITATION AND LICENSURE ELIGIBILITY."

3) Upon enrollment, the prospective student shall be required to sign and date the separate notice acknowledging receipt and understanding of the information. The school, college, or university shall retain a copy of the signed notice in the student's file, and shall provide a copy to the student for their records.

LCSW

AMEND BPC §4996.18.

(a) Except as provided in subdivision (b) of Section 4996.23, an applicant shall have an active registration with the board as an associate clinical social worker in order to gain hours of supervised experience. The application shall be made on a form prescribed by the board.

(b) An applicant for registration shall satisfy the following requirements:

(1) Possess a master's degree from an accredited school or department of social work.

(2) Not be subject to denial of licensure pursuant to Section 480.

(3) Have completed training or coursework, which may be embedded within more than one course, in California law and professional ethics for clinical social workers. The coursework shall be taken from an accredited school or department of social work, a school, college, or university accredited by a regional or national institutional accrediting agency that is recognized by the United States Department of Education~~, a school, college, or university that is approved by the Bureau for Private Postsecondary Education,~~ or from a continuing education provider that is acceptable to the board, as defined in Section 4996.22. Undergraduate coursework shall not satisfy this requirement. The coursework shall include instruction in all of the following areas of study:

(A) Contemporary professional ethics and statutes, regulations, and court decisions that delineate the scope of practice of clinical social work.

(B) The therapeutic, clinical, and practical considerations involved in the legal and ethical practice of clinical social work, including, but not limited to, family law.

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

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

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

(F) The application of legal and ethical standards in different types of work settings.

(G) Licensing law and process.

(c) An applicant who possesses a master's degree from a school or department of social work that is a candidate for accreditation by the Commission on Accreditation of the Council on Social Work Education shall be eligible, and, except as provided in subdivision (b) of Section 4996.23, shall be required to register as an associate clinical social worker in order to gain experience toward licensure if the applicant is not subject to denial of licensure pursuant to Section 480. That applicant shall not, however, be eligible to take the clinical examination or qualify for licensure until the school or department of social work has received accreditation by the Commission on Accreditation of the Council on Social Work Education.

(d) An applicant who possesses a master's degree from an accredited school or department of social work shall be able to apply experience the applicant obtained during the time the accredited school or department was in candidacy status by the

Commission on Accreditation of the Council on Social Work Education toward the licensure requirements, if the experience meets the requirements of ~~Section 4996.23~~ this chapter. This subdivision shall apply retroactively to persons who possess a master's degree from an accredited school or department of social work and who obtained experience during the time the accredited school or department was in candidacy status by the Commission on Accreditation of the Council on Social Work Education.

(e) An applicant possessing a master's or doctoral degree pursuant to subdivision (c) from a school, college, or university that fails to obtain accreditation shall not be eligible to renew their registration, sit for the clinical examination, or qualify for licensure.

~~(f) For purposes of subdivision (e), "fails to obtain accreditation" means that the school, college, or university:~~

~~1) Does not achieve full accreditation upon completion of its candidate-status period or within a reasonable extension approved by the accrediting body.; or~~

~~2) Its candidacy is withdrawn, revoked, or terminated by the accrediting body for any reason before full accreditation is granted.~~

(~~g~~f) Any school, college, or university purporting to prepare ~~preparing~~ applicants to qualify for registration or licensure with the board that is in accreditation candidacy shall provide each prospective student, prior to enrollment, with a written notice stating that the institution is not ~~yet~~ accredited, and that failure of the institution to obtain accreditation will disqualify the student from eligibility for licensure.

1) The notice shall be provided as a separate, standalone document.

2) The notice shall be printed in at least 12-point type and shall be conspicuously titled, in boldface, "IMPORTANT NOTICE REGARDING ACCREDITATION AND LICENSURE ELIGIBILITY."

3) Upon enrollment, the prospective student shall be required to sign and date the separate notice acknowledging receipt and understanding of the information. The school, college, or university shall retain a copy of the signed notice in the student's file, and shall provide a copy to the student for their records.

~~(e)~~(h) An applicant for registration or licensure trained in an educational institution outside the United States shall demonstrate to the satisfaction of the board that the applicant possesses a master's of social work degree that is equivalent to a master's

degree issued from a school or department of social work that is accredited by the Commission on Accreditation of the Council on Social Work Education. These applicants shall provide the board with a comprehensive evaluation of the degree and shall provide any other documentation the board deems necessary. The board has the authority to make the final determination as to whether a degree meets all requirements, including, but not limited to, course requirements regardless of evaluation or accreditation.

~~(f)~~(i) All applicants for licensure and registrants shall be at all times under the supervision of a supervisor who shall be responsible for ensuring that the extent, kind, and quality of counseling performed is consistent with the training and experience of the person being supervised and who shall be responsible to the board for compliance with all laws governing the practice of clinical social work.

~~(g)~~(j) All applicants and registrants shall inform each client or patient before performing any professional services that the applicant or registrant is unlicensed and is under the supervision of a licensed professional.

LPCC

AMEND BPC §4999.40

(a) Each educational institution preparing applicants to qualify for registration or licensure shall notify each of its students by means of its public documents or otherwise in writing that its degree program is designed to meet the requirements of Section 4999.32 or 4999.33 and shall certify to the board that it has so notified its students.

(b) An applicant for registration or licensure shall submit to the board a certification by the applicant's educational institution that the institution's required curriculum for graduation and any associated coursework completed by the applicant does one of the following:

(1) Meets all of the requirements set forth in Section 4999.32.

(2) Meets all of the requirements set forth in Section 4999.33.

(c) An applicant who possesses a qualifying doctoral or master's degree in the discipline described in subdivision (b) of section 4999.33, whose degree was obtained from a school, college, or university ~~that is in candidate status for accreditation as defined in section 4999.12,~~ with a provisional approval to operate the degree program under Education Code Section 94885.5, shall be eligible, and, except as provided in subdivision (b) of Section 4999.46, shall be required to register as an associate professional clinical counselor in order to gain experience toward licensure if the

applicant is not subject to denial of licensure pursuant to Section 480. That applicant shall not, however, be eligible to take the clinical examination or qualify for licensure until the school, college or university has achieved accreditation, as defined in Section 4999.12.

(d) An applicant who possesses a qualifying doctoral or master's degree from an accredited school, college, or university shall be able to apply experience the applicant obtained during the time the accredited school, college or university ~~was in candidacy status~~ held a provisional approval to operate the degree program under Education Code section 94885.5 toward the licensure requirements, if the experience meets the requirements of this chapter. This subdivision shall apply retroactively to persons who possess a qualifying doctoral or master's degree from an accredited school, college, or university and who obtained experience during the time the accredited school, college or university ~~was in candidacy status~~ held a provisional approval to operate the degree program under Education Code section 94885.5.

(e) An applicant possessing a master's or doctoral degree pursuant to subdivision (c) from a school, college, or university that fails to obtain accreditation pursuant to Education Code section 94885.5 shall not be eligible to renew their registration, sit for the clinical examination, or qualify for licensure.

~~(f) For purposes of subdivision (e), "fails to obtain accreditation" means that the school, college, or university:~~

~~1) Does not achieve full accreditation upon completion of its candidate-status period or within a reasonable extension approved by the accrediting body.; or~~

~~2) Its candidacy is withdrawn, revoked, or terminated by the accrediting body for any reason before full accreditation is granted.~~

(~~g~~f) Any school, college, or university purporting to prepare ~~preparing~~ applicants to qualify for registration or licensure with the board that is ~~in accreditation candidacy~~ operating under a provisional approval to operate the degree program pursuant to Education Code section 94885.5 shall provide each prospective student, prior to enrollment, with a written notice stating that the institution is not ~~yet~~ accredited, and that failure of the institution to obtain accreditation will disqualify the student from eligibility for licensure.

1) The notice shall be provided as a separate, standalone document.

2) The notice shall be printed in at least 12-point type and shall be conspicuously titled, in boldface, “IMPORTANT NOTICE REGARDING ACCREDITATION AND LICENSURE ELIGIBILITY.”

3) Upon enrollment, the prospective student shall be required to sign and date the separate notice acknowledging receipt and understanding of the information. The school, college, or university shall retain a copy of the signed notice in the student’s file, and shall provide a copy to the student for their records.

~~(c)~~ (h) An applicant trained at an educational institution outside the United States shall demonstrate to the satisfaction of the board that ~~he or she possesses~~ they possess a qualifying degree that is equivalent to a degree earned from an institution of higher education that is accredited ~~or approved~~. These applicants shall provide the board with a comprehensive evaluation of the degree performed by a foreign credential evaluation service that is a member of the National Association of Credential Evaluation Services and shall provide any other documentation the board deems necessary.

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Attachment B

Proposed Amendments: References to "Approved" Schools

(NOTE: LANGUAGE IN BLUE WAS APPROVED BY THE BOARD AT ITS AUGUST 14, 2026 BOARD MEETING. LANGUAGE IN RED REPRESENTS ADDITIONAL AMENDMENTS

AMEND § 4980.03. DEFINITIONS

(a) "Board," as used in this chapter, means the Board of Behavioral Sciences.

(b) "Associate," as used in this chapter, means an unlicensed person who has earned a master's or doctoral degree qualifying the person for licensure and is registered with the board as an associate.

(c) "Trainee," as used in this chapter, means an unlicensed person who is currently enrolled in a master's or doctoral degree program, as specified in Sections 4980.36 and 4980.37, that is designed to qualify the person for licensure under this chapter, and who has completed no less than 12 semester units or 18 quarter units of coursework in any qualifying degree program.

(d) "Applicant for licensure," as used in this chapter, means an unlicensed person who has completed the required education and required hours of supervised experience for licensure.

(e) "Advertising," as used in this chapter, includes, but is not limited to, any public communication, as defined in subdivision (a) of Section 651, the issuance of any card, sign, or device to any person, or the causing, permitting, or allowing of any sign or marking on, or in, any building or structure, or in any newspaper, magazine, directory, or any printed matter whatsoever, with or without any limiting qualification. Signs within religious buildings or notices in bulletins from a religious organization mailed to a congregation are not advertising within the meaning of this chapter.

(f) "Experience," as used in this chapter, means experience in interpersonal relationships, psychotherapy, marriage and family therapy, direct clinical counseling, and nonclinical practice that satisfies the requirements for licensure as a marriage and family therapist.

(g) "Supervisor," as used in this chapter, means an individual who meets all of the following requirements:

(1) Has held an active license for at least two years within the five-year period immediately preceding any supervision as any of the following:

(A) A licensed professional clinical counselor, licensed marriage and family therapist, psychologist licensed pursuant to Chapter 6.6 (commencing with Section 2900), licensed clinical social worker, licensed educational psychologist, or equivalent out-of-state license. A licensed educational psychologist may only supervise the provision of educationally related mental health services that are consistent with the scope of practice of an educational psychologist, as specified in Section 4989.14.

(B) A physician and surgeon who is certified in psychiatry by the American Board of Psychiatry and Neurology or an out-of-state licensed physician and surgeon who is certified in psychiatry by the American Board of Psychiatry and Neurology.

(2) For at least two years within the five-year period immediately preceding any supervision, has practiced psychotherapy, provided psychological counseling pursuant to paragraph (5) of subdivision (a) of Section 4989.14, or provided direct clinical supervision of psychotherapy performed by marriage and family therapist trainees, associate marriage and family therapists, associate professional clinical counselors, or associate clinical social workers. Supervision of psychotherapy performed by a social work intern or a professional clinical counselor trainee shall be accepted if the supervision provided is substantially equivalent to the supervision required for registrants.

(3) Has received training in supervision as specified in this chapter and by regulation.

(4) Has not provided therapeutic services to the supervisee.

(5) Has and maintains a current and active license that is not under suspension or probation as one of the following:

(A) A marriage and family therapist, professional clinical counselor, clinical social worker, or licensed educational psychologist, issued by the board.

(B) A psychologist licensed pursuant to Chapter 6.6 (commencing with Section 2900).

(C) A physician and surgeon who is certified in psychiatry by the American Board of Psychiatry and Neurology.

(6) Is not a spouse, domestic partner, or relative of the supervisee.

(7) Does not currently have or previously had a personal, professional, or business relationship with the supervisee that undermines the authority or effectiveness of the supervision.

(h) "Client centered advocacy," as used in this chapter, includes, but is not limited to, researching, identifying, and accessing resources, or other activities, related to obtaining or providing services and supports for clients or groups of clients receiving psychotherapy or counseling services.

(i) "Accredited," as used in this chapter, means a school, college, or university accredited by ~~either the Commission on Accreditation for Marriage and Family Therapy Education or~~ a regional or national institutional accrediting agency that is recognized by the United States Department of Education, or a program accredited by the Commission on Accreditation for Marriage and Family Therapist Education.

~~(j) "Approved," as used in this chapter, means a school, college, or university that possessed unconditional approval by the Bureau for Private Postsecondary~~

~~Education at the time of the applicant's graduation from the school, college, or university.~~

AMEND §4980.36. QUALIFYING DEGREE PROGRAM FOR LICENSURE OR REGISTRATION; GRADUATE STUDY BEGAN ON OR AFTER AUGUST 1, 2012 OR COMPLETED AFTER DECEMBER 31, 2018

(a) This section shall apply to the following:

(1) Applicants for licensure or registration who begin graduate study before August 1, 2012, and do not complete that study on or before December 31, 2018.

(2) Applicants for licensure or registration who begin graduate study before August 1, 2012, and who graduate from a degree program that meets the requirements of this section.

(3) Applicants for licensure or registration who begin graduate study on or after August 1, 2012.

(b) To qualify for a license or registration, applicants shall possess a doctoral or master's degree meeting the requirements of this section in marriage, family, and child counseling, marriage and family therapy, couple and family therapy, psychology, clinical psychology, counseling psychology, or either counseling or clinical mental health counseling with an emphasis in either marriage, family, and child counseling or marriage and family therapy. The degree shall be obtained from a school, college, or university ~~approved by the Bureau for Private Postsecondary Education, or~~ accredited by ~~either the Commission on Accreditation for Marriage and Family Therapy Education, or~~ a regional or national institutional accrediting agency that is recognized by the United States Department of Education, or a program accredited by the Commission on Accreditation for Marriage and Family Therapist Education. The board has the authority to make the final determination as to whether a degree meets all requirements, including, but not limited to, course requirements, regardless of accreditation ~~or approval~~.

(c) A doctoral or master's degree program that qualifies for licensure or registration shall be a single, integrated program that does the following:

(1) Integrate all of the following throughout its curriculum:

(A) Marriage and family therapy principles.

(B) The principles of mental health recovery-oriented care and methods of service delivery in recovery-oriented practice environments, among others.

