

MEMORANDUM

DATE	March 28, 2018
TO	Licensing Committee Members
FROM	 Stephanie Cheung Licensing Manager
SUBJECT	<p>Agenda Item 6(a) Pathways to Licensure: Review Proposed Amendments Proposed Amendments to Evidence Code § 1010 and the following Business and Professions Code sections:</p> <ul style="list-style-type: none"> • §§ 25, 28, 2915.5 (Training in Human Sexuality, Child, Elder, and Dependent Adult Abuse Assessment and Reporting, and Aging and Long-term Care); • § 27 (Disclosure of Information); • § 2903 (Licensure Requirements); • §§ 2909, 2909.5, 2910, & 2911, (Exemptions); • § 2913 (Psychological Assistant); • § 2914 (Applicant Requirements); • § 2915 (Continuing Professional Development); • §§ 29 & 2915.7 (Continuing Education: Chemical Dependency and Alcoholism and Aging and Long-term Care) • §§ 2940 & 2941 (Application and Examination Fees); • §§ 2942, 2943, & 2944 (Examination Time and Subjects); • § 2946 (Licensure in Another State); • § 2948 (Issuance of License); and • § 2960 (Grounds for Disciplinary Action)

Background:

Proposal A, relating to the standardization of trainee categories, was presented to the Committee for consideration at the meeting in January 2018. The Committee has tasked staff to reach out to stakeholders for feedback on the proposal and to be reported at this meeting. Details of the feedback can be found in Agenda Item 5.

Since the Committee meeting in October 2017, staff has incorporated the Committee's recommended changes that resulted from the two stakeholder meetings and has completed a review of proposed language in all sections relating to pathways. During the staff's review, non-substantive changes were made to previously approved language for consistency purposes. These changes are highlighted in yellow for the Committee's

review. Further, staff is also seeking policy clarification regarding the requirements of the Examination for Professional Practice in Psychology, out-of-state and out-of-country applicants, trainees in exempt settings, submission of the supervision agreement for psychological assistant registration, etc.

To enhance consumer protection, staff has provided language relating to the standardization of the trainee category for the Committee's consideration and discussion. This option would enable the Board to require all trainees to be registered with the Board as psychological assistants prior to providing psychological services under the supervision of a licensed psychologist (See Attachment A1). Staff was also tasked to conduct legislative research and to draft proposed language combining Business and Professions Code Sections 2909 and 2910 relating to exemptions (See Attachment B1).

Attachments:

A1: Proposal A

A2: Statutory Proposal A (Marked)

A3: Statutory Proposal A (Unmarked)

B1: Statutory Proposal B (Marked)

B2: Statutory Proposal B (Unmarked)

C: Legislative Research Findings

D: Pathways to Licensure: Statutes – Stakeholder's Feedback

Action Requested:

Review proposed amendments and approve language as amended. Once approved, recommend the Board adopt the language as written and proceed to seek legislation.

Pathways: Proposal A

At the October Licensing Committee Meeting, staff was directed to draft statutory language which would combine Business and Professions Code Sections 2909 and 2910 to clarify exempt persons and settings. Upon further reflection, and considering the feedback relating to pathways to licensure received at the stakeholder meetings that were held in 2017, staff came up with a new proposal. This proposal would aim at enhancing consumer protection and transparency by creating a single pathway to licensure.

Purpose: To standardize the process for trainees to gain experience towards licensure as a psychologist by requiring all trainees to register as a psychological assistant with the Board.

Background: Currently, an individual can gain supervised professional experience as a trainee towards psychology licensure in five (5) different ways. An individual can apply to the Board and register as a psychological assistant; apply to become a registered psychologist; gain experience through an exempt setting, such as academic institutions or governmental organizations; gain experience through a formal doctoral internship/placement that is overseen by American Psychological Association (APA), Association of Psychology Postdoctoral and Internship Centers (APPIC), or California Psychology Internship Council (CAPIC); or gain experience through a Department of Mental Health Waiver. Even though the common goal for these trainees in these different settings is to gain experience towards licensure as a psychologist, the requirements, oversight and process can be varied. For example, psychological assistant registrations require annual renewal, however, registered psychologist registrations are a one-time non-renewable registration.

Trainee Category	Registration Requirements	Fee
Psychological Assistant	Annual Maximum registration period: 72 months	\$40
Registered Psychologist	One-time 30-month, non-renewable	No fee
Experience Gained in an Exempt Setting <ul style="list-style-type: none"> • Governmental organization • Public school, university, or academic institution 	Not required Maximum exemption period: 60 months	Not Applicable
Experience Gained through Formal Doctoral Internship/Placement <ul style="list-style-type: none"> • APA, APPIC, or CAPIC 	Not required	Not Applicable
Experience Gained through a Department of Mental Health Waiver	Not required Maximum exemption period: 60 months	Not Applicable

Also, the Board is limited in providing regulatory oversight only to trainees who are registered as psychological assistants or registered psychologists. These individuals are thoroughly evaluated by the Board during the application process prior to the issuance of a registration to ensure that the applicable education and experience requirements have been met.

Analysis: From a consumer perspective, individuals who have successfully registered with the Board demonstrate that they meet the requirements for providing psychological services as trainees under the supervision of licensed psychologists, or psychiatrists if they are psychological assistants, to gain experience towards licensure. It provides reassurance to the public that these individuals are qualified trainees to provide services. On the other hand, the Board does not have any oversight for trainees who are not required to registered with the Board. The public is unsure if non-registered trainees also meet the same minimal standard as established by the laws and regulations like their counterparts, and it begs the question of whether and how they are held accountable should any violations of the laws and regulations occur. From an applicant's point of view, it provides clarity regarding the requirements and responsibilities of becoming a trainee and to accrue hours toward licensure as a psychologist. From time to time, individuals who are interested in psychology licensure are unsure if they are required to be registered with the Board. By requiring all trainees to be registered as a psychological assistant, it will simplify the process for applicants and remove any doubts as to whether or not registration with the Board is required. Also, it will serve as a proactive measure to avoid denial of supervised professional experience due to, for example, a non-qualifying supervisor.

A few of the disadvantages have also been identified for the Committee's consideration. From an applicant's perspective, there will be a \$40 annual cost impact, which is equivalent to about less than \$4 per month in a twelve-month period, to apply for and maintain a psychological assistant registration. From the point of view of settings that are currently exempted from registration, they may face hiring challenges if there is an administrative delay in the review and issuance of a registration. As of March 1, 2018, the average processing time for psychological assistant application from the date received is five (5) business days.

