

**BOARD OF BEHAVIORAL SCIENCES
PROPOSED LANGUAGE**

Amend Section 1888 of Division 18 of Title 16 as follows:

§1888. DISCIPLINARY GUIDELINES

In reaching a decision on a disciplinary action under the Administrative Procedure Act (Government Code Section 11400 et seq.), the Board of Behavioral Sciences shall consider the disciplinary guidelines entitled "Board of Behavioral Sciences Disciplinary Guidelines" [Rev. ~~November 9, 2004~~ May 21, 2004] which are hereby incorporated by reference. Deviation from these guidelines and orders, including the standard terms of probation, is appropriate where the Board in its discretion determines that the facts of the particular case warrant such a deviation – for example: the presence of mitigating factors; the age of the case; evidentiary problems.

NOTE: Authority cited: Sections 4980.60, 4987, 4990.14, ~~4988.2, 4998.6,~~ Business and Professions Code; and Section 11400.20. Government Code. Reference: Sections 4982, 4986.70, ~~4988.1,~~ 4992.3, ~~4998.5,~~ Business and Professions Code; and Sections 11400.20 and 11425.50(e), Government Code.