(C) An understanding of various cultures and the social and psychological implications of socioeconomic position, and an understanding of how poverty and social stress impact an individual's mental health and recovery.

(2) Allow for innovation and individuality in the education of marriage and family therapists.

(3) Encourage students to develop the personal qualities that are intimately related to effective practice, including, but not limited to, integrity, sensitivity, flexibility, insight, compassion, and personal presence.

(4) Permit an emphasis or specialization that may address any one or more of the unique and complex array of human problems, symptoms, and needs of Californians served by marriage and family therapists.

(5) Provide students with the opportunity to meet with various consumers and family members of consumers of mental health services to enhance understanding of their experience of mental illness, treatment, and recovery.

(d) The degree described in subdivision (b) shall contain no less than 60 semester or 90 quarter units of instruction that includes, but is not limited to, the following requirements:

(1) Both of the following:

(A) No less than 12 semester or 18 quarter units of coursework in theories, principles, and methods of a variety of psychotherapeutic orientations directly related to marriage and family therapy and marital and family systems approaches to treatment and how these theories can be applied therapeutically with individuals, couples, families, adults, including elder adults, children, adolescents, and groups to improve, restore, or maintain healthy relationships.

(B) Practicum that involves direct client contact, as follows:

(i) A minimum of six semester or nine quarter units of practicum in a supervised clinical placement that provides supervised fieldwork experience.

(ii) A minimum of 150 hours of face-to-face experience counseling individuals, couples, families, or groups.

(iii) A student must be enrolled in a practicum course while counseling clients, except as specified in subdivision (c) of Section 4980.42.

(iv) The practicum shall provide training in all of the following areas:

(I) Applied use of theory and psychotherapeutic techniques.

(II) Assessment, diagnosis, prognosis, and treatment planning.

(III) Treatment of individuals and premarital, couple, family, and child relationships, including trauma and abuse, dysfunctions, healthy functioning, health promotion, illness prevention, and working with families.

(IV) Professional writing, including documentation of services, treatment plans, and progress notes.

(V) How to connect people with resources that deliver the quality of services and support needed in the community.

(v) Educational institutions are encouraged to design the practicum required by this subparagraph to include marriage and family therapy experience in low income and multicultural mental health settings.

(vi) In addition to the 150 hours required in clause (ii), 75 hours of either of the following, or a combination thereof:

(I) Client centered advocacy, as defined in Section 4980.03.

(II) Face-to-face experience counseling individuals, couples, families, or groups.

(2) Instruction in all of the following:

(A) Diagnosis, assessment, prognosis, treatment planning, and treatment of mental disorders, including severe mental disorders, evidence-based practices, psychological testing, psychopharmacology, and promising mental health practices that are evaluated in peer-reviewed literature.

(B) Developmental issues from infancy to old age, including instruction in all of the following areas:

(i) The effects of developmental issues on individuals, couples, and family relationships.

(ii) The psychological, psychotherapeutic, and health implications of developmental issues and their effects.

(iii) Aging and its biological, social, cognitive, and psychological aspects. This coursework shall include instruction on the assessment and reporting of, as well as treatment related to, elder and dependent adult abuse and neglect.

(iv) A variety of cultural understandings of human development.

(v) The understanding of human behavior within the social context of socioeconomic status and other contextual issues affecting social position.

(vi) The understanding of human behavior within the social context of a representative variety of the cultures found within California.

(vii) The understanding of the impact that personal and social insecurity, social stress, low educational levels, inadequate housing, and malnutrition have on human development.

(C) The broad range of matters and life events that may arise within marriage and family relationships and within a variety of California cultures, including instruction in all of the following:

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

(ii) Spousal or partner abuse assessment, detection, intervention strategies, and same gender abuse dynamics.

(iii) Cultural factors relevant to abuse of partners and family members.

(iv) Childbirth, child rearing, parenting, and stepparenting.

(v) Marriage, divorce, and blended families.

(vi) Long-term care.

(vii) End-of-life and grief.

(viii) Poverty and deprivation.

(ix) Financial and social stress.

(x) Effects of trauma.

(xi) The psychological, psychotherapeutic, community, and health implications of the matters and life events described in clauses (i) to (x), inclusive.

(D) Cultural competency and sensitivity, including a familiarity with the racial, cultural, linguistic, and ethnic backgrounds of persons living in California.

(E) Multicultural development and cross-cultural interaction, including experiences of race, ethnicity, class, spirituality, sexual orientation, gender, and disability, and their incorporation into the psychotherapeutic process.

(F) The effects of socioeconomic status on treatment and available resources.

(G) Resilience, including the personal and community qualities that enable persons to cope with adversity, trauma, tragedy, threats, or other stresses.

(H) Human sexuality, including the study of physiological, psychological, and social cultural variables associated with sexual behavior and gender identity, and the assessment and treatment of psychosexual dysfunction.

(I) Substance use disorders, co-occurring disorders, and addiction, including, but not limited to, instruction in all of the following:

(i) The definition of substance use disorders, co-occurring disorders, and addiction. For purposes of this subparagraph, “co-occurring disorders”

means a mental illness and substance abuse diagnosis occurring simultaneously in an individual.

(ii) Medical aspects of substance use disorders and co-occurring disorders.

(iii) The effects of psychoactive drug use.

(iv) Current theories of the etiology of substance abuse and addiction.

(v) The role of persons and systems that support or compound substance abuse and addiction.

(vi) Major approaches to identification, evaluation, and treatment of substance use disorders, co-occurring disorders, and addiction, including, but not limited to, best practices.

(vii) Legal aspects of substance abuse.

(viii) Populations at risk with regard to substance use disorders and co-occurring disorders.

(ix) Community resources offering screening, assessment, treatment, and follow up for the affected person and family.

(x) Recognition of substance use disorders, co-occurring disorders, and addiction, and appropriate referral.

(xi) The prevention of substance use disorders and addiction.

(J) California law and professional ethics for marriage and family therapists, including instruction in all of the following areas of study:

(i) Contemporary professional ethics and statutory, regulatory, and decisional laws that delineate the scope of practice of marriage and family therapy.

(ii) The therapeutic, clinical, and practical considerations involved in the legal and ethical practice of marriage and family therapy, including, but not limited to, family law.

(iii) The current legal patterns and trends in the mental health professions.

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

(v) A recognition and exploration of the relationship between a practitioner’s sense of self and human values and the practitioner’s professional behavior and ethics.

(vi) The application of legal and ethical standards in different types of work settings.

(vii) Licensing law and licensing process.

(e) The degree described in subdivision (b) shall, in addition to meeting the requirements of subdivision (d), include instruction in case management, systems of care for the severely mentally ill, public and private services and supports available for the severely mentally ill, community resources for persons with mental illness and for victims of abuse, disaster and trauma response, advocacy for the severely mentally ill, and collaborative treatment. This instruction may be provided either in credit level coursework or through extension programs offered by the degree-granting institution.

(f) The changes made to law by this section are intended to improve the educational qualifications for licensure in order to better prepare future licentiates for practice, and are not intended to expand or restrict the scope of practice for marriage and family therapists.

Add BPC §4980.36.5

Notwithstanding subdivision (b) of section 4980.36 or subdivision (b) of section 4980.37, a qualifying degree that was awarded on or before January 1, 2015 from a school, college, or university that possessed unconditional approval to operate from the Bureau for Private Postsecondary Education shall be accepted in lieu of accreditation, and shall be deemed exempt from the SB 1247 accreditation deadlines, provided that the school, college or university possessed unconditional approval from the Bureau for Private Postsecondary Education at the time that the qualifying degree was granted.

AMEND § 4980.37. QUALIFYING DEGREE PROGRAM FOR LICENSURE OR REGISTRATION; BEGAN GRADUATE STUDY BEFORE AUGUST 1, 2012 AND COMPLETED ON OR BEFORE DECEMBER 31, 2018

(a) This section shall apply to applicants for licensure or registration who began graduate study before August 1, 2012, and completed that study on or before December 31, 2018. Those applicants may alternatively qualify under paragraph (2) of subdivision (a) of Section 4980.36.

(b) To qualify for a license or registration, applicants shall possess a doctoral or master's degree in marriage, family, and child counseling, marriage and family therapy, couple and family therapy, psychology, clinical psychology, counseling psychology, or either counseling or clinical mental health counseling with an emphasis in either marriage, family, and child counseling or marriage and family therapy. The degree shall be obtained from a school, college, or university accredited by a regional or national institutional accrediting agency that is recognized by the United States Department of Education ~~or approved by the Bureau for Private Postsecondary Education~~. The board has the authority to make the final determination as to whether a degree meets all requirements, including, but not limited to, course requirements, regardless of accreditation ~~or approval~~. In order to qualify for licensure pursuant to this section, a doctoral or master's degree

program shall be a single, integrated program primarily designed to train marriage and family therapists and shall contain no less than 48 semester units or 72 quarter units of instruction. This instruction shall include no less than 12 semester units or 18 quarter units of coursework in the areas of marriage, family, and child counseling, and marital and family systems approaches to treatment. The coursework shall include all of the following areas:

(1) The salient theories of a variety of psychotherapeutic orientations directly related to marriage and family therapy, and marital and family systems approaches to treatment.

(2) Theories of marriage and family therapy and how they can be utilized in order to intervene therapeutically with couples, families, adults, children, and groups.

(3) Developmental issues and life events from infancy to old age and their effect on individuals, couples, and family relationships. This may include coursework that focuses on specific family life events and the psychological, psychotherapeutic, and health implications that arise within couples and families, including, but not limited to, childbirth, child rearing, childhood, adolescence, adulthood, marriage, divorce, blended families, stepparenting, abuse and neglect of older and dependent adults, and geropsychology.

(4) A variety of approaches to the treatment of children.

The board shall, by regulation, set forth the subjects of instruction required in this subdivision.

(c) (1) In addition to the 12 semester or 18 quarter units of coursework specified in subdivision (b), the doctoral or master's degree program shall contain not less than six semester units or nine quarter units of supervised practicum in applied psychotherapeutic technique, assessments, diagnosis, prognosis, treatment planning, and treatment of premarital, couple, family, and child relationships, including dysfunctions, healthy functioning, health promotion, and illness prevention, in a supervised clinical placement that provides supervised fieldwork experience within the scope of practice of a marriage and family therapist.

(2) For applicants who enrolled in a degree program on or after January 1, 1995, the practicum shall include a minimum of 150 hours of face-to-face experience counseling individuals, couples, families, or groups.

(3) The practicum hours shall be considered as part of the 48 semester or 72 quarter unit requirement.

(d) As an alternative to meeting the qualifications specified in subdivision (b), the board shall accept as equivalent degrees those master's or doctoral degrees granted by educational institutions whose degree program is ~~approved~~ accredited by the Commission on Accreditation for Marriage and Family Therapy Education.

(e) In order to provide an integrated course of study and appropriate professional training, while allowing for innovation and individuality in the education of marriage and family therapists, a degree program that meets the educational qualifications for licensure or registration under this section shall do all of the following:

(1) Provide an integrated course of study that trains students generally in the diagnosis, assessment, prognosis, treatment planning, and treatment of mental disorders.

(2) Prepare students to be familiar with the broad range of matters that may arise within marriage and family relationships.

(3) Train students specifically in the application of marriage and family relationship counseling principles and methods.

(4) Encourage students to develop those personal qualities that are intimately related to the counseling situation such as integrity, sensitivity, flexibility, insight, compassion, and personal presence.

(5) Teach students a variety of effective psychotherapeutic techniques and modalities that may be utilized to improve, restore, or maintain healthy individual, couple, and family relationships.

(6) Permit an emphasis or specialization that may address any one or more of the unique and complex array of human problems, symptoms, and needs of Californians served by marriage and family therapists.

(7) Prepare students to be familiar with cross-cultural mores and values, including a familiarity with the wide range of racial and ethnic backgrounds common among California's population, including, but not limited to, Blacks, Hispanics, Asians, and Native Americans.

(f) Educational institutions are encouraged to design the practicum required by this section to include marriage and family therapy experience in low income and multicultural mental health settings.

AMEND § 4980.41. ELIGIBILITY TO SIT FOR LICENSING EXAMINATIONS; COURSEWORK OR TRAINING

(a) An applicant for licensure whose education qualifies them under Section 4980.37 shall complete the following coursework or training in order to be eligible to sit for the licensing examinations as specified in Section 4980.397:

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

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

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

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

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

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

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

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

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

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

(5) For persons who began graduate study during the period commencing on January 1, 1995, and ending on December 31, 2003, a master's or doctor's degree qualifying for licensure shall include coursework in spousal or partner abuse assessment, detection, and intervention. For persons who began graduate study on or after January 1, 2004, a master's or doctor's degree qualifying for licensure shall include a minimum of 15 contact hours of coursework in spousal or partner abuse assessment, detection, and intervention strategies, including knowledge of community resources, cultural factors, and same gender abuse dynamics. Coursework required under this paragraph may be satisfactory if taken either in fulfillment of other educational requirements for licensure or in a separate course. The applicant may satisfy this requirement by successfully completing this coursework from a master's or doctoral degree program at an accredited ~~or approved institution~~, as described in subdivision (b) of Section

4980.37, or from a board-accepted provider of continuing education, as described in Section 4980.54.

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

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

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

AMEND § 4980.54. CONTINUING EDUCATION

(a) The Legislature recognizes that the education and experience requirements in this chapter constitute only minimal requirements to ensure that an applicant is prepared and qualified to take the licensure examinations as specified in Section 4980.397 and, if an applicant passes those examinations, to begin practice.

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

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

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

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

(e) (1) In determining its continuing education requirements, the board shall consider including a course in menopausal mental health.

(2) In determining its continuing education requirements, the board shall consider including a course in maternal mental health.

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

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

(1) A school, college, or university that is accredited ~~or approved,~~ as defined in Section 4980.03. Nothing in this paragraph shall be construed as requiring coursework to be offered as part of a regular degree program.

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

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

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

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

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

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

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

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

AMEND § 4980.72. OUT-OF-STATE APPLICANTS: LICENSURE BY CREDENTIAL

The board may issue a license to a person who, at the time of submitting an application for a license pursuant to this chapter, holds a license in another jurisdiction of the United States as a marriage and family therapist at the highest level for independent clinical practice if all of the following requirements are met:

(a) The applicant's license in the other jurisdiction has been current, active, and unrestricted in that jurisdiction for at least two years immediately before the date the application was received by the board. The applicant shall disclose to the board for review any past restrictions or disciplinary action on an out-of-state license, and the board shall consider these actions in determining whether to issue a license to the applicant.