Conclusion: Staff recommends requiring all trainees to be registered as psychological assistants to enhance consumer protection and to ensure accountability in providing psychological services to the public as trainees.

“Pathways to Licensure” Statutes Review**Business and Professions Code - BPC****§ 25. Training in human sexuality**

Any person applying for a license, registration, or the first renewal of a license, after the effective date of this section, as a licensed marriage and family therapist, a licensed clinical social worker, a licensed psychologist, or a licensed professional clinical counselor shall, in addition to any other requirements, show by evidence satisfactory to the agency regulating the business or profession, that he or she has completed training in human sexuality as a condition of licensure. The training shall be creditable toward continuing education requirements as deemed appropriate by the agency regulating the business or profession, and the course shall not exceed more than 50 contact hours.

The Board of Psychology shall exempt from the requirements of this section any persons whose field of practice is such that they are not likely to have use for this training.

“Human sexuality” as used in this section means the study of a human being as a sexual being and how he or she functions with respect thereto.

The content and length of the training shall be determined by the administrative agency regulating the business or profession and the agency shall proceed immediately upon the effective date of this section to determine what training, and the quality of staff to provide the training, is available and shall report its determination to the Legislature on or before July 1, 1977.

If a licensing board or agency proposes to establish a training program in human sexuality, the board or agency shall first consult with other licensing boards or agencies that have established or propose to establish a training program in human sexuality to ensure that the programs are compatible in scope and content.

(Amended by Stats. 2011, Ch. 381, Sec. 1. Effective January 1, 2012.)

§ 27. Information to be provided on Internet; Entities in Department of consumer Affairs required to comply

(a) Each entity specified in subdivisions (c), (d), and (e) shall provide on the Internet information regarding the status of every license issued by that entity in accordance with the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1 of the Government Code) and the Information Practices Act of 1977 (Chapter 1 (commencing with Section 1798) of Title 1.8 of Part 4 of Division 3 of the Civil Code). The public information to be provided on the Internet shall include information on suspensions and revocations of licenses issued by the entity and other related enforcement action, including accusations filed pursuant to the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code) taken by the entity relative to persons, businesses, or

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1 facilities subject to licensure or regulation by the entity. The information may not include
2 personal information, including home telephone number, date of birth, or social security
3 number. Each entity shall disclose a licensee’s address of record. However, each entity
4 shall allow a licensee to provide a post office box number or other alternate address,
5 instead of his or her home address, as the address of record. This section shall not
6 preclude an entity from also requiring a licensee, who has provided a post office box
7 number or other alternative mailing address as his or her address of record, to provide a
8 physical business address or residence address only for the entity’s internal
9 administrative use and not for disclosure as the licensee’s address of record or
10 disclosure on the Internet.

11
12 (b) In providing information on the Internet, each entity specified in subdivisions (c) and
13 (d) shall comply with the Department of Consumer Affairs’ guidelines for access to
14 public records.

15
16 (c) Each of the following entities within the Department of Consumer Affairs shall
17 comply with the requirements of this section:

18
19 (1) The Board for Professional Engineers, Land Surveyors, and Geologists shall
20 disclose information on its registrants and licensees.

21
22 (2) The Bureau of Automotive Repair shall disclose information on its licensees,
23 including auto repair dealers, smog stations, lamp and brake stations, smog check
24 technicians, and smog inspection certification stations.

25
26 (3) The Bureau of Electronic and Appliance Repair, Home Furnishings, and Thermal
27 Insulation shall disclose information on its licensees and registrants, including major
28 appliance repair dealers, combination dealers (electronic and appliance), electronic
29 repair dealers, service contract sellers, and service contract administrators.

30
31 (4) The Cemetery and Funeral Bureau shall disclose information on its licensees,
32 including cemetery brokers, cemetery salespersons, cemetery managers, crematory
33 managers, cemetery authorities, crematories, cremated remains disposers, embalmers,
34 funeral establishments, and funeral directors.

35
36 (5) The Professional Fiduciaries Bureau shall disclose information on its licensees.

37
38 (6) The Contractors’ State License Board shall disclose information on its licensees and
39 registrants in accordance with Chapter 9 (commencing with Section 7000) of Division 3.
40 In addition to information related to licenses as specified in subdivision (a), the board
41 shall also disclose information provided to the board by the Labor Commissioner
42 pursuant to Section 98.9 of the Labor Code.

43
44 (7) The Bureau for Private Postsecondary Education shall disclose information on
45 private postsecondary institutions under its jurisdiction, including disclosure of notices to
46 comply issued pursuant to Section 94935 of the Education Code.

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- 1
2 (8) The California Board of Accountancy shall disclose information on its licensees and
3 registrants.
4
5 (9) The California Architects Board shall disclose information on its licensees, including
6 architects and landscape architects.
7
8 (10) The State Athletic Commission shall disclose information on its licensees and
9 registrants.
10
11 (11) The State Board of Barbering and Cosmetology shall disclose information on its
12 licensees.
13
14 (12) The State Board of Guide Dogs for the Blind shall disclose information on its
15 licensees and registrants.
16
17 (13) The Acupuncture Board shall disclose information on its licensees.
18
19 (14) The Board of Behavioral Sciences shall disclose information on its licensees,
20 including licensed marriage and family therapists, licensed clinical social workers,
21 licensed educational psychologists, and licensed professional clinical counselors.
22
23 (15) The Dental Board of California shall disclose information on its licensees.
24
25 (16) The State Board of Optometry shall disclose information on its licensees and
26 registrants.
27
28 (17) The Board of Psychology shall disclose information on its licensees, including
29 psychologists, and psychological assistants, and registered psychologists.
30
31 (d) The State Board of Chiropractic Examiners shall disclose information on its
32 licensees.
33
34 (e) The Structural Pest Control Board shall disclose information on its licensees,
35 including applicators, field representatives, and operators in the areas of fumigation,
36 general pest and wood destroying pests and organisms, and wood roof cleaning and
37 treatment.
38
39 (f) The Bureau of Medical Cannabis Regulation shall disclose information on its
40 licensees.
41
42 (g) “Internet” for the purposes of this section has the meaning set forth in paragraph (6)
43 of subdivision (f) of Section 17538.
44
45 *(Amended (as amended by Stats. 2016, Ch. 32, Sec. 1) by Stats. 2016, Ch. 489, Sec.*
46 *1. Effective January 1, 2017.)*

“Pathways to Licensure” Statutes Review**§ 28. Child, elder, and dependent adult abuse assessment and reporting training**

(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 of Psychology and the Board of Behavioral Sciences shall establish required training in the area of child abuse assessment and reporting for all persons applying for initial licensure and renewal of a license as a psychologist, 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 psychologist, 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 2902, 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 responsible 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 responsible board.

