

**BOARD OF BEHAVIORAL SCIENCES**  
**FINAL STATEMENT OF REASONS**

**Hearing Date:** May 20, 2004

**Sections Affected:** Repeal Section 1815, Amend Sections 1816.2, 1816.3, 1877,  
Adopt Section 1829

**Updated Information**

The Initial Statement of Reasons (Tab II) is included in the file. The information contained therein is updated as follows:

On November 13, 2003, the Board voted to replace the Marriage and Family Therapist and Licensed Clinical Social Worker oral examinations with written clinical vignette examinations and directed staff to file emergency regulations and take any other necessary steps to implement this change. Staff filed emergency regulations with the Office of Administrative Law and these regulations were approved on March 3, 2004.

The subsequent regular rulemaking file, Certificate of Compliance as required by Government Code Sections 11346.2-11346.9, was filed with the Office of Administrative Law on February 17, 2004 to begin the rulemaking process. The Board did not receive any written comments on the proposed regulatory actions during the public comment period of February 27, 2004 through April 12, 2004.

The Board held a regulation hearing on May 20, 2004 in San Diego, CA. Based on the one nonsubstantive oral comment received at the hearing, the Board chose to amend the title of Article 4, of Division 18, of Title 16 to reflect the current license title of Marriage and Family Therapist as enacted by Statutes of 1998, Ch. 108, Section 1. The Board did not receive any other oral comments at the public hearing and adopted the proposed regulatory actions on May 20, 2004.

Additionally, when the Office of Administrative Law approved the emergency regulations on March 3, 2004, it was approved with the title of Section 1815 stricken out. When the Board received the Barclay's California Code of Regulations Code Supplement, the title was not stricken out. Therefore, although the proposed repeal of Section 1815 reflects this strike out, staff has made this nonsubstantive change to the Order of Adoption to correct this error.

### **Local Mandate**

A mandate is not imposed on local agencies or school districts.

### **Small Business Impact**

The Board has determined that this action will not have a significant adverse economic impact on small businesses.

### **Consideration of Alternatives**

No reasonable alternative which was considered or that has otherwise been identified and brought to the attention of the Board would be either more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed regulation.

### **Objections or Recommendations/Responses**

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The Board carefully considered the comment on the proposed regulations. The Board's response is as follows:

**Organization or Individual:** Mary Riemersma, Executive Director of the California Association of Marriage and Family Therapists

**Comment:** Ms. Riemersma commented at the public hearing on May 20, 2004 that the title of Article 4 of Division 18 or Title 16 should be amended to reflect the license title name change from marriage, family, and child counselors to marriage and family therapist to reflect the license title currently in law.

**Response:** The Board agreed with Ms. Riemersma's comment and directed staff to make this nonsubstantive change.