(b) The applicant's degree that qualified the person for the out-of-state license is a master's or doctoral degree that was obtained from an accredited ~~or approved~~ institution.

(c) The applicant complies with the fingerprint requirements established by Section 144.

(d) The applicant completes the coursework specified in paragraphs (1) and (2) from an accredited institution ~~or an approved institution~~ or from an acceptable provider of continuing education as specified in Section 4980.54. Undergraduate coursework shall not satisfy these requirements.

(1) A minimum of 12 hours of coursework in California law and professional ethics that includes, but is not limited to, instruction in advertising, scope of practice, scope of competence, treatment of minors, confidentiality, dangerous clients, psychotherapist-client privilege, recordkeeping, client access to records, state and federal laws relating to confidentiality of patient health information, dual relationships, child abuse, elder and dependent adult abuse, online therapy, insurance reimbursement, civil liability, disciplinary actions and unprofessional conduct, ethics complaints and ethical standards, termination of therapy, standards of care, relevant family law, therapist disclosures to clients, the application of legal and ethical standards in different types of work settings, and licensing law and the licensing process.

(2) At least one semester unit, or 15 hours, of instruction that includes an understanding of various California cultures and the social and psychological implications of socioeconomic position.

(e) The applicant obtains a minimum of seven contact hours of training or coursework in child abuse assessment and reporting, as specified in Section 28, and any regulations promulgated pursuant to that section.

(f) On or after January 1, 2021, the applicant shall show proof of completion of at least six hours of coursework or applied experience under supervision in suicide risk assessment and intervention using one of the methods specified in Section 4980.396.

(g) The applicant passes the board-administered California law and ethics examination specified in Section 4980.397. The clinical examination specified in Section 4980.397 shall be waived for an applicant qualifying under this section.

(h) This section was developed based on an examination of the licensure requirements for marriage and family therapists on a national level. This section shall not be

construed to apply to any provisions under this division or Division 3 (commencing with Section 5000) other than this act.

AMEND § 4980.78. LICENSURE BY EDUCATION AND EXPERIENCE: SUBSTANTIALLY EQUIVALENT EDUCATION

(a) This section applies to persons with education gained from an out-of-state school who apply for licensure or registration and who do not qualify for a license under Section 4980.72.

(b) For purposes of Section 4980.74, education is substantially equivalent if all of the following requirements are met:

(1) The degree is obtained from an accredited institution ~~or approved institution~~ and consists of, at a minimum, the following:

(A)(i) For an applicant who obtained a degree within the timeline prescribed by subdivision (a) of Section 4980.36, the degree shall contain no less than 60 semester units or 90 quarter units of instruction.

(ii) Up to 12 semester units or 18 quarter units of instruction may be remediated, if missing from the degree. The remediation may occur while the applicant is registered as an associate.

(B) For an applicant who obtained a degree within the timeline prescribed by subdivision (a) of Section 4980.37, the degree shall contain no less than 48 semester units or 72 quarter units of instruction.

(C)(i) Six semester units or nine quarter units of supervised practicum, including, but not limited to, a minimum of 150 hours of face-to-face experience counseling individuals, couples, families, or groups, and an additional 75 hours of either face-to-face experience counseling individuals, couples, families, or groups or client centered advocacy, or a combination of face-to-face experience counseling individuals, couples, families, or groups and client centered advocacy.

(ii) An out-of-state applicant who holds a valid license in good standing in another state or country as a marriage and family therapist at the highest level for independent clinical practice is exempt from the practicum requirement specified in clause (i).

(D) Twelve semester units or 18 quarter units in the areas of marriage, family, and child counseling and marital and family systems approaches to treatment, as specified in subparagraph (A) of paragraph (1) of subdivision (d) of Section 4980.36.

(2) The applicant shall complete coursework in California law and ethics as follows:

(A) An applicant who completed a course in law and professional ethics for marriage and family therapists as specified in paragraph (8) of subdivision (a) of Section 4980.81, that did not contain instruction in California law and ethics, shall complete a 12-hour course in California law and professional ethics. The content of the course shall include, but not be limited to, advertising, scope of practice, scope of competence, treatment of minors, confidentiality, dangerous patients, psychotherapist-patient privilege, recordkeeping, patient access to records, state and federal laws relating to confidentiality of patient health information, dual relationships, child abuse, elder and dependent adult abuse, online therapy, insurance reimbursement, civil liability, disciplinary actions and unprofessional conduct, ethics complaints and ethical standards, termination of therapy, standards of care, relevant family law, therapist disclosures to patients, the application of legal and ethical standards in different types of work settings, and licensing law and licensing process. The coursework shall be from an accredited institution~~, an approved institution,~~ or from a continuing education provider identified as acceptable by the board pursuant to Section 4980.54. This coursework shall be completed before registration as an associate.

(B) An applicant who has not completed a course in law and professional ethics for marriage and family therapists as specified in paragraph (8) of subdivision (a) of Section 4980.81 shall complete this required coursework. The coursework shall contain content specific to California law and ethics. This coursework shall be completed before registration as an associate.

(3) The applicant completes the educational requirements specified in Section 4980.81 not already completed in the applicant's education. The coursework shall be from an accredited institution~~, an approved institution,~~ or from a continuing education provider that is identified as acceptable by the board pursuant to Section 4980.54. Undergraduate courses shall not satisfy this requirement.

(4) The applicant completes the following coursework not already completed in the applicant's education from an accredited institution~~, an approved institution,~~ or from a continuing education provider that is identified as acceptable by the board pursuant to Section 4980.54. Undergraduate courses shall not satisfy this requirement.

(A) At least three semester units, or 45 hours, of instruction regarding the principles of mental health recovery-oriented care and methods of service delivery in recovery-oriented practice environments, including structured

meetings with various consumers and family members of consumers of mental health services to enhance understanding of their experience of mental illness, treatment, and recovery.

(B) At least one semester unit, or 15 hours, of instruction that includes an understanding of various California cultures and the social and psychological implications of socioeconomic position.

(5) An applicant may complete any units and course content requirements required under paragraphs (3) and (4) not already completed in the applicant's education while registered as an associate, unless otherwise specified.

(6) On and after January 1, 2021, an applicant for licensure shall show proof of completion of at least six hours of coursework or applied experience under supervision in suicide risk assessment and intervention using one of the methods specified in Section 4980.396.

(7) The applicant's degree title need not be identical to that required by subdivision (b) of Section 4980.36.

AMEND § 4990.26.2. TRAINING IN CHILD, ELDER AND DEPENDENT ADULT ABUSE ASSESSMENT AND REPORTING

(a) The Legislature finds that there is a need to ensure that professionals of the healing arts who have demonstrable contact with victims and potential victims of child, elder, and dependent adult abuse, and abusers and potential abusers of children, elders, and dependent adults are provided with adequate and appropriate training regarding the assessment and reporting of child, elder, and dependent adult abuse that will ameliorate, reduce, and eliminate the trauma of abuse and neglect and ensure the reporting of abuse in a timely manner to prevent additional occurrences.

(b) The board shall establish required training in the area of child abuse assessment and reporting for all persons applying for initial licensure and renewal of licensure as a clinical social worker, professional clinical counselor, or marriage and family therapist. This training shall be required one time only for all persons applying for initial licensure or for licensure renewal.

(c) All persons applying for initial licensure or renewal of a license as a clinical social worker, professional clinical counselor, or marriage and family therapist shall, in addition to all other requirements for licensure or renewal, have completed coursework or training in child abuse assessment and reporting that meets the requirements of this section, including detailed knowledge of the Child Abuse and Neglect Reporting Act (Article 2.5 (commencing with Section 11164) of Chapter 2 of Title 1 of Part 4 of the Penal Code). The training shall meet all of the following requirements:

(1) Be obtained from one of the following sources:

(A) An accredited ~~or approved~~ educational institution, as defined in Sections 4980.36, 4980.37, 4996.18, and 4999.12, including extension courses offered by those institutions.

(B) A continuing education provider, as specified by the board by regulation.

(C) A course sponsored or offered by a professional association or a local, county, or state department of health or mental health for continuing education and approved or accepted by the board.

(2) Have a minimum of seven contact hours.

(3) Include the study of the assessment and method of reporting of sexual assault, neglect, severe neglect, general neglect, willful cruelty or unjustifiable punishment, corporal punishment or injury, and abuse in out-of-home care. The training shall also include physical and behavioral indicators of abuse, crisis counseling techniques, community resources, rights and responsibilities of reporting, consequences of failure to report, caring for a child's needs after a report is made, sensitivity to previously abused children and adults, and implications and methods of treatment for children and adults.

(4) An applicant shall provide the board with documentation of completion of the required child abuse training.

(d) The board shall exempt an applicant who applies for an exemption from this section and who shows to the satisfaction of the board that there would be no need for the training in the applicant's practice because of the nature of that practice.

(e) It is the intent of the Legislature that a person licensed as a clinical social worker, professional clinical counselor, or marriage and family therapist have minimal but appropriate training in the areas of child, elder, and dependent adult abuse assessment and reporting. It is not intended that, by solely complying with this section, a practitioner is fully trained in the subject of treatment of child, elder, and dependent adult abuse victims and abusers.

(f) The board is encouraged to include coursework regarding the assessment and reporting of elder and dependent adult abuse in the required training on aging and long-term care issues prior to licensure or license renewal.

AMEND § 4996.17.1. OUT-OF-STATE APPLICANTS: LICENSURE BY CREDENTIAL

The board may issue a license to a person who, at the time of submitting an application for a license pursuant to this chapter, holds a license in another jurisdiction of the United States as a clinical social worker at the highest level for independent practice if all of the following requirements are met:

(a) The applicant's license in the other jurisdiction has been current, active, and unrestricted for at least two years immediately before the date the application was

received by the board. The applicant shall disclose to the board for review any past restrictions or disciplinary actions on an out-of-state license and the board shall consider these actions in determining whether to issue a license to the applicant.

(b) The applicant's degree that qualified the applicant for the out-of-state license is a master's degree from an accredited school or department of social work.

(c) The applicant complies with the fingerprint requirements established in Section 144.

(d) The applicant completes the coursework specified in paragraphs (1) and (2) from an accredited school or department of social work, a school, college, or university accredited by a regional or national institutional accrediting agency that is recognized by the United States Department of Education, ~~a school, college, or university that is approved by the Bureau for Private Postsecondary Education,~~ or from a continuing education provider that is identified as acceptable by the board pursuant to Section 4996.22. Undergraduate coursework shall not satisfy these requirements.

(1) A minimum of 12 hours of coursework in California law and professional ethics. The content of the course shall include, but not be limited to, the following: advertising, scope of practice, scope of competence, treatment of minors, confidentiality, dangerous patients, psychotherapist-patient privilege, recordkeeping, patient access to records, state and federal laws related to confidentiality of patient health information, dual relationships, child abuse, elder and dependent adult abuse, online therapy, insurance reimbursement, civil liability, disciplinary actions and unprofessional conduct, ethics complaints and ethical standards, termination of therapy, standards of care, relevant family law, therapist disclosures to patients, the application of legal and ethical standards in different types of work settings, and licensing law and process.

(2) At least one semester unit, or 15 hours, of instruction that includes an understanding of various California cultures and the social and psychological implications of socioeconomic position.

(e) The applicant obtains a minimum of seven contact hours of training or coursework in child abuse assessment and reporting, as specified in Section 28, and any regulations promulgated thereunder.

(f) On and after January 1, 2021, the applicant shall show proof of completion of at least six hours of coursework or applied experience under supervision in suicide risk assessment and intervention using one of the methods specified in Section 4996.27.

(g) The applicant passes the board-administered California law and ethics examination required in Section 4996.1. The clinical examination required in Section 4996.1 shall be waived for an applicant qualifying under this section.

(h) This section was developed based on an examination of the licensure requirements for clinical social workers on a national level. This section shall not be construed to apply to any provisions under this division or Division 3 (commencing with Section 5000) other than this act.

AMEND § 4996.17.2. OUT-OF-STATE APPLICANTS: LICENSURE BY EDUCATION AND EXPERIENCE

(a) This section applies to persons with education gained from an out-of-state school or experience gained outside of California who apply for licensure or registration and who do not qualify for a license under Section 4996.17.1.

(b) The board shall accept experience gained outside of California for the purpose of satisfying the licensure requirements if the experience is substantially the equivalent to the requirements of this chapter. If the applicant has fewer than 3,000 hours of qualifying supervised experience, the board shall accept as qualifying experience the amount of time the applicant held an active license in good standing in another state or country as a clinical social worker at the highest level for independent practice at a rate of 100 hours per month, up to a maximum of 1,200 hours.

(c) The board shall accept education gained from an out-of-state school for purposes of satisfying licensure or registration requirements if the applicant has received a master's degree from an accredited school of social work, or complies with subdivision (e) of Section 4996.18.

(d) In addition to the experience and education described in subdivisions (b) and (c), the applicant shall pass, or have passed, the licensing examinations as specified in Section 4996.1 and pay the required fees. Issuance of the license is conditioned upon all of the following:

(1) The applicant has supervised experience as described in subdivision (b).

(2) Completion of the coursework or training specified in this paragraph taken from an accredited school or department of social work, a school, college, or university accredited by a regional or national institutional accrediting agency that is recognized by the United States Department of Education, ~~a school, college, or university that is approved by the Bureau for Private Postsecondary Education,~~ or from a continuing education provider that is identified as acceptable to the board pursuant to Section 4996.22. Undergraduate coursework shall not satisfy this requirement. This coursework may be completed while registered as an associate, unless otherwise specified.

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

(B) A minimum of 10 contact hours of training or coursework in human sexuality, as specified in Section 25, and any regulations promulgated thereunder.

(C) A minimum of 15 contact hours of training or coursework in alcoholism and other chemical substance dependency, as specified by regulation.

(D) A minimum of 15 contact hours of coursework or training in spousal or partner abuse assessment, detection, and intervention strategies.

(E) A minimum of 10 contact hours of coursework in aging and long-term care, as specified in Section 4996.25.

(F) Completion of a 12-hour course in California law and professional ethics. The content of the course shall include, but not be limited to, the following: advertising, scope of practice, scope of competence, treatment of minors, confidentiality, dangerous patients, psychotherapist-patient privilege, recordkeeping, patient access to records, state and federal laws related to confidentiality of patient health information, dual relationships, child abuse, elder and dependent adult abuse, online therapy, insurance reimbursement, civil liability, disciplinary actions and unprofessional conduct, ethics complaints and ethical standards, termination of therapy, standards of care, relevant family law, therapist disclosures to patients, the application of legal and ethical standards in different types of work settings, and licensing law and process. This coursework shall be completed before registration as an associate.