(2) Have a minimum of ~~sevensix~~ 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

Commented [ML1]: Staff recommend keeping 7 hours due to impact of other programs.

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- 1 report, caring for a child's needs after a report is made, sensitivity to previously abused
2 children and adults, and implications and methods of treatment for children and adults.
3
4 (4) An applicant shall provide the appropriate board with documentation of completion of
5 the required child abuse training.
6
7 (d) The Board of Psychology and the Board of Behavioral Sciences shall exempt an
8 applicant who applies for an exemption from this section and who shows to the
9 satisfaction of the board that there would be no need for the training in his or her
10 practice because of the nature of that practice.
11
12 (e) It is the intent of the Legislature that a person licensed as a psychologist, clinical
13 social worker, professional clinical counselor, or marriage and family therapist have
14 minimal but appropriate training in the areas of child, elder, and dependent adult abuse
15 assessment and reporting. It is not intended that, by solely complying with this section,
16 a practitioner is fully trained in the subject of treatment of child, elder, and dependent
17 adult abuse victims and abusers.
18
19 (f) The Board of Psychology and the Board of Behavioral Sciences are encouraged to
20 include coursework regarding the assessment and reporting of elder and dependent
21 adult abuse in the required training on aging and long-term care issues prior to licensure
22 or license renewal.
23
24 *(Amended by Stats. 2015, Ch. 426, Sec. 1. Effective January 1, 2016.)*
25

**§ 29. Adoption of continuing education requirements regarding
26 chemical dependency and alcoholism**

- 27
28
29 (a) The Board of Psychology and the Board of Behavioral Sciences shall consider
30 adoption of continuing education requirements including training in the area of
31 recognizing chemical dependency and early intervention for all persons applying for
32 renewal of a license as a psychologist, clinical social worker, marriage and family
33 therapist, or professional clinical counselor.
34
35 (b) Prior to the adoption of any regulations imposing continuing education relating to
36 alcohol and other chemical dependency, the boards are urged to consider coursework
37 to include, but not necessarily be limited to, the following topics:
38
39 (1) Historical and contemporary perspectives on alcohol and other drug abuse.
40
41 (2) Extent of the alcohol and drug abuse epidemic and its effects on the individual,
42 family, and community.
43
44 (3) Recognizing the symptoms of alcoholism and drug addiction.
45
46 (4) Making appropriate interpretations, interventions, and referrals.

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(5) Recognizing and intervening with affected family members.

(6) Learning about current programs of recovery, such as 12 step programs, and how therapists can effectively utilize these programs.

(Amended by Stats. 2011, Ch. 381, Sec. 3. Effective January 1, 2012.)

§ 2903. Licensure requirement; Practice of Psychology; Psychotherapy

(a) No person may engage in the practice of psychology, or represent himself or herself to be a psychologist, without a license granted under this chapter, except as otherwise provided in this chapter. The practice of psychology is defined as rendering or offering to render to individuals, groups, organizations, or the public any psychological service involving the application of psychological principles, methods, and procedures of understanding, predicting, and influencing behavior, such as the principles pertaining to learning, perception, motivation, emotions, and interpersonal relationships; and the methods and procedures of interviewing, counseling, psychotherapy, behavior modification, and hypnosis; and of constructing, administering, and interpreting tests of mental abilities, aptitudes, interests, attitudes, personality characteristics, emotions, and motivations.

(b) The application of these principles and methods includes, but is not restricted to: assessment, diagnosis, prevention, treatment, and intervention to increase effective functioning of individuals, groups, and organizations.

(c) Psychotherapy within the meaning of this chapter means the use of psychological methods in a professional relationship to assist a person or persons to acquire greater human effectiveness or to modify feelings, conditions, attitudes, and behaviors that are emotionally, intellectually, or socially ineffectual or maladaptive.

(Amended by Stats. 2015, Ch. 529, Sec. 1. Effective January 1, 2016.)

~~§ 2909. Applicability of chapter to credentialed school psychologists, and psychologists and psychological assistants employed by colleges, universities, or governmental organizations~~

~~This chapter shall not be construed as restricting or preventing activities of a psychological nature or the use of the official title of the position for which they were employed on the part of the following persons, provided those persons are performing those activities as part of the duties for which they were employed, are performing those activities solely within the confines of or under the jurisdiction of the organization in which they are employed, and do not render or offer to render psychological services, as defined in Section 2903:~~

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1 ~~(a) Persons who hold a valid and current credential as a school psychologist issued by~~
 2 ~~the Commission on Teacher Credentialing.~~

3
 4 ~~(b) Persons who are employed in positions as psychologists or psychological assistants~~
 5 ~~by accredited or approved colleges, junior colleges, or universities, or by federal, state,~~
 6 ~~county, or municipal governmental organizations that are not primarily involved in the~~
 7 ~~provision of direct health or mental health services, may conduct research and~~
 8 ~~disseminate their research findings and scientific information.~~

9
 10 ~~(Amended by Stats. 2015, Ch. 218, Sec. 1. Effective January 1, 2016.)~~

11
 12 **~~§ 2909.5. Applicability of chapter to registered psychologist employed by~~**
 13 **~~nonprofit community agencies supported by governmental organizations~~**

14
 15 ~~(a) This chapter shall not be construed as restricting or preventing activities of a~~
 16 ~~psychological nature or the use of the official title of the position for which persons were~~
 17 ~~employed on the part of persons who are: (1) employed by nonprofit community~~
 18 ~~agencies that receive a minimum of 25 percent of their financial support from any~~
 19 ~~federal, state, county, or municipal governmental organizations for the purpose of~~
 20 ~~training and providing services; (2) performing those activities as part of the duties for~~
 21 ~~which they were employed; (3) and performing those activities solely within the confines~~
 22 ~~of or under the jurisdiction of the agency in which they are employed. Such persons:~~

