

**ADDENDUM TO
INITIAL STATEMENT OF REASONS**

Board of Behavioral Sciences

**Subject Matter of Proposed Regulations:
*Supervision-Related Requirements***

Title 16 of Division 18 of the California Code of Regulations

Add sections 1815.8, 1820.3, 1821.1, 1821.2, 1821.3, 1833.05, 1833.1.5, 1834, 1869, 1869.3, 1870.3, 1870.5, and 1871; Amend Sections 1820, 1820.5, 1821, 1833, 1833.1, 1833.2, and 1870; Repeal sections 1822 and 1870.1.

Section 1820(a): The Initial Statement of Reasons (ISOR), Factual Basis/Rationale for new subsection (a), should have mentioned that the written oversight agreement is only allowed in a setting which is not a private practice. In addition, the ISOR failed to justify duplication of statute in the text. Duplication of Business and Professions Code (BPC) section 4999.46.3(d) is necessary to satisfy the clarity standard.

Section 1820(a)(2), (a)(3)(A) and (a)(3)(B): The ISOR failed to state that these subsections consist of existing text that was moved from subsection (e)(3).

Section 1820(b): The ISOR described the requirement of this subsection as a “one-time” self-assessment report. However, the text of 1820(b) does not use this language. While most supervisors will only submit a self-assessment report one time, it is possible that an individual who has stopped supervising would submit a new self-assessment report in the future.

Section 1820(c)(3)(F): The ISOR failed to state that this subsection is existing text that was moved from section 1822.

Section 1833(a): The Initial Statement of Reasons (ISOR), Factual Basis/Rationale for new subsection (a), should have mentioned that the written oversight agreement is only allowed in a setting which is not a private practice. In addition, the ISOR failed to justify duplication of statute in the text. Duplication of BPC section 4980.43.4(d) is necessary to satisfy the clarity standard.

Section 1833(b): The ISOR described the requirement of this subsection as a “one-time” self-assessment report. However, the text of 1820(b) does not use this language. While most supervisors will only submit a self-assessment report one time, it is possible that an individual who has stopped supervising would submit a new self-assessment report in the future.

Section 1869: The ISOR misstated a subsection number pertaining to the supervisor self-assessment report. On page 7, #3, instead of “subsection (a) of 1870” it should read, “subsection (d) of §1870.”

Section 1869(a): The Initial Statement of Reasons (ISOR), Factual Basis/Rationale for new subsection (a), should have mentioned that the written oversight agreement is only allowed in a setting which is not a private practice. In addition, the ISOR failed to justify duplication of statute in the text. Duplication of BPC section 4996.23.3(d) is necessary to satisfy the clarity standard.

Section 1869(b): The ISOR described the requirement of this subsection as a “one-time” self-assessment report. However, the text of 1820(b) does not use this language. While most supervisors will only submit a self-assessment report one time, it is possible that an individual who has stopped supervising would submit a new self-assessment report in the future.

Section 1869(c)(3)(F): The ISOR failed to state that this subsection is existing text that was moved from section 1870(a)(9).

Repeal of Forms Incorporated by Reference: The ISOR failed to address the repeal of forms incorporated by reference. The proposed regulatory text specifies the content of all documentation required, rather than requiring such documentation to be submitted via forms incorporated by reference. The forms listed below, which are currently incorporated by reference, are proposed to be repealed.

- *Section 1820(e)(4):* “Weekly Summary of Experience Hours for Associate Professional Clinical Counselors Option 1 – Streamlined Method” (Form No. 37A-639, New 08/2018).
- *Section 1820(e)(4):* “Weekly Summary of Experience Hours for Associate Professional Clinical Counselors Option 2 – Multiple Category Method” (Form No. 37A-645, Revised 08/2018).
- *Section 1821(b) and (c):* “Responsibility Statement for Supervisors of an Associate Professional Clinical Counselor” (Form No. 37A-643, Revised 01/2020).
- *Sections 1822 and 1870.1:* “Supervisory Plan”, (Form No. 37A-521, Revised 07/2019).
- *Section 1833(e):* “Marriage and Family Therapist Trainee/Associate Weekly Summary of Experience Hours Option 1 – Streamlined Method” (Form No. 37A-524, Revised 08/2018).

- *Section 1833(e)*: “Marriage and Family Therapist Trainee/Associate Weekly Summary of Experience Hours Option 2 – Multiple Category Method” (Form No. 37A-524a, Revised 08/2018).
- *Section 1833.1(a) and (b)*: “Responsibility Statement for Supervisors of a Marriage and Family Therapist Trainee or Associate” (Form No. 37A-523, Revised 01/2020).
- *Section 1870(a) and (a)(10)*: “Responsibility Statement for Supervisors of an Associate Clinical Social Worker” (Form No. 37A-522, Revised 01/2020).

Incorrect Listing of Section to be Repealed: Section 1874 was listed as proposed to be repealed under this regulatory action. However, this section was previously repealed pursuant to section 100, title 1, California Code of Regulations filed July 17, 2019.