(G) At least one semester unit, or 15 hours, of instruction that includes an understanding of various California cultures and the social and psychological implications of socioeconomic position.

(3) On and after January 1, 2021, an applicant for licensure shall show proof of completion of at least six hours of coursework or applied experience under supervision in suicide risk assessment and intervention using one of the methods specified in Section 4996.27.

(4) The applicant's license is in good standing and is not suspended, revoked, restricted, sanctioned, or voluntarily surrendered in any state.

(5) The applicant is not currently under investigation in any other state, and has not been charged with an offense for any act substantially related to the practice of social work by any public agency, entered into any consent agreement or been subject to an administrative decision that contains conditions placed by an agency upon an applicant's professional conduct or practice, including any voluntary surrender of license, or been the subject of an adverse judgment resulting from the practice of social work that the board determines constitutes evidence of a pattern of incompetence or negligence.

(6) The applicant shall provide a certification from each state where the applicant holds a license pertaining to licensure, disciplinary action, and complaints pending.

(7) The applicant is not subject to denial of licensure under Section 480, 4992.3, 4992.35, or 4992.36.

(e) An applicant who obtained a license or registration under another state or country may qualify for licensure with the board without taking the clinical examination specified in Section 4996.1 if both of the following conditions are met:

(1) The applicant obtained a passing score on the clinical licensing examination set forth in regulation as accepted by the board.

(2) The applicant's license or registration in that state or country is active and in good standing at the time of the application and is not revoked, suspended, surrendered, denied, or otherwise restricted or encumbered.

AMEND § 4996.18. ASSOCIATE CLINICAL SOCIAL WORKER; REGISTRATION; SUPERVISION

(a) Except as provided in subdivision (b) of Section 4996.23, an applicant shall have an active registration with the board as an associate clinical social worker in order to gain hours of supervised experience. The application shall be made on a form prescribed by the board.

(b) An applicant for registration shall satisfy the following requirements:

(1) Possess a master's degree from an accredited school or department of social work.

(2) Not be subject to denial of licensure pursuant to Section 480.

(3) Have completed training or coursework, which may be embedded within more than one course, in California law and professional ethics for clinical social workers. The coursework shall be taken from an accredited school or department of social work, a school, college, or university accredited by a regional or national institutional accrediting agency that is recognized by the United States Department of Education, ~~a school, college, or university that is approved by the Bureau for Private Postsecondary Education,~~ or from a continuing education provider that is acceptable to the board, as defined in Section 4996.22. Undergraduate coursework shall not satisfy this requirement. The coursework shall include instruction in all of the following areas of study:

(A) Contemporary professional ethics and statutes, regulations, and court decisions that delineate the scope of practice of clinical social work.

(B) The therapeutic, clinical, and practical considerations involved in the legal and ethical practice of clinical social work, including, but not limited to, family law.

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

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

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

(F) The application of legal and ethical standards in different types of work settings.

(G) Licensing law and process.

(c) An applicant who possesses a master's degree from a school or department of social work that is a candidate for accreditation by the Commission on Accreditation of the Council on Social Work Education shall be eligible, and, except as provided in subdivision (b) of Section 4996.23, shall be required to register as an associate clinical social worker in order to gain experience toward licensure if the applicant is not subject to denial of licensure pursuant to Section 480. That applicant shall not, however, be eligible to take the clinical examination until the school or department of social work has received accreditation by the Commission on Accreditation of the Council on Social Work Education.

(d) An applicant who possesses a master's degree from an accredited school or department of social work shall be able to apply experience the applicant obtained during the time the accredited school or department was in candidacy status by the Commission on Accreditation of the Council on Social Work Education toward the licensure requirements, if the experience meets the requirements of Section 4996.23. This subdivision shall apply retroactively to persons who possess a master's degree from an accredited school or department of social work and who obtained experience during the time the accredited school or department was in candidacy status by the Commission on Accreditation of the Council on Social Work Education.

(e) An applicant for registration or licensure trained in an educational institution outside the United States shall demonstrate to the satisfaction of the board that the applicant possesses a master's of social work degree that is equivalent to a master's degree issued from a school or department of social work that is accredited by the Commission on Accreditation of the Council on Social Work Education. These applicants shall provide the board with a comprehensive evaluation of the degree and shall provide any other documentation the board deems necessary. The board has the authority to make the final determination as to whether a degree meets all requirements, including, but not limited to, course requirements regardless of evaluation or accreditation.

(f) All applicants for licensure and registrants shall be at all times under the supervision of a supervisor who shall be responsible for ensuring that the extent, kind, and quality of counseling performed is consistent with the training and experience of the

person being supervised and who shall be responsible to the board for compliance with all laws governing the practice of clinical social work.

(g) All applicants and registrants shall inform each client or patient before performing any professional services that the applicant or registrant is unlicensed and is under the supervision of a licensed professional.

AMEND § 4996.22. CONTINUING EDUCATION

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

(2) The board shall not renew any license of an applicant who began graduate study before January 1, 2004, pursuant to this chapter unless the applicant certifies to the board that during the applicant's first renewal period after the operative date of this section, the applicant completed a continuing education course in spousal or partner abuse assessment, detection, and intervention strategies, including community resources, cultural factors, and same gender abuse dynamics. On and after January 1, 2005, the course shall consist of not less than seven hours of training. Equivalent courses in spousal or partner abuse assessment, detection, and intervention strategies taken before the operative date of this section or proof of equivalent teaching or practice experience may be submitted to the board and, at its discretion, may be accepted in satisfaction of this requirement. Continuing education courses taken pursuant to this paragraph shall be applied to the 36 hours of approved continuing education required under paragraph (1).

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

(b) (1) In determining its continuing education requirements, the board shall consider including a course in menopausal mental health.

(2) In determining its continuing education requirements, the board shall consider including a course in maternal mental health.

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

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

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

(1) An accredited school of social work, as defined in Section 4991.2, or a school or department of social work that is a candidate for accreditation by the Commission on Accreditation of the Council on Social Work Education. Nothing in this paragraph shall be construed as requiring coursework to be offered as part of a regular degree program.

(2) A school, college, or university accredited by a regional or national institutional accrediting agency that is recognized by the United States Department of Education ~~or a school, college, or university that is approved by the Bureau for Private Postsecondary Education~~.

(3) Another continuing education provider, as specified by the board by regulation.

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

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

(1) Aspects of the discipline that are fundamental to the understanding, or the practice, of social work.

(2) Aspects of the social work discipline in which significant recent developments have occurred.

(3) Aspects of other related disciplines that enhance the understanding, or the practice, of social work.

(h) A system of continuing education for licensed clinical social workers shall include courses directly related to the diagnosis, assessment, and treatment of the client population being served.

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

(j) The board may adopt regulations as necessary to implement this section.

AMEND § 4999.12. DEFINITIONS

For purposes of this chapter, the following terms have the following meanings:

(a) “Board” means the Board of Behavioral Sciences.

(b) “Accredited” means a school, college, or university accredited by a regional or national institutional accrediting agency that is recognized by the United States Department of Education.

~~(c) “Approved” means a school, college, or university that possessed unconditional approval by the Bureau for Private Postsecondary Education at the time of the applicant’s graduation from the school, college, or university.~~

~~(d)~~(c) “Applicant for licensure” means an unlicensed person who has completed the required education and required hours of supervised experience for licensure.

~~(e)~~(d) “Licensed professional clinical counselor” or “LPCC” means a person licensed under this chapter to practice professional clinical counseling, as defined in Section 4999.20.

~~(f)~~(e) “Associate” means an unlicensed person who meets the requirements of Section 4999.42 and is registered with the board.

~~(g)~~(f) “Clinical counselor trainee” means an unlicensed person who is currently enrolled in a master’s or doctoral degree program, as specified in Section 4999.32 or 4999.33, that is designed to qualify the person for licensure and who has completed no less than 12 semester units or 18 quarter units of coursework in any qualifying degree program.

~~(h)~~(g) “Supervisor” means an individual who meets all of the following requirements:

(1) Has held an active license for at least two years within the five-year period immediately preceding any supervision as either:

(A) A licensed professional clinical counselor, licensed marriage and family therapist, psychologist licensed pursuant to Chapter 6.6 (commencing with Section 2900), licensed clinical social worker, licensed educational psychologist, or equivalent out-of-state license. A licensed educational psychologist may only supervise the provision of educationally related mental health services that are consistent with the scope of practice of an educational psychologist, as specified in Section 4989.14.

(B) A physician and surgeon who is certified in psychiatry by the American Board of Psychiatry and Neurology, or an out-of-state licensed physician and surgeon who is certified in psychiatry by the American Board of Psychiatry and Neurology.

(2) For at least two years within the five-year period immediately preceding any supervision, has practiced psychotherapy, provided psychological counseling pursuant to paragraph (5) of subdivision (a) of Section 4989.14, or provided direct clinical supervision of psychotherapy performed by marriage and family therapist trainees, associate marriage and family therapists, associate professional clinical counselors, or associate clinical social workers. Supervision of psychotherapy performed by a social work intern or a professional clinical counselor trainee shall be accepted if the supervision provided is substantially equivalent to the supervision required for registrants.

(3) Has received training in supervision as specified in this chapter and by regulation.

(4) Has not provided therapeutic services to the supervisee.

(5) Has and maintains a current and active license that is not under suspension or probation as one of the following:

(A) A marriage and family therapist, professional clinical counselor, clinical social worker, or licensed educational psychologist issued by the board.

(B) A psychologist licensed pursuant to Chapter 6.6 (commencing with Section 2900).

(C) A physician and surgeon who is certified in psychiatry by the American Board of Psychiatry and Neurology.

(6) Is not a spouse, domestic partner, or relative of the supervisee.

(7) Does not currently have or previously had a personal, professional, or business relationship with the supervisee that undermines the authority or effectiveness of the supervision.

~~(i)~~(h) "Client centered advocacy" includes, but is not limited to, researching, identifying, and accessing resources, or other activities, related to obtaining or providing services and supports for clients or groups of clients receiving psychotherapy or counseling services.

~~(j)~~(i) "Advertising," as used in this chapter, includes, but is not limited to, any public communication as defined in subdivision (a) of Section 651, the issuance of any card, sign, or device to any person, or the causing, permitting, or allowing of any sign or marking on, or in, any building or structure, or in any newspaper, magazine, or directory, or any printed matter whatsoever, with or without any limiting qualification. Signs within religious buildings or notices in bulletins from a religious organization mailed to a congregation are not advertising within the meaning of this chapter.

~~(k)~~(j) "Referral" means evaluating and identifying the needs of a client to determine whether it is advisable to refer the client to other specialists, informing the client of that judgment, and communicating that determination as requested or deemed appropriate to referral sources.

~~(l)~~(k) "Research" means a systematic effort to collect, analyze, and interpret quantitative and qualitative data that describes how social characteristics, behavior, emotion, cognitions, disabilities, mental disorders, and interpersonal transactions among individuals and organizations interact.

~~(m)~~(l) "Supervision" means responsibility for, and control of, the quality of mental health and related services provided by the supervisee. Consultation or peer discussion shall not be considered supervision and shall not qualify as supervised experience. Supervision includes, but is not limited to, all of the following:

(1) Ensuring the extent, kind, and quality of counseling performed is consistent with the education, training, and experience of the supervisee.

(2) Monitoring and evaluating the supervisee's assessment, diagnosis, and treatment decisions and providing regular feedback.

(3) Monitoring and evaluating the supervisee's ability to provide services at the site or sites where the supervisee is practicing and to the particular clientele being served.

(4) Monitoring and addressing clinical dynamics, including, but not limited to, countertransference-, intrapsychic-, interpersonal-, or trauma-related issues that may affect the supervisory or the practitioner-patient relationship.

(5) Ensuring the supervisee's compliance with laws and regulations governing the practice of licensed professional clinical counseling.

(6) Reviewing the supervisee's progress notes, process notes, and other patient treatment records, as deemed appropriate by the supervisor.

(7) With the client's written consent, providing direct observation or review of audio or video recordings of the supervisee's counseling or therapy, as deemed appropriate by the supervisor.

~~(n)~~(m) "Clinical setting" means any setting that meets both of the following requirements:

(1) Lawfully and regularly provides mental health counseling or psychotherapy.

(2) Provides oversight to ensure that the associate's work meets the experience and supervision requirements set forth in this chapter and in regulation and is within the scope of practice of the profession.

AMEND § 4999.27. TRAINEE SERVICES

(a) Nothing in this chapter shall restrict or prevent activities of a psychotherapeutic or counseling nature on the part of persons employed by accredited ~~or state-approved~~ academic institutions, public schools, government agencies, or nonprofit institutions who train graduate students pursuing a degree that qualifies for professional clinical counselor licensure at an accredited ~~or state-approved~~ college or university, provided that these activities and services constitute a part of a supervised course of study and that those persons are designated by a title such as "clinical counselor trainee" or other title clearly indicating the training status appropriate to the level of training.

(b) Notwithstanding subdivision (a), a graduate student shall not perform professional clinical counseling in a private practice or a professional corporation.

AMEND § 4999.32. QUALIFYING DEGREE PROGRAM FOR LICENSURE OR REGISTRATION; GRADUATE STUDY BEGAN BEFORE AUGUST 1, 2012 AND

COMPLETED ON OR BEFORE DECEMBER 31, 2018

(a) This section shall apply to applicants for licensure or registration who began graduate study before August 1, 2012, and completed that study on or before December 31, 2018. Those applicants may alternatively qualify under paragraph (2) of subdivision (a) of Section 4999.33.

(b) To qualify for licensure or registration, applicants shall possess a master's or doctoral degree that is counseling or psychotherapy in content and that meets the requirements of this section, obtained from an accredited ~~or approved~~ institution, as defined in Section 4999.12. For purposes of this subdivision, a degree is "counseling or psychotherapy in content" if it contains the supervised practicum or field study experience described in paragraph (3) of subdivision (c) and, except as provided in subdivision (d), the coursework in the core content areas listed in subparagraphs (A) to (I), inclusive, of paragraph (1) of subdivision (c).

(c) The degree described in subdivision (b) shall be a single, integrated program that contains not less than 48 graduate semester units or 72 graduate quarter units of instruction, which shall, except as provided in subdivision (d), include all of the following:

(1) The equivalent of at least three semester units or four quarter units of graduate study in each of the following core content areas:

(A) Counseling and psychotherapeutic theories and techniques, including the counseling process in a multicultural society, an orientation to wellness and prevention, counseling theories to assist in selection of appropriate counseling interventions, models of counseling consistent with current professional research and practice, development of a personal model of counseling, and multidisciplinary responses to crises, emergencies, and disasters.