23
 24 ~~(1b) Such persons shall must meet the educational requirements of subdivision (b) of~~
 25 ~~Sections 2914(b) and (c) and who have one year or more of the supervised professional~~
 26 ~~experience referenced in subdivision (c) of Section 2914(d), if they are employed by~~
 27 ~~nonprofit community agencies that receive a minimum of 25 percent of their financial~~
 28 ~~support from any federal, state, county, or municipal governmental organizations for the~~
 29 ~~purpose of training and providing services, provided those persons are performing those~~
 30 ~~activities as part of the duties for which they were employed, are performing those~~
 31 ~~activities solely within the confines of or under the jurisdiction of the organization in~~
 32 ~~which they are employed and do not render or offer to render psychological services to~~
 33 ~~the public, as defined in Section 2903.~~

34
 35 ~~(2c) These persons shall be registered by the agency with the board at the time of~~
 36 ~~employment and shall be identified in the setting and may be referred to only as a~~
 37 ~~“registered psychologist.”~~

38
 39 ~~(bd) These persons shall be exempt from this chapter for a maximum period of 30~~
 40 ~~months from the date of registration.~~

41
 42 ~~(Amended by Stats. 2016, Ch. 484, Sec. 1. Effective January 1, 2017.)~~

43
 44 **~~§ 2910. Applicability of chapter to practice of psychology by certain salaried~~**
 45 **~~employees of academic institutions, public schools, or governmental agencies~~**

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1 (a) This chapter shall not be construed to restrict the practice of psychology on the part
 2 of persons who are salaried employees of accredited or approved academic institutions,
 3 public schools, or governmental agencies, if those employees are complying with the
 4 following:

5
 6 (1) Performing those psychological activities as part of the duties for which they were
 7 hired.

8
 9 (2) Performing those activities solely within the jurisdiction or confines of those
 10 organizations.

11
 12 (3) Do not hold themselves out to the public by any title or description of activities
 13 incorporating the words “psychology,” “psychological,” or “psychologist.”

14
 15 (4) Are primarily gaining the supervised professional experience required for licensure
 16 that is being accrued consistent with the board’s regulations and the employees have as
 17 the primary supervisor a psychologist licensed in the state.

18
 19 (b) Commencing January 1, 2016, an individual employed or who becomes employed
 20 by one or more employers as described in subdivision (a) shall be exempt under this
 21 section for a cumulative total of five years.

22
 23 *(Amended by Stats. 2015, Ch. 218, Sec. 3. Effective January 1, 2016.)*

24 **§ 2911. Applicability of chapter to students and interns**

25
 26
 27 Nothing in this chapter shall be construed as restricting the activities and services of a
 28 psychology graduate student or psychological intern in psychology pursuing a course of
 29 study leading to a graduate degree in psychology at an accredited or approved college
 30 or university and working in a training program, or a postdoctoral trainee working in a
 31 postdoctoral placement overseen by the American Psychological Association (APA), the
 32 Association of Psychology Postdoctoral and Internship Centers (APPIC), or the
 33 California Psychology Internship Council (CAPIC), provided that these activities and
 34 services constitute a part of his or her supervised course of study and that those
 35 persons are designated by the title “psychological psychology intern,” “or
 36 psychological psychology trainee,” “postdoctoral intern,” or another title clearly
 37 indicating the training status appropriate to his or her level of training. The
 38 aforementioned terms shall be reserved for persons enrolled in the a doctoral program
 39 leading to one of the degrees listed in subdivision (b) of Section 2914(b) at an
 40 accredited or approved college or university or in a formal pre-doctoral internship
 41 overseen approved by the American Psychological Association (APA), Association of
 42 Psychology Postdoctoral and Internship Centers (APPIC), or California Psychology
 43 Internship Council (CAPIC).

44
 45 *(Amended by Stats. 2005, Ch. 658, Sec. 3. Effective January 1, 2006.)*
 46

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§ 2913. Services by psychological assistants

A person performing psychological services pursuant to section 2903 of the Code, that does not have a license must register as a psychological assistant and meet the following conditions, in order to prepare for licensure as psychologist. other than a licensed psychologist may perform psychological functions in preparation for licensure as a psychologist only if all of the following conditions are met:

(a) The person shall register himself or herself with the board as a “psychological assistant.” This registration shall be renewed annually in accordance with regulations adopted by the board.

(b) The person (A4) has completed a master’s degree in psychology or in education with the field of specialization in educational psychology or, counseling psychology, or school psychology, or (B2) has been admitted to candidacy for a doctoral degree in (1) psychology or education with the field of specialization in clinical, counseling, school, consulting, forensic or industrial/organizational psychology, or (2) education, with the field of specialization in educational psychology, counseling psychology, or school psychology, or (3) a field of specialization designed to prepare graduates for the professional practice of psychology after having satisfactorily completed three or more years of postgraduate education in psychology and having passed preliminary doctoral examinations, or (C3) has completed a doctoral degree that qualifies for licensure under Section 2914. The Board shall make the final determination as to whether a degree meets the requirements of this section.

(c) (1) The psychological assistant shall be supervised by a primary supervisor who is a licensed psychologist, as prescribed by the board’s regulations. The psychological assistant’s primary supervisor is at all times under the immediate supervision, as defined in regulations adopted by the board, of a licensed psychologist, or a licensed physician and surgeon who is certified in psychiatry by the American Board of Psychiatry and Neurology or the American College of Osteopathic Board of Neurology and Psychiatry, who shall be responsible for ensuring that the extent, kind, and quality of the psychological services that the psychological assistant performs are consistent with his or her training the psychological assistant’s and the primary supervisor’s training and experience, and The primary supervisor shall be responsible for the psychological assistant’s compliance with this chapter and regulations. Primary supervisors may delegate supervision as prescribed by the board’s regulations.

(2) A licensed psychologist or board-certified psychiatrist shall not supervise more than three (3) psychological assistants at any given time. No psychological assistant may provide psychological services to the public except as a supervisee pursuant to this section.

(d) The A psychological assistant shall not comply with regulations that the board may, from time to time, duly adopt relating to the fulfillment of requirements in continuing education.

Commented [ML2]: Check with Marks to see if stating “Primary” will remove authority for delegated.

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1
2 (1) provide psychological services to the public except as a trainee pursuant to this
3 section.

