



Board of Behavioral Sciences



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

Gavin Newsom, Governor  
State of California

Business, Consumer Services and Housing Agency  
Department of Consumer Affairs

## Order Waiving Face-to-Face Training and Supervision Requirements

***Please note that this waiver was previously set to expire on September 3, 2020. It has now been extended through November 2, 2020.***

Pursuant to the Governor's Executive Order N-39-20, during the current State of Emergency, the Director of the California Department of Consumer Affairs (Director) may waive any statutory or regulatory requirements with respect to a professional license issued pursuant to Division 2 of the Business and Professions Code (BPC). This includes professional licenses issued by the Board of Behavioral Sciences (Board).

The Director has granted the Board's request to waive the following:

- The component of BPC sections [4980.43.2\(d\)](#), [4996.23.1\(f\)](#), and [4999.46.2\(d\)](#) that only permits Associate Marriage and Family Therapists (AMFTs), Associate Clinical Social Workers (ASWs), and Associate Professional Clinical Counselors (APCCs) to obtain their required weekly direct supervisor contact via videoconferencing if they are working in an exempt setting. (An exempt setting is defined as a government entity, a school, college or university, or an institution that is both nonprofit and charitable.)
- BPC sections [4980.36\(d\)\(1\)\(B\)\(ii\)](#) and [\(d\)\(1\)\(B\)\(vi\)\(II\)](#) for MFT trainees, and [4999.33\(c\)\(3\)\(K\)](#) for PCC trainees, that specifically requires provision of "face-to-face" mental health services in order to complete required practicum hours

A link to the text of the waiver can be found [here](#).

### What does this mean?

#### For Associates:

The waiver means that, regardless of the type of setting that they are working in (including private practices), associates are not required by law to meet with their supervisor in-person during this state of emergency. Instead, they may gain their required weekly direct supervisor contact via two-way, real-time videoconferencing.

#### For Trainees:

The waiver means that MFT and PCC trainees are not required to provide in person “face-to-face” mental health services in order to meet their practicum hours, and instead are able to meet this requirement using telehealth.

**Does the supervision waiver apply to trainees also?**

Current law does not specifically address supervision of trainees via telehealth. Therefore, the Board is interpreting the law to also allow supervision via telehealth for trainees. Under this interpretation, this waiver applies to trainees as well.

It remains the responsibility of the supervisor and the school to determine if supervision via telehealth is appropriate for a particular trainee given individual circumstances.

**How long is the waiver effective for?**

This waiver was previously effective until September 3, 2020. However, it has now been extended to be effective through November 2, 2020.

**May I supervise (or receive supervision) via telephone?**

Supervision via telephone is not permitted because it does not have a video component. Supervision must be via two-way, real-time videoconferencing.