(B) Human growth and development across the lifespan, including normal and abnormal behavior and an understanding of developmental crises, disability, psychopathology, and situational and environmental factors that affect both normal and abnormal behavior.

(C) Career development theories and techniques, including career development decisionmaking models and interrelationships among and between work, family, and other life roles and factors, including the role of multicultural issues in career development.

(D) Group counseling theories and techniques, including principles of group dynamics, group process components, developmental stage theories, therapeutic factors of group work, group leadership styles and approaches, pertinent research and literature, group counseling methods, and evaluation of effectiveness.

(E) Assessment, appraisal, and testing of individuals, including basic concepts of standardized and nonstandardized testing and other assessment techniques, norm-referenced and criterion-referenced assessment, statistical concepts, social and cultural factors related to assessment and evaluation of individuals and groups, and ethical strategies for selecting, administering, and interpreting assessment instruments and techniques in counseling.

(F) Multicultural counseling theories and techniques, including counselors' roles in developing cultural self-awareness, identity development, promoting cultural social justice, individual and community strategies for working with and advocating for diverse populations, and counselors' roles in eliminating biases and prejudices, and processes of intentional and unintentional oppression and discrimination.

(G) Principles of the diagnostic process, including differential diagnosis, and the use of current diagnostic tools, such as the current edition of the Diagnostic and Statistical Manual of Mental Disorders, the impact of co-occurring substance use disorders or medical psychological disorders, established diagnostic criteria for mental or emotional disorders, and the treatment modalities and placement criteria within the continuum of care.

(H) Research and evaluation, including studies that provide an understanding of research methods, statistical analysis, the use of research to inform evidence-based practice, the importance of research in advancing the profession of counseling, and statistical methods used in conducting research, needs assessment, and program evaluation.

(I) Professional orientation, ethics, and law in counseling, including professional ethical standards and legal considerations, licensing law and process, regulatory laws that delineate the profession's scope of practice, counselor-client privilege, confidentiality, the client dangerous to self or others, treatment of minors with or without parental consent, relationship between practitioner's sense of self and human values, functions and relationships with other human service providers, strategies for collaboration, and advocacy processes needed to address institutional and social barriers that impede access, equity, and success for clients.

(2) In addition to the course requirements described in paragraph (1), a minimum of 12 semester units or 18 quarter units of advanced coursework to develop knowledge of specific treatment issues, special populations, application of counseling constructs, assessment and treatment planning, clinical interventions, therapeutic relationships, psychopathology, or other clinical topics.

(3) Not less than six semester units or nine quarter units of supervised practicum or field study experience that involves direct client contact in a clinical setting that provides a range of professional clinical counseling experience, including the following:

(A) Applied psychotherapeutic techniques.

(B) Assessment.

(C) Diagnosis.

(D) Prognosis.

(E) Treatment planning.

(F) Treatment.

(G) Issues of development, adjustment, and maladjustment.

(H) Health and wellness promotion.

(I) Other recognized counseling interventions.

(J) A minimum of 150 hours of face-to-face supervised clinical experience counseling individuals, families, or groups.

(d) (1) (A) An applicant whose degree is deficient in no more than two of the required areas of study listed in subparagraphs (A) to (I), inclusive, of paragraph (1) of subdivision (c) may satisfy those deficiencies by successfully completing postmaster's or postdoctoral degree coursework at an accredited ~~or approved~~ institution, as defined in Section 4999.12.

(B) Notwithstanding subparagraph (A), an applicant shall not be deficient in the required areas of study specified in subparagraph (E) or (G) of paragraph (1) of subdivision (c) unless the applicant meets one of the following criteria and remediates the deficiency:

(i) The application for licensure was received by the board on or before August 31, 2020.

(ii) The application for registration was received by the board on or before August 31, 2020, and the registration was subsequently issued by the board.

(2) Coursework taken to meet deficiencies in the required areas of study listed in subparagraphs (A) to (I), inclusive, of paragraph (1) of subdivision (c) shall be the equivalent of three semester units or four quarter units of study.

(3) The board shall make the final determination as to whether a degree meets all requirements, including, but not limited to, course requirements, regardless of accreditation.

(e) In addition to the degree described in this section, or as part of that degree, an applicant shall complete the following coursework or training prior to registration as an associate:

(1) A minimum of 15 contact hours of instruction in alcoholism and other chemical substance abuse dependency, as specified by regulation.

(2) A minimum of 10 contact hours of training or coursework in human sexuality as specified in Section 25, and any regulations promulgated thereunder.

(3) A two semester unit or three quarter unit survey course in psychopharmacology.

(4) A minimum of 15 contact hours of instruction in spousal or partner abuse assessment, detection, and intervention strategies, including knowledge of community resources, cultural factors, and same gender abuse dynamics.

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

(6) A minimum of 18 contact hours of instruction in California law and professional ethics for professional clinical counselors that includes, but is not limited to, instruction in advertising, scope of practice, scope of competence, treatment of minors, confidentiality, dangerous clients, psychotherapist-client privilege, recordkeeping, client access to records, dual relationships, child abuse, elder and dependent adult abuse, online therapy, insurance reimbursement, civil liability, disciplinary actions and unprofessional conduct, ethics complaints and ethical standards, termination of therapy, standards of care, relevant family law, therapist disclosures to clients, and state and federal laws related to confidentiality of patient health information. When coursework in a master's or doctoral degree program is acquired to satisfy this requirement, it shall be considered as part of the 48 semester unit or 72 quarter unit requirement in subdivision (c).

(7) A minimum of 10 contact hours of instruction in aging and long-term care, which may include, but is not limited to, the biological, social, and psychological aspects of aging. On and after January 1, 2012, this coursework shall include instruction on the assessment and reporting of, as well as treatment related to, elder and dependent adult abuse and neglect.

(8) A minimum of 15 contact hours of instruction in crisis or trauma counseling, including multidisciplinary responses to crises, emergencies, or disasters, and brief, intermediate, and long-term approaches.

AMEND § 4999.33. QUALIFYING DEGREE PROGRAM FOR LICENSURE OR REGISTRATION; GRADUATE STUDY BEGAN ON OR AFTER AUGUST 1, 2012 OR COMPLETED AFTER DECEMBER 31, 2018

(a) This section shall apply to the following:

(1) Applicants for licensure or registration who begin graduate study before August 1, 2012, and do not complete that study on or before December 31, 2018.

(2) Applicants for licensure or registration who begin graduate study before August 1, 2012, and who graduate from a degree program that meets the requirements of this section.

(3) Applicants for licensure or registration who begin graduate study on or after August 1, 2012.

(b) To qualify for licensure or registration, applicants shall possess a master's or doctoral degree that is counseling or psychotherapy in content and that meets the requirements of this section, obtained from an accredited ~~or approved~~ institution, as defined in Section 4999.12. For purposes of this subdivision, a degree is "counseling or psychotherapy in content" if it contains the supervised practicum or field study experience described in paragraph (3) of subdivision (c) and, except as provided in subdivision (f), the coursework in the core content areas listed in subparagraphs (A) to (M), inclusive, of paragraph (1) of subdivision (c).

(c) The degree described in subdivision (b) shall be a single, integrated program that contains not less than 60 graduate semester units or 90 graduate quarter units of instruction, which shall, except as provided in subdivision (f), include all of the following:

(1) The equivalent of at least three semester units or four quarter units of graduate study in all of the following core content areas:

(A) Counseling and psychotherapeutic theories and techniques, including the counseling process in a multicultural society, an orientation to wellness and prevention, counseling theories to assist in selection of appropriate counseling interventions, models of counseling consistent with current professional research and practice, development of a personal model of counseling, and multidisciplinary responses to crises, emergencies, and disasters.

(B) Human growth and development across the lifespan, including normal and abnormal behavior and an understanding of developmental crises, disability, psychopathology, and situational and environmental factors that affect both normal and abnormal behavior.

(C) Career development theories and techniques, including career development decisionmaking models and interrelationships among and between work, family, and other life roles and factors, including the role of multicultural issues in career development.

(D) Group counseling theories and techniques, including principles of group dynamics, group process components, group developmental stage theories, therapeutic factors of group work, group leadership styles and approaches, pertinent research and literature, group counseling methods, and evaluation of effectiveness.

(E) Assessment, appraisal, and testing of individuals, including basic concepts of standardized and nonstandardized testing and other assessment techniques, norm-referenced and criterion-referenced assessment, statistical concepts, social and cultural factors related to assessment and evaluation of individuals and groups, and ethical strategies for selecting, administering, and interpreting assessment instruments and techniques in counseling.

(F) Multicultural counseling theories and techniques, including counselors' roles in developing cultural self-awareness, identity development, promoting cultural social justice, individual and community strategies for working with and advocating for diverse populations, and counselors' roles in eliminating biases and prejudices, and processes of intentional and unintentional oppression and discrimination.

(G) Principles of the diagnostic process, including differential diagnosis, and the use of current diagnostic tools, such as the current edition of the Diagnostic and Statistical Manual of Mental Disorders, the impact of co-occurring substance use disorders or medical psychological disorders, established diagnostic criteria for mental or emotional disorders, and the treatment modalities and placement criteria within the continuum of care.

(H) Research and evaluation, including studies that provide an understanding of research methods, statistical analysis, the use of research to inform evidence-based practice, the importance of research in advancing the profession of counseling, and statistical methods used in conducting research, needs assessment, and program evaluation.

(I) Professional orientation, ethics, and law in counseling, including California law and professional ethics for professional clinical counselors, professional ethical standards and legal considerations, licensing law and process, regulatory laws that delineate the profession's scope of practice, counselor-client privilege, confidentiality, the client dangerous to self or others, treatment of minors with or without parental consent, relationship between practitioner's sense of self and human values, functions and relationships with other human service providers, strategies for collaboration, and advocacy processes needed to address institutional and social barriers that impede access, equity, and success for clients.

(J) Psychopharmacology, including the biological bases of behavior, basic classifications, indications, and contraindications of commonly prescribed psychopharmacological medications so that appropriate referrals can be made for medication evaluations and so that the side effects of those medications can be identified.

(K) Addictions counseling, including substance abuse, co-occurring disorders, and addiction, major approaches to identification, evaluation, treatment, and prevention of substance abuse and addiction, legal and medical aspects of

substance abuse, populations at risk, the role of support persons, support systems, and community resources.

(L) Crisis or trauma counseling, including crisis theory; multidisciplinary responses to crises, emergencies, or disasters; cognitive, affective, behavioral, and neurological effects associated with trauma; brief, intermediate, and long-term approaches; and assessment strategies for clients in crisis and principles of intervention for individuals with mental or emotional disorders during times of crisis, emergency, or disaster.

(M) Advanced counseling and psychotherapeutic theories and techniques, including the application of counseling constructs, assessment and treatment planning, clinical interventions, therapeutic relationships, psychopathology, or other clinical topics.

(2) In addition to the course requirements described in paragraph (1), 15 semester units or 22.5 quarter units of advanced coursework to develop knowledge of specific treatment issues or special populations.

(3) Not less than six semester units or nine quarter units of supervised practicum or field study experience that involves direct client contact in a clinical setting that provides a range of professional clinical counseling experience, including the following:

(A) Applied psychotherapeutic techniques.

(B) Assessment.

(C) Diagnosis.

(D) Prognosis.

(E) Treatment planning.

(F) Treatment.

(G) Issues of development, adjustment, and maladjustment.

(H) Health and wellness promotion.

(I) Professional writing including documentation of services, treatment plans, and progress notes.

(J) How to find and use resources.

(K) Other recognized counseling interventions.

(L) A minimum of 280 hours of face-to-face supervised clinical experience counseling individuals, families, or groups.

(d) The 60 graduate semester units or 90 graduate quarter units of instruction required pursuant to subdivision (c) shall, in addition to meeting the requirements of subdivision (c), include instruction in all of the following:

(1) The understanding of human behavior within the social context of socioeconomic status and other contextual issues affecting social position.

(2) The understanding of human behavior within the social context of a representative variety of the cultures found within California.

(3) Cultural competency and sensitivity, including a familiarity with the racial, cultural, linguistic, and ethnic backgrounds of persons living in California.

(4) An understanding of the effects of socioeconomic status on treatment and available resources.

(5) Multicultural development and cross-cultural interaction, including experiences of race, ethnicity, class, spirituality, sexual orientation, gender, and disability and their incorporation into the psychotherapeutic process.

(6) Case management, systems of care for the severely mentally ill, public and private services for the severely mentally ill, community resources for victims of abuse, disaster and trauma response, advocacy for the severely mentally ill, and collaborative treatment. The instruction required in this paragraph may be provided either in credit level coursework or through extension programs offered by the degree-granting institution.

(7) Human sexuality, including the study of the physiological, psychological, and social cultural variables associated with sexual behavior, gender identity, and the assessment and treatment of psychosexual dysfunction.

(8) Spousal or partner abuse assessment, detection, intervention strategies, and same gender abuse dynamics.

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

(10) Aging and long-term care, including biological, social, cognitive, and psychological aspects of aging. This coursework shall include instruction on the assessment and reporting of, as well as treatment related to, elder and dependent adult abuse and neglect.

(e) A degree program that qualifies for licensure under this section shall do all of the following:

(1) Integrate the principles of mental health recovery-oriented care and methods of service delivery in recovery-oriented practice environments.

(2) Integrate an understanding of various cultures and the social and psychological implications of socioeconomic position.

(3) Provide the opportunity for students to meet with various consumers and family members of consumers of mental health services to enhance understanding of their experience of mental illness, treatment, and recovery.

(f) (1) (A) An applicant whose degree is deficient in no more than three of the required areas of study listed in subparagraphs (A) to (M), inclusive, of paragraph (1) of subdivision (c) may satisfy those deficiencies by successfully completing post-master's or postdoctoral degree coursework at an accredited ~~or approved~~ institution, as defined in Section 4999.12.

(B) Notwithstanding subparagraph (A), an applicant shall not be deficient in the required areas of study specified in subparagraphs (E) or (G) of paragraph (1) of subdivision (c) unless the applicant meets one of the following criteria and remediates the deficiency:

(i) The application for licensure was received by the board on or before August 31, 2020.

(ii) The application for registration was received by the board on or before August 31, 2020, and the registration was subsequently issued by the board.

(2) Coursework taken to meet deficiencies in the required areas of study listed in subparagraphs (A) to (M), inclusive, of paragraph (1) of subdivision (c) shall be the equivalent of three semester units or four quarter units of study.

(3) The board shall make the final determination as to whether a degree meets all requirements, including, but not limited to, course requirements, regardless of accreditation.