4
5 (2) receive payments, monetary or otherwise, directly from clients or patients
6

7 (e) No person shall be registered to practice as a psychological assistant who is found
8 by the board to be in violation of Section 2960 and the rules and regulations duly
9 adopted thereunder.

10
11 This requirement applies to persons previously excluded from registration employed in
12 academic institutions, public schools, or governmental agencies.

13
14 *(Amended by Stats. 2016, Ch. 484, Sec. 2. Effective January 1, 2017.)*

15
16 **§ 2914. Applicant’s requirements**

17 Each applicant for licensure shall ~~comply with all of the following requirements:~~

18
19
20 (a) ~~is not be~~ subject to denial of licensure under Division 1.5 (commencing with Section
21 475).

22
23 (b) ~~Possess~~ an earned doctorate degree (1) in psychology, ~~(2) in educational~~
24 ~~psychology with the field of specialization in clinical, counseling, school, consulting,~~
25 ~~forensic or industrial/organizational psychology, or (3) in education with the field of~~
26 ~~specialization in counseling psychology, or educational psychology, or school~~
27 ~~psychology, or (3) in a field of specialization designed to prepare graduates for the~~
28 ~~professional practice of psychology.~~ Except as provided in subdivision (h), this degree
29 or training shall be obtained from an accredited university, college, or professional
30 school. The board shall make the final determination as to whether a degree meets the
31 requirements of this section.

32
33 (c) (1) On or after January 1, 2020, possess an earned doctorate degree in psychology;
34 ~~in educational psychology with the field of specialization in clinical, counseling, school,~~
35 ~~consulting, forensic or industrial/organizational psychology, or in education with the field~~
36 ~~of specialization in counseling psychology, or educational psychology, or school~~
37 ~~psychology~~ from a college or institution of higher education that is accredited by a
38 regional accrediting agency recognized by the United States Department of Education.
39 Until January 1, 2020, the board may accept an applicant who possesses a doctorate
40 degree in psychology; ~~educational psychology with the field of specialization in clinical,~~
41 ~~counseling, school, consulting, forensic or industrial/organizational psychology, or in~~
42 ~~education with the field of specialization in counseling, or educational psychology, or~~
43 ~~school psychology~~ from an institution that is not accredited by an accrediting agency
44 recognized by the United States Department of Education, but is approved to operate in
45 this state by the Bureau for Private Postsecondary Education.
46

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1 (2) Paragraph (1) does not apply to any student who was enrolled in a doctoral program
 2 in psychology, educational psychology with the field of specialization in clinical,
 3 counseling, school, consulting, forensic or industrial/organizational psychology, or in
 4 education with the field of specialization in counseling psychology, ~~or educational~~
 5 psychology, or school psychology at a nationally accredited or approved institution as of
 6 December 31, 2016.

7
 8 ~~(3) No educational institution shall be denied recognition as an accredited academic~~
 9 ~~institution solely because its program is not accredited by any professional organization~~
 10 ~~of psychologists, and nothing in this chapter or in the administration of this chapter shall~~
 11 ~~require the registration with the board by educational institutions of their departments of~~
 12 ~~psychology or their doctoral programs in psychology.~~

13
 14 (4) An applicant for licensure trained in an educational institution outside the United
 15 States or Canada shall demonstrate to the satisfaction of the board that he or she
 16 possesses a doctorate degree in psychology or education pursuant to (c)(1) and (2) that
 17 is equivalent to a degree earned from a regionally accredited academic
 18 institution in the United States or Canada. These applicants shall provide the
 19 board with a comprehensive evaluation of the degree performed by a foreign credential
 20 evaluation service that is a member of the National Association of Credential Evaluation
 21 Services (NACES), and any other documentation the board deems necessary.

22
 23 (d) (1) ~~Have~~ engaged for at least two years in supervised professional experience
 24 under the direction of a licensed psychologist, the specific requirements of which shall
 25 be defined by the board in its regulations, or under suitable alternative supervision as
 26 determined by the board in regulations duly adopted under this chapter, at least one
 27 year of which shall ~~be occur~~ after being awarded the qualifying doctorate in psychology.
 28 The supervisor shall submit verification of the experience ~~required by this subdivision~~
 29 ~~to the trainee in a manner as~~ prescribed by the board. If the supervising licensed
 30 psychologist fails to provide verification to the trainee in a timely manner, the board may
 31 establish alternative procedures for obtaining the necessary documentation. Absent
 32 good cause, the failure of a supervising licensed psychologist to provide the verification
 33 to the board upon request shall constitute unprofessional conduct.

34
 35 (2) The board shall establish qualifications by regulation for supervising psychologists.

36
 37 (e) ~~Take~~ and pass the examination required by Section 2941 unless otherwise
 38 exempted by the board under this chapter.

39
 40 (f) ~~Show by evidence satisfactory to the board that he or she has completed~~
 41 ~~training~~ Complete coursework or provide evidence of training in the detection and
 42 treatment of alcohol and other chemical substance dependency. ~~This requirement~~
 43 ~~applies only to applicants who matriculate on or after September 1, 1985 as prescribed~~
 44 by the board.

45

“Pathways to Licensure” Statutes Review

1 ~~(g) (1) Show by evidence satisfactory to the board that he or she has~~
 2 ~~completed~~ Complete coursework or provide evidence of training in spousal or partner
 3 abuse assessment, detection, and intervention. This requirement applies to applicants
 4 who began graduate training during the period commencing on January 1, 1995, and
 5 ending on December 31, 2003. as prescribed by the board.

6
 7 ~~(2) An applicant who began graduate training on or after January 1, 2004, shall show by~~
 8 ~~evidence satisfactory to the board that he or she has completed a minimum of 15~~
 9 ~~contact hours of coursework in spousal or partner abuse assessment, detection, and~~
 10 ~~intervention strategies, including knowledge of community resources, cultural factors,~~
 11 ~~and same gender abuse dynamics. An applicant may request an exemption from this~~
 12 ~~requirement if he or she intends to practice in an area that does not include the direct~~
 13 ~~provision of mental health services.~~

14
 15 ~~(3) Coursework required under this subdivision may be satisfactory if taken either in~~
 16 ~~fulfillment of other educational requirements for licensure or in a separate course. This~~
 17 ~~requirement for coursework shall be satisfied by, and the board shall accept in~~
 18 ~~satisfaction of the requirement, a certification from the chief academic officer of the~~
 19 ~~educational institution from which the applicant graduated that the required coursework~~
 20 ~~is included within the institution's required curriculum for graduation.~~

21
 22 (h) Until January 1, 2020, an applicant holding a doctoral degree in psychology from an
 23 approved institution is deemed to meet the requirements of this section if both of the
 24 following are true:

25
 26 (1) The approved institution offered a doctoral degree in psychology designed to
 27 prepare students for a license to practice psychology and was approved by the former
 28 Bureau for Private Postsecondary and Vocational Education on or before July 1, 1999.