Add BPC §4999.33.5

Notwithstanding subdivision (b) of section 4999.32 or subdivision (b) of section 4999.33, a qualifying degree that was awarded on or before January 1, 2015 from a school, college, or university that possessed unconditional approval to operate from the Bureau for Private Postsecondary Education shall be accepted in lieu of accreditation, and shall be deemed exempt from the SB 1247 accreditation deadlines, provided that the school, college or university possessed unconditional approval from the Bureau for Private Postsecondary Education at the time that the qualifying degree was granted.

AMEND § 4999.40. DEGREE GRANTING PROGRAMS; NOTIFICATION OF QUALIFICATION TO STUDENTS; EQUIVALENT EDUCATION AND TRAINING GAINED OUTSIDE THE UNITED STATES

(a) Each educational institution preparing applicants to qualify for licensure shall notify each of its students by means of its public documents or otherwise in writing that its degree program is designed to meet the requirements of Section 4999.32 or 4999.33 and shall certify to the board that it has so notified its students.

(b) An applicant for registration or licensure shall submit to the board a certification by the applicant's educational institution that the institution's required curriculum for graduation and any associated coursework completed by the applicant does one of the following:

(1) Meets all of the requirements set forth in Section 4999.32.

(2) Meets all of the requirements set forth in Section 4999.33.

(c) An applicant trained at an educational institution outside the United States shall demonstrate to the satisfaction of the board that he or she possesses a qualifying degree that is equivalent to a degree earned from an institution of higher education that is accredited ~~or approved~~. These applicants shall provide the board with a comprehensive evaluation of the degree performed by a foreign credential evaluation service that is a member of the National Association of Credential Evaluation Services and shall provide any other documentation the board deems necessary.

AMEND § 4999.60. OUT-OF-STATE APPLICANTS: LICENSURE BY CREDENTIAL

(a) The board may issue a license to a person who, at the time of submitting an application for a license pursuant to this chapter, holds a license in another jurisdiction of the United States as a professional clinical counselor at the highest level for independent clinical practice if all of the following requirements are met:

(1) The applicant's license in the other jurisdiction has been current, active, and unrestricted for at least two years immediately before the date the application was received by the board. The applicant shall disclose to the board for review any past restrictions or disciplinary action on an out-of-state license, and the board shall consider those actions in determining whether to issue a license to the applicant.

(2) The applicant's degree that qualified the applicant for the out-of-state license is a master's or doctoral degree that was obtained from an accredited ~~or approved~~ institution, as defined in Section 4999.12.

(3) The applicant complies with the fingerprint requirements established in Section 144.

(4) The applicant completes the coursework specified in subparagraphs (A) and (B) from an accredited ~~or approved~~ school, college, or university, as defined in

Section 4999.12, or from a continuing education provider that is acceptable to the board, as defined in Section 4999.76. Undergraduate coursework shall not satisfy this requirement.

(A) A minimum of 12 hours of coursework in California law and professional ethics that includes, but is not limited to, instruction in advertising, scope of practice, scope of competence, treatment of minors, confidentiality, dangerous clients, psychotherapist-client privilege, recordkeeping, client access to records, state and federal laws relating to confidentiality of patient health information, dual relationships, child abuse, elder and dependent adult abuse, online therapy, insurance reimbursement, civil liability, disciplinary actions and unprofessional conduct, ethics complaints and ethical standards, termination of therapy, standards of care, relevant family law, therapist disclosures to clients, the application of legal and ethical standards in different types of work settings, and licensing law and licensing process.

(B) At least one semester unit, or 15 hours, of instruction that includes an understanding of various California cultures and the social and psychological implications of socioeconomic position.

(5) The applicant obtains a minimum of seven contact hours of training or coursework in child abuse assessment and reporting, as specified in Section 28, and any regulations promulgated thereunder.

(6) On and after January 1, 2021, the applicant shall show proof of completion of at least six hours of coursework or applied experience under supervision in suicide risk assessment and intervention using one of the methods specified in Section 4999.66.

(7) The applicant passes the board-administered California law and ethics examination specified in Section 4999.53. The clinical examination specified in Section 4999.53 shall be waived for an applicant qualifying under this section.

(b) This section was developed based on an examination of the licensure requirements for professional clinical counselors on a national level. This section shall not be construed to apply to any provisions under this division or Division 3 (commencing with Section 5000) other than this act.

AMEND § 4999.62. LICENSURE BY EDUCATION AND EXPERIENCE: SUBSTANTIALLY EQUIVALENT EDUCATION

(a) This section applies to persons with education gained from an out-of-state school who apply for licensure or registration and who do not qualify for a license under Section 4999.60.

(b) For purposes of Section 4999.61, education is substantially equivalent if all of the following requirements are met:

(1) The degree is obtained from an accredited ~~or approved~~ institution, as defined in Section 4999.12, and consists of, at a minimum, the following:

(A) (i) For an applicant who obtained a degree within the timeline prescribed by subdivision (a) of Section 4999.33 the degree shall contain no less than 60 graduate semester or 90 graduate quarter units of instruction.

(ii) Up to 12 semester or 18 quarter units of instruction may be remediated, if missing from the degree. The remediation may occur while the applicant is registered as an associate.

(B) For an applicant who obtained a degree within the timeline prescribed by subdivision (a) of Section 4999.32 the degree shall contain no less than 48 graduate semester or 72 graduate quarter units of instruction.

(C) (i) Six semester or nine quarter units of supervised practicum or field study experience, including, but not limited to, a minimum of 280 hours of face-to-face supervised clinical experience counseling individuals, families, or groups.

(ii) An out-of-state applicant who holds a valid license in good standing in another state or country as a professional clinical counselor at the highest level for independent clinical practice is exempt from the practicum requirement specified in clause (i).

(D) The required areas of study listed in subparagraphs (A) to (M), inclusive, of paragraph (1) of subdivision (c) of Section 4999.33.

(i) (I) An applicant whose degree is deficient in no more than six of the required areas of study listed in subparagraphs (A) to (M), inclusive, of paragraph (1) of subdivision (c) of Section 4999.33 may satisfy those deficiencies by successfully completing graduate level coursework at an accredited ~~or approved~~ institution, as defined in Section 4999.12. Coursework taken to meet any deficiencies shall be the equivalent of three semester units or four quarter units of study.

(II) Notwithstanding subclause (I), no applicant shall be deficient in the required areas of study specified in subparagraph (E) or (G) of paragraph (1) of subdivision (c) of Section 4999.33.

(ii) An applicant who completed a course in professional orientation, ethics, and law in counseling as required by subparagraph (I) of paragraph (1) of subdivision (c) of Section 4999.33 that did not contain instruction in California law and ethics shall complete a 12-hour course in California law and professional ethics that includes, but is not limited to, instruction in advertising, scope of practice, scope of competence, treatment of minors, confidentiality, dangerous clients, psychotherapist-client privilege,

recordkeeping, client access to records, state and federal laws relating to confidentiality of patient health information, dual relationships, child abuse, elder and dependent adult abuse, online therapy, insurance reimbursement, civil liability, disciplinary actions and unprofessional conduct, ethics complaints and ethical standards, termination of therapy, standards of care, relevant family law, therapist disclosures to clients, the application of legal and ethical standards in different types of work settings, and licensing law and the licensing process. The coursework may be from an accredited ~~or approved~~ school, college, or university, as defined in Section 4999.12, or from a continuing education provider that is acceptable to the board, as defined in Section 4999.76. Undergraduate coursework shall not satisfy this requirement. An applicant shall complete this coursework before registration as an associate.

(iii) An applicant who has not completed a course in professional orientation, ethics, and law in counseling as required by subparagraph (I) of paragraph (1) of subdivision (c) of Section 4999.33 shall complete this required coursework, including content in California law and ethics. An applicant shall complete this coursework before registration as an associate.

(iv) An applicant who holds a valid license in good standing in another state or country as a professional clinical counselor at the highest level for independent clinical practice may complete any units and course content requirements required in this subparagraph not already completed in the applicant's education while registered as an associate, unless otherwise specified.

(2) The applicant completes any units required by subdivision (c) of Section 4999.33 not already completed in the applicant's education as follows:

(A) At least 15 semester units or 22.5 quarter units of advanced coursework to develop knowledge of specific treatment issues or special populations. This coursework is in addition to the course requirements described in subparagraph (D) of paragraph (1).

(B) Coursework shall be from an accredited ~~or approved~~ school, college, or university as defined in Section 4999.12.

(3) (A) The applicant completes the following coursework not already completed in the applicant's education:

(i) A minimum of 10 contact hours of training in human sexuality, as specified in Section 25 and any regulations promulgated thereunder, including the study of the physiological, psychological, and social cultural variables associated with sexual behavior, gender identity, and the assessment and treatment of psychosexual dysfunction.

(ii) A minimum of 15 contact hours of instruction in spousal or partner abuse assessment, detection, intervention strategies, and same-gender abuse dynamics.

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

(iv) A minimum of 10 contact hours of instruction in aging and long-term care, including biological, social, cognitive, and psychological aspects of aging. This coursework shall include instruction on the assessment and reporting of, as well as treatment related to, elder and dependent adult abuse and neglect.

(B) This coursework may be from an accredited ~~or approved~~ school, college, or university as defined in Section 4999.12, or from a continuing education provider that is described in Section 4999.76. Undergraduate coursework shall not satisfy this requirement.

(4) The applicant completes the following coursework not already completed in the applicant's education from an accredited ~~or approved~~ school, college, or university as defined in Section 4999.12, or from a continuing education provider that is described in Section 4999.76. Undergraduate coursework shall not satisfy this requirement.

(A) At least three semester units, or 45 hours, of instruction regarding the principles of mental health recovery-oriented care and methods of service delivery in recovery-oriented practice environments, including structured meetings with various consumers and family members of consumers of mental health services to enhance understanding of their experiences of mental illness, treatment, and recovery.

(B) At least one semester unit, or 15 hours, of instruction that includes an understanding of various California cultures and the social and psychological implications of socioeconomic position.

(5) An applicant may complete any units and course content requirements required under paragraph (2), (3), or (4) not already completed in the applicant's education while registered with the board as an associate.

(6) On and after January 1, 2021, an applicant for licensure shall show proof of completion of at least six hours of coursework or applied experience under supervision in suicide risk assessment and intervention using one of the methods specified in Section 4999.66.

AMEND § 4999.76. CONTINUING EDUCATION

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

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

(b) (1) In determining its continuing education requirements, the board shall consider including a course in menopausal mental health.

(2) In determining its continuing education requirements, the board shall consider including a course in maternal mental health.

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

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

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

(1) A school, college, or university that is accredited ~~or approved,~~ as defined in Section 4999.12. Nothing in this paragraph shall be construed as requiring coursework to be offered as part of a regular degree program.

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

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

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

(1) Aspects of the discipline that are fundamental to the understanding or the practice of professional clinical counseling.

(2) Significant recent developments in the discipline of professional clinical counseling.

(3) Aspects of other disciplines that enhance the understanding or the practice of professional clinical counseling.

(h) A system of continuing education for licensed professional clinical counselors shall include courses directly related to the diagnosis, assessment, and treatment of the client population being served.

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

Health And Safety Code (HSC)

AMEND § 124260. MENTAL HEALTH SERVICES FOR MINORS

(a) As used in this section:

(1) “Mental health treatment or counseling services” means the provision of outpatient mental health treatment or counseling by a professional person, as defined in paragraph (2).

(2) “Professional person” means any of the following:

(A) A person designated as a mental health professional in Sections 622 to 626, inclusive, of Title 9 of the California Code of Regulations.

(B) A marriage and family therapist, as defined in Chapter 13 (commencing with Section 4980) of Division 2 of the Business and Professions Code.

(C) A licensed educational psychologist, as defined in Chapter 13.5 (commencing with Section 4989.10) of Division 2 of the Business and Professions Code.

(D) A credentialed school psychologist, as described in Section 49424 of the Education Code.

(E) A clinical psychologist licensed under Chapter 6.6 (commencing with Section 2900) of Division 2 of the Business and Professions Code.

(F) Either of the following persons, while working under the supervision of a licensed professional specified in Section 2902 of the Business and Professions Code:

(i) A registered psychological associate, as defined in Section 2913 of the Business and Professions Code.

(ii) A psychology trainee, as defined in Section 1387 of Title 16 of the California Code of Regulations.

(G) A licensed clinical social worker, as defined in Chapter 14 (commencing with Section 4991) of Division 2 of the Business and Professions Code.

(H) An associate clinical social worker, or a social work intern, as defined in Chapter 14 (commencing with Section 4991) of Division 2 of the Business and Professions Code, while working under the supervision of a licensed professional specified in Section 4996.20 of the Business and Professions Code.

(I) A person registered as an associate marriage and family therapist or a marriage and family therapist trainee, as defined in Chapter 13 (commencing with Section 4980) of Division 2 of the Business and Professions Code, while working under the supervision of a licensed professional specified in subdivision (g) of Section 4980.03 of the Business and Professions Code.

(J) A board certified, or board eligible, psychiatrist.

(K) A licensed professional clinical counselor, as defined in Chapter 16 (commencing with Section 4999.10) of Division 2 of the Business and Professions Code.

(L) A person registered as an associate professional clinical counselor or a clinical counselor trainee, as defined in Chapter 16 (commencing with Section 4999.10) of Division 2 of the Business and Professions Code, while working under the supervision of a licensed professional specified in subdivision ~~(h)~~(g) of Section 4999.12 of the Business and Professions Code.

(b) (1) Notwithstanding any law to the contrary, a minor who is 12 years of age or older may consent to mental health treatment or counseling services if, in the opinion of the attending professional person, the minor is mature enough to participate intelligently in the mental health treatment or counseling services.

(2) A marriage and family therapist trainee, a clinical counselor trainee, a psychology trainee, or a social work intern, as specified in paragraph (2) of subdivision (a), shall notify their supervisor or, if the supervisor is unavailable, an on-call supervisor at the site where the trainee or intern volunteers or is employed within 24 hours of treating or counseling a minor pursuant to paragraph (1). If, upon the initial assessment of the minor, the trainee or intern believes that the minor is a danger to self or to others, the trainee or intern shall notify the supervisor or, if the supervisor is unavailable, the on-call supervisor immediately after the treatment or counseling session.

(3) Nothing in paragraph (2) is intended to supplant, alter, expand, or remove any other reporting responsibilities required of trainees or interns under law.

(c) Notwithstanding any law to the contrary, the mental health treatment or counseling of a minor authorized by this section shall include involvement of the minor's parent or guardian, unless the professional person who is treating or counseling the minor, after consulting with the minor, determines that the involvement would be inappropriate. The professional person who is treating or counseling the minor shall state in the client record whether and when the person attempted to contact the minor's parent or guardian, and whether the attempt to contact was successful or

unsuccessful, or the reason why, in the professional person's opinion, it would be inappropriate to contact the minor's parent or guardian.