29
 30 (2) The approved institution has not, since July 1, 1999, had a new location, as
 31 described in Section 94823.5 of the Education Code.

32
 33 *(Amended by Stats. 2016, Ch. 484, Sec. 3. Effective January 1, 2017.)*

34 35 **§ 2915. Continuing education requirements; Practice outside fields of** 36 **competence**

37
 38 (a) Except as provided in this section, the board shall issue a renewal license only to an
 39 applicant licensed psychologist who has completed 36 hours of approved continuing
 40 professional development in the preceding two years.

41
 42 (b) ~~Each person licensed psychologist who applies to that~~ renews or reinstates his or
 43 ~~her~~ their license issued pursuant to this chapter shall certify under penalty of perjury that
 44 ~~he or she is in~~ compliance with this section under penalty of perjury, and shall retain
 45 proof of this compliance for submission to the board upon request. False statements
 46 submitted pursuant to this section shall be a violation of Section 2970.

Commented [ML3]: Find more appropriate citation that relates to false statements.

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1
2 (c) Continuing professional development means certain continuing education learning
3 activities approved in four different categories:

4
5 (1) Professional Activities.

6
7 (2) Academic Activities.

8
9 (3) Sponsored continuing education coursework.

10
11 (4) Board certification from the American Board of Professional Psychology.

12
13 The board may develop regulations further defining acceptable continuing professional
14 development activities.

15
16 (d) (1) The board shall require a licensed psychologist who began graduate study prior
17 to January 1, 2004, to take a continuing education course during his or her first renewal
18 period after the operative date of this section in spousal or partner abuse assessment,
19 detection, and intervention strategies, including community resources, cultural factors,
20 and same gender abuse dynamics. Equivalent courses in spousal or partner abuse
21 assessment, detection, and intervention strategies taken prior to the operative date of
22 this section or proof of equivalent teaching or practice experience may be submitted to
23 the board and at its discretion, may be accepted in satisfaction of this requirement.

24
25 (2) Continuing education courses taken pursuant to this subdivision shall be applied to
26 the 36 hours of approved continuing professional development required under
27 subdivision (a).

28
29 (e) Continuing education courses approved to meet the requirements of this section
30 shall be approved for credit by organizations approved by the board. An organization
31 previously approved by the board to provide or approve continuing education is deemed
32 approved under this section.

33
34 (f) The board may accept continuing education courses approved by an entity that has
35 demonstrated to the board in writing that it has, at a minimum, a 10-year history of
36 providing educational programming for psychologists and has documented procedures
37 for maintaining a continuing education approval program. The board shall adopt
38 regulations necessary for implementing this section.

39
40 ~~(g) The board may grant an exemption, or an extension of the time for compliance with,~~
41 ~~from the continuing professional development requirement of this section.~~

42
43 ~~(gH)~~ The administration of this section may be funded through professional license fees
44 and continuing education provider and course approval fees, or both. The fees related
45 to the administration of this section shall not exceed the costs of administering the
46 corresponding provisions of this section.

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1
2 (Amended by Stats. 2016, Ch. 484, Sec. 6. Effective January 1, 2017.)
3

4 **§ 2915.5. Coursework in aging and long-term care required for licensure of new**
5 **applicant; instruction on assessment and reporting of, as well as treatment**
6 **related to, elder and dependent adult abuse and neglect**
7

8 (a) Any applicant for licensure as a psychologist who began graduate study on or after
9 January 1, 2004, shall complete, as a condition of licensure, a minimum of ~~40~~six (6)
10 ~~contact~~ hours of coursework or applied experience in aging and long-term care, which
11 may include, but need not be limited to, the biological, social, and psychological aspects
12 of aging. On and after January 1, 2012, this coursework shall include instruction on the
13 assessment and reporting of, as well as treatment related to, elder and dependent adult
14 abuse and neglect.
15

16 ~~(b) Coursework taken in fulfillment of other educational requirements for licensure~~
17 ~~pursuant to this chapter, or in a separate course of study, may, at the discretion of the~~
18 ~~board, fulfill the requirements of this section.~~
19

20 ~~(e)~~ In order to satisfy the coursework requirement of this section, the applicant shall
21 submit to the board a written certification from the registrar or training director~~chief~~
22 ~~academic officer~~ of the educational institution or program from which the applicant
23 graduated stating that the coursework required by this section is included within the
24 institution’s required curriculum for graduation at the time the applicant graduated, or
25 within the coursework, that was completed by the applicant.
26

27 ~~(c) If an applicant does not have coursework pursuant to this section, evidence of~~
28 ~~compliance can be obtained as part of his or her applied experience. Applied~~
29 ~~experience can be met in any of the following settings: practicum, internship, or formal~~
30 ~~postdoctoral placement that meets the requirement of Section 2911, or other qualifying~~
31 ~~supervised professional experience. To satisfy this requirement, the applicant shall~~
32 ~~submit to the board a written certification from the director of training for the program or~~
33 ~~primary supervisor where the qualifying experience has occurred stating that the~~
34 ~~training required by this section is included within the applied experience.~~
35

36 ~~(d) If an applicant does not meet the curriculum or coursework requirement pursuant to~~
37 ~~this section, evidence of compliance can be obtained by taking a continuing education~~
38 ~~course that meets the requirements of subdivision (e) or (f) of Section 2915 and that~~
39 ~~qualifies as a continuing education learning activity category specified in paragraph (2)~~
40 ~~or (3) of subdivision (c) of Section 2915. To satisfy this requirement, the applicant shall~~
41 ~~submit to the board a certification of completion.~~~~The board shall not issue a license to~~
42 ~~the applicant until the applicant has met the requirements of this section.~~
43

44 (Amended by Stats. 2010, Ch. 552, Sec. 2. Effective January 1, 2011.)
45

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§ 2915.7. Continuing education course in aging and long-term care required for first license renewal; Instruction on assessment and reporting of, as well as treatment related to, elder and dependent adult abuse and neglect

(a) A licensee who began graduate study prior to January 1, 2004, shall complete a three-hour continuing education course in aging and long-term care during his or her first renewal period after the operative date of this section, and shall submit to the board evidence acceptable to the board of the person’s satisfactory completion of that course.