(d) The minor's parent or guardian is not liable for payment for mental health treatment or counseling services provided pursuant to this section unless the parent or guardian participates in the mental health treatment or counseling, and then only for services rendered with the participation of the parent or guardian.

(e) This section does not authorize a minor to receive convulsive treatment or psychosurgery, as defined in subdivisions (f) and (g) of Section 5325 of the Welfare and Institutions Code, or psychotropic drugs without the consent of the minor's parent or guardian.

ATTACHMENT C
Education Code (EC) §94885.5

Note: This code section was recently amended by legislation. The version shown below becomes effective January 1, 2027

EC §94885.5. (a) If an institution that has not been accredited by an accrediting agency recognized by the United States Department of Education seeks to offer one or more degree programs, the institution shall satisfy the following requirements in order to be issued a provisional approval to operate degree programs from the bureau:

(1) (A) The institution shall not offer more than two degree programs during the term of its provisional approval to operate degree programs.

(B) Enrollment of students on student visas shall not exceed 25 percent of total enrollment in any provisionally approved degree program.

(2) The institution shall submit an accreditation plan, approved by the bureau, for the institution to become fully accredited within five years of issuance of its provisional approval to operate degree programs. The plan shall include, at minimum, identification of an accreditation agency recognized by the United States Department of Education from which the institution plans to seek accreditation, and outline the process by which the institution will achieve accreditation candidacy or preaccreditation within two years, and full accreditation within five years, of issuance of its provisional approval to operate degree programs.

(3) The institution shall submit to the bureau all additional documentation the bureau deems necessary to determine if the institution will become fully accredited within five years of issuance of its provisional approval to operate degree programs.

(b) If an institution is granted a provisional approval to operate degree programs pursuant to subdivision (a), the following is required:

(1) Students seeking to enroll in that institution shall be notified in writing by the institution, before the execution of the student's enrollment agreement, that the institution's approval to operate is contingent upon it being subsequently accredited.

(2) Within the first four years of issuance of the provisional approval to operate degree programs, the bureau may empanel a visiting committee to review the institution's accreditation plan and any related documents or materials as determined by the visiting committee, and make a recommendation to the bureau regarding the institution's progress to achieving full accreditation.

(3) The institution shall provide evidence of accreditation candidacy or preaccreditation within two years of issuance of its provisional approval to operate degree programs, and

evidence of accreditation within five years of issuance of its provisional approval to operate degree programs, with the scope of that accreditation covering the offering of at least one degree program.

(c) (1) Except as provided in paragraph (2), an institution required to comply with this section that fails to do so by the dates provided, as required, or for which accreditation is removed or revoked by the accrediting agency, shall have its provisional approval to operate degree programs automatically terminated on the applicable date. The bureau shall issue an order terminating the institution's degree programs. An institution that has its degree programs terminated shall not enroll new students in any of its degree programs and shall execute a teach-out plan for its enrolled students in those degree programs.

(2) (A) This section does not prohibit an institution from voluntarily ceasing to pursue accreditation. An institution that voluntarily ceases to pursue accreditation shall immediately notify the bureau in writing of the institution's intent to stop offering its degree programs and shall comply with all other applicable laws and regulations. Upon the bureau's receipt of the notification, the institution's approval to operate degree programs is deemed voluntarily surrendered.

(B) An institution offering both degree and nondegree programs that has its provisional approval to operate degree programs terminated or that voluntarily ceases to pursue accreditation may continue to offer its nondegree programs, subject to all other laws and regulations.

(C) An institution that is pursuing accreditation under this section shall not make a change in ownership, change in control, or change in business organization form pursuant to Sections 94893 and 94894 until the institution obtains full accreditation.

(d) (1) The bureau shall, upon the timely submission of sufficient evidence that an unaccredited institution is making strong progress toward obtaining accreditation, or if warranted by the accrediting agency's conditions for applying for accreditation related to student enrollment or graduation, grant an institution's request for an extension of time, not to exceed a combined total of five years, to meet the requirements of this section.

(2) Evidence submitted to the bureau pursuant to paragraph (1) shall include, but is not limited to, an amended accreditation plan adequately identifying why preaccreditation, accreditation candidacy, or accreditation outlined in the original plan submitted to the bureau was not achieved, active steps the institution is taking to comply with this section, and documentation from an accrediting agency demonstrating either the institution's likely ability to meet the requirements of this section or the accrediting agency's relevant conditions for an institution to apply for accreditation.

(3) The bureau may establish policies and procedures to comply with the requirements in this subdivision. Establishment of these policies and procedures are exempt from Chapter 3.5 (commencing with Section 11340), Chapter 4 (commencing with Section 11370), Chapter 4.5 (commencing with Section 11400), and Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code.

(e) An institution issued a provisional approval to operate degree programs under this section is required to comply with all other laws and regulations.

(f) The bureau shall adopt emergency regulations for purposes of implementing this section. The adoption of these regulations shall be deemed to be an emergency and necessary for the immediate preservation of the public peace, health and safety, or general welfare for purposes of Sections 11346.1 and 11349.6 of the Government Code. These emergency regulations shall become law through the regular rulemaking process on or before September 29, 2015.

(g) An institution with a provisionally approved degree program that is terminated by the bureau or surrendered by the institution shall not apply for a provisional approval to operate degree programs until two years after the date of the prior termination or surrender.

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SENTIO UNIVERSITY

sentio.org

September 3, 2026

Policy and Advocacy Committee
California Board of Behavioral Sciences
1625 North Market Boulevard, Suite S-200
Sacramento, CA 95834

cc: Members of the Board of Behavioral Sciences
Steve Sodergren, Executive Officer
Rosanne Helms, Legislative Manager

Re: Public comment on the legislative proposal approved by the Board on August 14, 2026 (Agenda Item 25) to address applicants whose schools are in accreditation candidacy and to remove references to schools approved by the Bureau for Private Postsecondary Education, and on the Board's Notice to Students regarding Sentio University; submitted for the Committee's meeting of September 17, 2026

Dear Chair Jones and Members of the Committee:

Sentio University supports the objective of the amendments the Board approved on August 14. Placing the registration pathway for graduates of institutions pursuing accreditation in statute gives students and institutions a clearer and more stable rule than administrative practice provides, and the retroactive credit for supervised experience in proposed Business and Professions Code section 4980.38(d) is a meaningful protection for students. At both the June 16 and August 14 meetings, the California Association of Marriage and Family Therapists asked that the amendments not unintentionally harm past or current applicants, and staff gave that assurance. Unfortunately, the Board's Notice to Students, as it is currently written, poses risk of harm to Sentio University's graduates, current students, and our path to accreditation.

The amendments, and the Board's current Notice to Students, operate at the intersection of three bodies of rules: the Board's licensing statutes, the Bureau for Private Postsecondary Education's approval statute and regulations, and the procedures of each accrediting agency recognized by the United States Department of Education. Each agency knows its own rules. None can be expected to know the others' completely, because those rules live inside the other agencies' processes. The four matters described below are places where the language as drafted depends on another agency's rules and, in each, leaves students and institutions in a position that none of the three agencies intends. Because the Board directed staff to pursue the language as a legislative proposal, we ask that these matters be resolved before bill language is finalized, in a working session that puts the Board's staff, the Bureau, the accrediting agencies, and the affected institutions in the same room. Section 5 describes that request.

1. The required notice, and the Board's Notice to Students, direct students to information that accrediting agency rules prohibit the institution from giving them.

Since the Board posted its Notice to Students regarding Sentio University in May, prospective students who contact the University have done what the notice tells them to do. They ask about the University's accreditation status: which agency it has applied to, where the application stands, how likely the outcome is, and when a decision is expected. The University cannot answer any of those questions.

The accrediting agency that Sentio is applying to is the [redacted], which is recognized by the United States Department of Education. *(The University asks that this name be redacted from any posted copy of this comment; see the request at the end of this letter.)* The Commission's rule for applicant institutions, Part Two, Section I.B of its Accreditation Handbook, titled "No Promotional Use of [the Commission's] Accreditation Process," provides:

> *"An initial applicant institution may not suggest that it is accredited by or will be accredited by or otherwise holds any form of approval by [the Commission] unless and until accreditation has been finally granted, and then solely in accordance with the rules for referencing [the Commission's] accreditation set forth in Standard XIII.G. When an institution applies for initial accreditation, it must certify on its application for accreditation that it 'agrees to not make any promotional use of its application for accreditation status prior to receiving [the Commission's] accreditation.' If [the Commission] is informed that an applicant institution has violated the foregoing prohibition, the [Commission's] executive director will notify the institution immediately that it is to cease and desist. If the institution continues in the unauthorized promotional use, its application for accreditation will be terminated, and the institution will not be allowed to reapply for accreditation for one year."*

The Commission applies this prohibition to any reference to a pending application. In an effort to comply with the Board's notice and give students full information, the University placed on its website a link to the Commission's own website, where the Commission's public list showed the University among the institutions scheduled for a site visit. The Commission's staff saw the link, called a meeting with the University, and directed that the link be taken down as a violation of the rule. An institution that answers the questions the Board's notice invites risks a cease-and-desist directive and, if it continues, termination of its application and a one-year bar on reapplying. For an institution operating against the five-year deadline in Education Code section 94885.5, that outcome ends the institution, and its students bear it.

The University has completed every stage of the Commission's review as quickly as the Commission's process allows, and the review has gone well. The University may not tell its students any of this. The result for students is the opposite of what the notice intends. They read the Board's instruction to remain informed, they ask reasonable questions, and they receive no answers. They read the silence as evasion and leave the exchange distressed and uncertain whether to enroll or, for graduates, what their degree is worth. The University would welcome the chance to give every student and graduate a full

account of where it stands. The pace of an accreditation review is set by the accrediting agency, and the rules on what an applicant may say are set by the agency as well. The Board's notice therefore places the student between two agencies' rules, and the institution has no lawful way to resolve it.

Recent graduates of the University who received the notice from the Board contacted the University alarmed. They followed the notice's advice and asked about accreditation. The University could not answer them. It could not tell them the name of its accrediting agency, could not describe the rules it was complying with, and could not explain why it was unable to answer. These people just completed a graduate degree and registered as Associates, and the exchange left them anxious and confused about the standing of the degree they had earned.

Proposed subdivision (g) of section 4980.38 carries the same problem into statute. It requires a signed statement that the institution "is not yet accredited." The phrase "not yet" communicates that accreditation is forthcoming, which is the representation an applicant institution may not make. The Committee's stated purpose on June 16 was to put this information in front of applicants in a form that cannot be buried in marketing material, without penalizing schools. The Bureau already pursues the same purpose through Title 5, California Code of Regulations, section 71775, which requires every provisionally approved institution to give each prospective student, before the enrollment agreement is signed, a standalone "Notice to Prospective Degree Program Students" in 12-point type, initialed and dated by the student and by the institution, retained in the student's file with a copy to the student, and posted in the catalog, on the website, and in program brochures. Its text is in Appendix C. Sentio University provides this notice to every student. A student at a provisionally approved institution would thus receive two state-mandated notices about accreditation, written by two agencies, one of which the institution's accrediting agency may treat as a violation.

We ask that the statutory notice and the Board's Notice to Students be designed together with the Bureau and with the accrediting agencies, so that a student receives one clear account of what the institution's status means for licensure, in words the institution may lawfully use, and is told where the answers to the questions the notice raises can be found. The Bureau maintains the record of each institution's approval and deadlines, and the agencies publish the institutions under review on their own websites (Appendix B). How the Board's notice, the Bureau's notice, and the agencies' rules should fit together is a question that can only be answered with all three at the table.

2. Proposed section 4980.38(c) and (d) turn on a status that some accrediting agencies do not confer, and the section they cite for the definition contains none.

Proposed section 4980.38(c) applies to an institution "in candidate status for accreditation as defined in section 4980.03." Attachment B amends section 4980.03 by repealing subdivision (j) and adds no definition of candidate status, so the cross-reference has no referent. The clinical social work provision on which the language is modeled, section 4996.18(c), works because the Commission on Accreditation of the Council on Social Work Education grants formal candidacy. Not every agency recognized by the United States Department of Education does. The Commission states in Part Two of its Accreditation

Handbook, under “Five Important Notes on [the Commission’s] Accreditation Processes and Procedures,” Note 2:

> *“[The Commission] only awards accreditation status for institutions. [The Commission] does not offer pre-accreditation or similar status nor does [the Commission] accredit institutions on a ‘partial’ basis.”*

An institution seeking the Commission’s accreditation moves from applicant to accredited through an eligibility determination, a readiness assessment, and an on-site evaluation, and holds no intermediate status at any stage. The Bureau’s own rules show how easily this variation among agencies escapes notice: Education Code section 94885.5 requires a provisionally approved institution to show “accreditation candidacy or pre-accreditation” within two years, and section 71775 tells prospective students to expect the same, although at least one recognized agency confers neither. Under the language as drafted, a graduate of a Bureau-approved institution whose accrediting agency confers no candidacy would satisfy neither section 4980.36(b), from which Bureau approval is removed, nor the exception in section 4980.38(c). That is narrower than the Board’s current practice, which the Board’s own notice describes: graduates of a provisionally approved institution “may register as Associates and begin earning supervised experience toward licensure.”

We ask that the qualifying status be defined so that it reaches every institution the Bureau has provisionally approved and that is under review by a recognized agency, whatever marker that agency’s process confers. Whether that is best done by reference to the Bureau’s determinations under section 94885.5, to the agency’s acceptance of an application, or to some other marker that each agency actually uses is a question for the Bureau and the agencies, whose processes differ and whose staff are the only people who know them completely.

3. “Fails to obtain accreditation” is defined by events that do not occur in every agency’s process, while the deadlines that actually govern these institutions belong to the Bureau.

Proposed subdivision (f) defines failure as not achieving accreditation “upon completion of its candidate-status period or within a reasonable extension approved by the accrediting body,” or withdrawal, revocation, or termination of candidacy. For an agency that confers no candidacy there is no candidate-status period and no extension of it for the agency to approve. The deadlines that govern a provisionally approved institution are the Bureau’s: accreditation within five years of provisional approval, which the Bureau extends for strong progress or for the accrediting agency’s own enrollment or graduation conditions, for a combined total of up to five years, with automatic suspension of degree programs on failure (Education Code section 94885.5(c) and (d)). As staff explained to the Board on August 14, an institution operating under a Bureau extension has not failed to obtain accreditation. The language as drafted does not say so, and a Board evaluator applying it would have to decide whether a Bureau extension is “a reasonable extension approved by the accrediting body” for an agency that approves no such thing.