(b) The course should 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.

(c) Any person seeking to meet the requirements of subdivision (a) of this section may submit to the board a certificate evidencing completion of equivalent courses in aging and long-term care taken prior to the operative date of this section, or proof of equivalent teaching or practice experience. The board, in its discretion, may accept that certification as meeting the requirements of this section.

(d) The board may not renew an applicant’s license until the applicant has met the requirements of this section.

(e) A licensee whose practice does not include the direct provision of mental health services may apply to the board for an exception to the requirements of this section.

(Amended by Stats. 2010, Ch. 552, Sec. 3. Effective January 1, 2011.)

§ 2940. Application and fee

Each person desiring to obtain a license from the board shall ~~submit an~~ **make** application ~~in a manner prescribed by the board in regulations duly adopted under this chapter. to the board. The application shall be made upon a form and shall be made submitted in a manner prescribed by the board prescribes in regulations duly adopted under this chapter.~~

The application shall be accompanied by the application fee prescribed by Section ~~2949~~ **2987**. This fee shall not be refunded by the board.

(Amended by Stats. 1997, Ch. 758, Sec. 38. Effective January 1, 1998.)

§ 2941. Examination and fee

Each applicant for a psychology license shall be examined by the board, and shall pay ~~to the board, at least 30 days prior to the date of examination,~~ the examination fee prescribed by Section 2987, which ~~fee~~ shall not be refunded by the board.

Commented [ML4]: Incorporate application form into Section 1381

“Pathways to Licensure” Statutes Review

(Amended by Stats. 1997, Ch. 758, Sec. 39. Effective January 1, 1998.)

§ 2942. Time for examinations; Passing grades

The board may examine by written or computer-assisted examination or by both. All aspects of the examination shall be in compliance with Section 139. The examination shall be available for administration at least twice a year at the time and place and under supervision as the board may determine. The passing grades for the examinations shall be established by the board in regulations and shall be based on psychometrically sound principles of establishing minimum qualifications and levels of competency.

Examinations for a psychologist’s license may be ~~conducted~~ utilized by the board under a uniform examination system, and for that purpose the board may make arrangements with organizations to supply and administer ~~furnishing examination materials~~ material as may in its discretion be desirable.

(Amended by Stats. 2005, Ch. 658, Sec. 9. Effective January 1, 2006.)

§ 2943. Examination subjects

The board may examine for knowledge in whatever theoretical or applied fields in psychology as it deems appropriate. It may examine the candidate with regard to his or her professional skills and his or her judgment in the utilization of psychological techniques and methods.

(Amended by Stats. 1989, Ch. 888, Sec. 24.)

~~§ 2944. Written examinations~~

~~The board shall grade the written examination and keep the written examination papers for at least one year, unless a uniform examination is conducted pursuant to Section 2942.~~

~~(Amended by Stats. 1989, Ch. 888, Sec. 25.)~~

§ 2946. ~~Reciprocity licenses;~~ Temporary practice by out-of-state licensees; Waiver of examination requirement

The board shall grant a license to any person who passes the board’s supplemental licensing examination and, at the time of application, has been licensed for at least two ~~five~~ years by a psychology licensing authority in another state or territory of the United States or Canadian province if the requirements for obtaining a certificate or license to practice psychology in that state, territory or province were substantially equivalent to the requirements of this chapter.

“Pathways to Licensure” Statutes Review

1
2 A psychologist certified or licensed in another state, territory or province and who has
3 made application applied to the board for a license in this state may perform activities
4 and services of a psychological nature without a valid California license for a period not
5 to exceed 180 calendar days from the time of submitting his or her application or from
6 the commencement of residency in this state, whichever first occurs.

7
8 The board at its discretion may waive the examinations, when in the judgment of the
9 board the applicant has already demonstrated competence in areas covered by the
10 examinations. The board at its discretion may waive the examinations for diplomates of
11 the American Board of Professional Psychology.

12
13 *(Amended by Stats. 2005, Ch. 658, Sec. 11. Effective January 1, 2006.)*

§ 2948. Issuance of license

14
15
16
17 The board shall issue a license to all applicants who meet the requirements of this
18 chapter and who pay to the board the initial license fee provided in Section 2987.

19
20 *(Amended by Stats. 1997, Ch. 758, Sec. 40. Effective January 1, 1998.)*

§ 2960. Grounds for action

21
22
23
24 The board may refuse to issue any registration or license, or may issue a registration or
25 license with terms and conditions, or may suspend or revoke the registration or license
26 of any registrant or licensee if the applicant, registrant, or licensee has been guilty of
27 unprofessional conduct. Unprofessional conduct shall include, but not be limited to:

28
29 (a) Conviction of a crime substantially related to the qualifications, functions or duties of
30 a psychologist or psychological assistant.

31
32 (b) Use of any controlled substance as defined in Division 10 (commencing with Section
33 11000) of the Health and Safety Code, or dangerous drug, or any alcoholic beverage to
34 an extent or in a manner dangerous to himself or herself, any other person, or the
35 public, or to an extent that this use impairs his or her ability to perform the work of a
36 psychologist with safety to the public.

37
38 (c) Fraudulently or neglectfully misrepresenting the type or status of license or
39 registration actually held.

40
41 (d) Impersonating another person holding a psychology license or allowing another
42 person to use his or her license or registration.

43
44 (e) Using fraud or deception in applying for a license or registration or in passing the
45 examination provided for in this chapter.