We ask that failure be defined by reference to events that actually occur in the Bureau’s process and in each agency’s process, and that an institution operating within a Bureau-granted extension be treated

as staff described it: as an institution that has not failed. How the Bureau's extensions, an agency's deferrals and denials, and the Board's renewal rule should interlock is a question the three agencies can settle in one session and cannot settle separately.

4. Students and Associates who relied on the Board's practice stand to lose their registrations and their hours, and the examination provision may delay licensure once early examination eligibility exists.

Proposed subdivisions (e) and (f) operate on people who enrolled, graduated, registered as Associates, and accrued supervised hours under registrations the Board issued, in reliance on section 4980.36(b) as written, on the Board's letter to the University of April 19, 2021, which advised that its students "may be eligible for registration and licensure pending approval from BPPE," and on the Board's current notice. Sentio University established its program and enrolled its students on that basis. The savings provision in proposed section 4980.36.5 reaches only degrees awarded on or before January 1, 2015, and so protects no one who relied on the language the Legislature left in place after that date. When a degree ceases to qualify, the student's only remedy is a second master's degree, which at Sentio University's tuition of $1,120 per unit represents approximately $67,200 for a 60-unit degree before living costs and two to three additional years out of the workforce. Supervisors and placement sites lose their training investment, employers lose staff they have trained, the Board absorbs the cost of re-registration and re-review, and California loses clinicians at a time when the Board's new Strategic Plan states as Goal 2: "Apply licensing standards to protect consumers and allow reasonable and timely access to the profession."

We ask for a transition rule that protects people who enrolled or registered in reliance on the Board's practice and preserves the supervised experience they have earned, in whatever form the Board and the Bureau find workable. On August 14, Dr. Benjamin Caldwell observed in public comment that tying clinical examination eligibility to the institution's accreditation will conflict with the Board's planned earlier examination eligibility, and staff agreed to revisit the point with that proposal. We support resolving the timing so that an Associate's progress toward licensure is not delayed by the institution's accreditation schedule once early eligibility exists. The right sequence of exam, license, and accreditation is another question whose answer depends on how each agency's timeline runs, and on who is in the room when it is drawn.

5. Request: a working session with the Board, the Bureau, the accrediting agencies, and the affected institutions before bill language is finalized.

The four matters above share a cause. The Board's staff consulted the Bureau's counsel on this proposal, and still could not have known that a recognized accrediting agency confers no candidacy, or forbids an applicant institution to describe its own status, because those rules live inside the agency's process. The Bureau's regulation tells students to expect "candidacy or pre-accreditation" from agencies that confer neither. The Board's notice tells students to ask questions the agency forbids the institution to answer. Each rule is reasonable on its own. Together they leave students without information and institutions without a lawful way to comply with all three, and they place the Board in the position of enforcing a rule that no one agency wrote or can fully explain. No one agency's staff can be expected to know the

other two agencies' rules completely, and the only way to write rules that work across the three bodies is for the people who know each of them to sit together.

Sentio University therefore asks the Committee to recommend, and the Board to direct, a working session before the proposal is finalized for introduction, bringing together the Board's staff and Committee members, the Bureau, the accrediting agencies used by California institutions holding provisional approval, the institutions themselves, and the professional associations that have commented. **In order to prevent harm, we ask that the Board's Notice to Students template be suspended until it is revised.** The University is available to help identify and contact the other affected institutions, will assist with coordination in any way that is useful, and will present at the Committee's September 17 meeting if the Committee wishes. Appendix A lists the questions we believe such a session would need to answer.

Students at institutions pursuing accreditation deserve a clear rule, stated in statute, that they can rely on and that their institutions can lawfully explain to them. The Board, the Bureau, and the accrediting agencies each hold part of that rule. Bringing them together is the step that makes the rest possible. Thank you for your consideration.

Request regarding publication of this comment: The rules of the University's accrediting agency prohibit an applicant institution from making promotional use of its application, and the University cannot be certain that a public comment naming the agency would not be read that way. We therefore ask that the Board redact the name of the agency, which appears in the third paragraph of Section 1 and in the source line of Appendix B, from any copy of this comment posted on the Board's website or included in public meeting materials. The name is provided so that the Board and its staff can verify the provisions quoted.

Respectfully submitted,

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Appendices

A. Questions the current language and notice leave open
B. Accrediting agency handbook excerpts
C. Education Code section 94885.5 (excerpts) and Title 5, California Code of Regulations, section 71775

Appendix A. Questions the current language and notice leave open

These are the questions Sentio University believes a working session of the Board, the Bureau, the accrediting agencies, and the affected institutions would need to answer. They are listed as questions because the answer to each depends on rules held by more than one agency.

Qualifying status

1. Which accrediting agencies recognized by the United States Department of Education confer candidacy or pre-accreditation status, which confer only applicant status, and what does each publish about institutions under review?

2. For an agency that confers no intermediate status, what event marks the point at which a graduate of a provisionally approved institution may register as an Associate: the Bureau's grant of provisional approval, the Bureau's acceptance of the accreditation plan under Education Code section 94885.5(a)(2), the agency's acceptance of the application, or something else?

3. Where should the definition live, given that Attachment B repeals section 4980.03(j) and proposed section 4980.38(c) cites section 4980.03 for a definition it no longer contains?

4. Should the Board rely on the Bureau's determinations under section 94885.5, which the Bureau already makes and verifies, rather than make its own determination of an institution's standing with an accrediting agency?

Failure to obtain accreditation

5. What events in each agency's process correspond to "completion of its candidate-status period," "a reasonable extension approved by the accrediting body," and candidacy that is "withdrawn, revoked, or terminated," and what is the equivalent for an agency that has none of these?

6. How does a Bureau-granted extension under section 94885.5(d) interact with the Board's definition of failure and its renewal rule, and how will the Board learn that an extension has been granted?

7. What happens to an Associate's registration and hours if an agency defers a decision, if an institution reapplies after a denial within the Bureau's timeline, or if the Bureau and the agency reach different conclusions about the institution's progress?

Notices to students

8. What may an applicant institution lawfully say to a prospective student about its accreditation status under each agency's rules, and what wording of a state-mandated notice would every agency accept?

9. How should the Board's statutory notice relate to the Bureau's notice under Title 5, section 71775, which already requires a standalone, 12-point, initialed and dated document posted in the catalog, on the website, and in brochures?

10. Where should the Board's Notice to Students direct students who want to follow an institution's progress, given that the institution may be prohibited from answering, the Bureau holds the approval record, and the agencies publish their own lists of institutions under review?

11. Should the Board's notice state the Bureau's deadline as a fixed date or as a date subject to extension, carry a date of issue, and be updated when the institution's status changes?

Transition and timing

12. How should the amendments treat students who enrolled, and Associates who registered, before the operative date in reliance on section 4980.36(b) as written and on the Board's practice, and what is the least costly way to preserve the supervised experience they have earned?

13. Once earlier clinical examination eligibility exists, should the institution's accreditation be a condition of taking the examination or of receiving the license?

Process

14. How can the Board, the Bureau, and the accrediting agencies share information about an institution's status on an ongoing basis, so that each agency's rule is applied on facts the other agencies hold?

15. Which other California institutions currently hold provisional approval from the Bureau and are under review by a recognized agency, and which agencies are involved, so that the rule is written for every case it will govern?

Appendix B. Accrediting agency handbook excerpts

Source: [redacted], Accreditation Handbook, 32nd edition (January 1, 2025; Part Two revisions effective February 24, 2025), Part Two, Processes and Procedures, available on the Commission's website. The University asks that the agency's name in this source line be redacted from any posted copy. In the excerpts below, the agency's name is replaced with "[the Commission]".

Part Two, "Five Important Notes on [the Commission's] Accreditation Processes and Procedures," Note 2 (pages 11 to 12):

> *"Scope of Accreditation. [The Commission] only awards accreditation status for institutions. [The Commission] does not offer pre-accreditation or similar status nor does [the Commission] accredit institutions on a 'partial' basis. Accredited institutions may offer distance education services that are not part of the institution's accredited degree or non-degree program curriculum."*

Part Two, Section I.B, "No Promotional Use of [the Commission's] Accreditation Process" (page 14):

> *"An initial applicant institution may not suggest that it is accredited by or will be accredited by or otherwise holds any form of approval by [the Commission] unless and until accreditation has been finally granted, and then solely in accordance with the rules for referencing [the Commission's] accreditation set forth in Standard XIII.G. When an institution applies for initial accreditation, it must certify on its application for accreditation that it 'agrees to not make any promotional use of its application for accreditation status prior to receiving [the Commission's] accreditation.' If [the Commission] is informed that an applicant institution has violated the foregoing prohibition, the [Commission's] executive director will notify the institution immediately that it is to cease and desist. If the institution continues in the unauthorized promotional use, its application for accreditation will be terminated, and the institution will not be allowed to reapply for accreditation for one year."*

Part Two, Section VII, "Consideration of Third-Party Information" (page 24):

> *"A. [The Commission] publishes notice of the institutions under review for initial or renewal of accreditation on its website and encourages interested parties to submit written comments pertaining to such review. [The Commission] also solicits comments from third parties, such as governmental or quasi-governmental entities, U.S. federal and state educational agencies, other accrediting or licensing organizations. [The Commission] may also solicit comments from education-focused media, industry groups, and other relevant parties. Comments may be submitted via [the Commission's] website or by mail or other delivery method."*
>
> *"B. [The Commission] requests that public and third-party comments are submitted at least 30 days prior to the scheduled meeting of the Commission at which the institution's application for accreditation or reaccreditation is to be evaluated. This timeframe allows*

> *for a reasonable period for [the Commission] to share the comment with the institution and for the institution to respond to the same. …"*
>
> *"C. Any information received from the public is provided to the institution for review and response. A copy of the public comment and the institution's response to the same, if any, are included in the record to be reviewed by the Commission. Information received from government agencies or departments is treated in the same way as information obtained from nongovernmental sources unless the agency or department provides the information to [the Commission] with express requirements of confidentiality."*

Part Two, Section I, first-time applicants (pages 13 to 14): the process for an initial applicant consists of the agency's preparatory tutorial, an application and eligibility determination (Section III), a self-evaluation report and readiness assessment (Section IV), and a full accreditation evaluation including an on-site visit (Sections V and VIII), followed by Commission action (Section IX). No status is conferred on the institution between application and the Commission's decision.

Appendix C. Education Code section 94885.5 (excerpts) and Title 5, California Code of Regulations, section 71775

Education Code section 94885.5 (excerpts):

"(a) If an institution that has not been accredited by an accrediting agency recognized by the United States Department of Education seeks to offer one or more degree programs, the institution shall satisfy the following requirements in order to be issued a provisional approval to operate degree programs from the bureau: … (2) The institution shall submit an accreditation plan, approved by the bureau, for the institution to become fully accredited within five years of issuance of its provisional approval to operate degree programs. The plan shall include, at a minimum, identification of an accreditation agency recognized by the United States Department of Education, from which the institution plans to seek accreditation, and outline the process by which the institution will achieve accreditation candidacy or pre-accreditation within two years, and full accreditation within five years, of issuance of its provisional approval to operate degree programs. (3) The institution shall submit to the bureau all additional documentation the bureau deems necessary to determine if the institution will become fully accredited within five years of issuance of its provisional approval to operate degree programs."

"(b) If an institution is granted a provisional approval to operate degree programs pursuant to subdivision (a), the following is required: (1) Students seeking to enroll in that institution shall be notified in writing by the institution, before the execution of the student's enrollment agreement, that the institution's approval to operate is contingent upon it being subsequently accredited. (2) Within the first two years of issuance of the provisional approval to operate degree programs, a visiting committee, empaneled by the bureau pursuant to Section 94882, shall review the institution's application for approval and its accreditation plan, and make a recommendation to the bureau regarding the institution's progress to achieving full accreditation. (3) The institution shall provide evidence of accreditation candidacy or pre-accreditation within two years of issuance of its provisional approval to operate degree programs, and evidence of accreditation within five years of issuance of its provisional approval to operate degree programs, with the scope of that accreditation covering the offering of at least one degree program."

"(c) (1) Except as provided in paragraph (2), an institution required to comply with this section that fails to do so by the dates provided, as required, or for which accreditation is removed or revoked by the accrediting agency, shall have its provisional approval to operate degree programs automatically suspended on the applicable date. The bureau shall issue an order suspending the institution's degree programs and that suspension shall not be lifted until the institution complies with the requirements of this section or has its accreditation reinstated. An institution that has its degree programs suspended shall not enroll new students in any of its degree programs and shall execute a teach-out

plan for its enrolled students in those degree programs. (2) (A) This section does not prohibit an institution from voluntarily ceasing to pursue accreditation. ...”

“(d) (1) The bureau shall, upon the timely submission of sufficient evidence that an unaccredited institution is making strong progress toward obtaining accreditation, or if warranted by the accrediting agency’s conditions for applying for accreditation related to student enrollment or graduation, grant an institution’s request for an extension of time, not to exceed a combined total of five years, to meet the requirements of this section.”

Title 5, California Code of Regulations, section 71775, Pre-Enrollment Disclosure; Notice to Prospective Degree Program Students (text as published; the notice’s initial and date lines are omitted):

“(a) An unaccredited institution enrolling a student in a degree program that has received provisional approval shall, prior to execution of an enrollment agreement, provide the student with the following notice, which shall be in at least 12-point type in the same font as the enrollment agreement: ‘Notice to Prospective Degree Program Students. This institution is provisionally approved by the Bureau for Private Postsecondary Education to offer degree programs. To continue to offer this degree program, this institution must meet the following requirements: Become institutionally accredited by an accrediting agency recognized by the United States Department of Education, with the scope of the accreditation covering at least one degree program. Achieve accreditation candidacy or pre-accreditation, as defined in regulations, by (date two years from date of provisional approval), and full accreditation by (date five years from date of provisional approval). If this institution stops pursuing accreditation, it must: Stop all enrollment in its degree programs, and Provide a teach-out to finish the educational program or provide a refund. An institution that fails to comply with accreditation requirements by the required dates shall have its approval to offer degree programs automatically suspended.’”

“(b) The student and an institutional representative shall initial and date the notice prior to executing an enrollment agreement. An initialed copy of the notice shall be given to the student and the original shall be retained in the enrolled student’s records. (c) The notice shall also be posted immediately preceding or following as to clearly pertain to the description of the degree program, including, but not limited to, one or more of the following; admissions requirements, length of program, courses offered or areas of focus. Such notice shall be included, at a minimum, in the following locations: (1) The institution’s catalog where each degree program is described. (2) The institution’s website where each degree program is described. (3) The institution’s degree program brochures.”