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- 1 (f) Paying, or offering to pay, accepting, or soliciting any consideration, compensation,
2 or remuneration, whether monetary or otherwise, for the referral of clients.
3
- 4 (g) Violating Section 17500.
5
- 6 (h) Willful, unauthorized communication of information received in professional
7 confidence.
8
- 9 (i) Violating any rule of professional conduct promulgated by the board and set forth in
10 regulations duly adopted under this chapter.
11
- 12 (j) Being grossly negligent in the practice of his or her profession.
13
- 14 (k) Violating any of the provisions of this chapter or regulations duly adopted
15 thereunder.
16
- 17 (l) The aiding or abetting of any person to engage in the unlawful practice of
18 psychology.
19
- 20 (m) The suspension, revocation or imposition of probationary conditions by another
21 state or country of a license or certificate to practice psychology or as a psychological
22 assistant issued by that state or country to a person also holding a license or
23 registration issued under this chapter if the act for which the disciplinary action was
24 taken constitutes a violation of this section.
25
- 26 (n) The commission of any dishonest, corrupt, or fraudulent act.
27
- 28 (o) Any act of sexual abuse, or sexual relations with a patient or former patient within
29 two years following termination of therapy, or sexual misconduct that is substantially
30 related to the qualifications, functions or duties of a psychologist or psychological
31 assistant or registered psychologist.
32
- 33 (p) Functioning outside of his or her particular field or fields of competence as
34 established by his or her education, training, and experience.
35
- 36 (q) Willful failure to submit, on behalf of an applicant for licensure, verification of
37 supervised experience to the board.
38
- 39 (r) Repeated acts of negligence.
40
- 41 *(Amended by Stats. 2000, Ch. 836, Sec. 20. Effective January 1, 2001.)*
42

Evidence Code - EVID

§ 1010. “Psychotherapist”

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- 1 As used in this article, “psychotherapist” means a person who is, or is reasonably
2 believed by the patient to be:
3
- 4 (a) A person authorized to practice medicine in any state or nation who devotes, or is
5 reasonably believed by the patient to devote, a substantial portion of his or her time to
6 the practice of psychiatry.
7
- 8 (b) A person licensed as a psychologist under Chapter 6.6 (commencing with Section
9 2900) of Division 2 of the Business and Professions Code.
10
- 11 (c) A person licensed as a clinical social worker under Article 4 (commencing with
12 Section 4996) of Chapter 14 of Division 2 of the Business and Professions Code, when
13 he or she is engaged in applied psychotherapy of a nonmedical nature.
14
- 15 (d) A person who is serving as a school psychologist and holds a credential authorizing
16 that service issued by the state.
17
- 18 (e) A person licensed as a marriage and family therapist under Chapter 13
19 (commencing with Section 4980) of Division 2 of the Business and Professions Code.
20
- 21 (f) A person registered as a psychological assistant who is under the **primary**
22 supervision of a licensed psychologist ~~or board certified psychiatrist~~ as required by
23 Section 2913 of the Business and Professions Code, or a person registered as a
24 marriage and family therapist intern who is under the supervision of a licensed marriage
25 and family therapist, a licensed clinical social worker, a licensed psychologist, or a
26 licensed physician and surgeon certified in psychiatry, as specified in Section 4980.44
27 of the Business and Professions Code.
28
- 29 (g) A person registered as an associate clinical social worker who is under supervision
30 as specified in Section 4996.23 of the Business and Professions Code.
31
- 32 ~~(h) A person registered with the Board of Psychology as a registered psychologist who
33 is under the primary supervision of a licensed psychologist or board certified
34 psychiatrist.~~
- 35
- 36 ~~(i) A psychological intern as defined in Section 2914 of the Business and Professions
37 Code who is under the primary supervision of a licensed psychologist or board certified
38 psychiatrist.~~
- 39
- 40 **(hj)** A trainee, as defined in subdivision (c) of Section 4980.03 of the Business and
41 Professions Code, who is fulfilling his or her supervised practicum required by
42 subparagraph (B) of paragraph (1) of subdivision (d) of Section 4980.36 of, or
43 subdivision (c) of Section 4980.37 of, the Business and Professions Code and is
44 supervised by a licensed psychologist, a board certified psychiatrist, a licensed clinical
45 social worker, a licensed marriage and family therapist, or a licensed professional
46 clinical counselor.

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- 1
2 (jk) A person licensed as a registered nurse pursuant to Chapter 6 (commencing with
3 Section 2700) of Division 2 of the Business and Professions Code, who possesses a
4 master’s degree in psychiatric-mental health nursing and is listed as a psychiatric-
5 mental health nurse by the Board of Registered Nursing.
6
- 7 (jl) An advanced practice registered nurse who is certified as a clinical nurse specialist
8 pursuant to Article 9 (commencing with Section 2838) of Chapter 6 of Division 2 of the
9 Business and Professions Code and who participates in expert clinical practice in the
10 specialty of psychiatric-mental health nursing.
11
- 12 (km) A person rendering mental health treatment or counseling services as authorized
13 pursuant to Section 6924 of the Family Code.
14
- 15 (ln) A person licensed as a professional clinical counselor under Chapter 16
16 (commencing with Section 4999.10) of Division 2 of the Business and Professions
17 Code.
18
- 19 (me) A person registered as a clinical counselor intern who is under the supervision of a
20 licensed professional clinical counselor, a licensed marriage and family therapist, a
21 licensed clinical social worker, a licensed psychologist, or a licensed physician and
22 surgeon certified in psychiatry, as specified in Sections 4999.42 to 4999.46, inclusive, of
23 the Business and Professions Code.
24
- 25 (np) A clinical counselor trainee, as defined in subdivision (g) of Section 4999.12 of the
26 Business and Professions Code, who is fulfilling his or her supervised practicum
27 required by paragraph (3) of subdivision (c) of Section 4999.32 of, or paragraph (3) of
28 subdivision (c) of Section 4999.33 of, the Business and Professions Code, and is
29 supervised by a licensed psychologist, a board-certified psychiatrist, a licensed clinical
30 social worker, a licensed marriage and family therapist, or a licensed professional
31 clinical counselor.
32
- 33 *(Amended by Stats. 2016, Ch. 86, Sec. 126. (SB 1171) Effective January 1, 2017.)*

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1 **Business and Professions Code - BPC**

2 3 **§ 25. Training in human sexuality**

4
5 Any person applying for a license, registration, or the first renewal of a license, after the
6 effective date of this section, as a licensed marriage and family therapist, a licensed
7 clinical social worker, a licensed psychologist, or a licensed professional clinical
8 counselor shall, in addition to any other requirements, show by evidence satisfactory to
9 the agency regulating the business or profession, that he or she has completed training
10 in human sexuality as a condition of licensure. The training shall be creditable toward
11 continuing education requirements as deemed appropriate by the agency regulating the
12 business or profession, and the course shall not exceed more than 50 contact hours.

13
14 The Board of Psychology shall exempt from the requirements of this section any
15 persons whose field of practice is such that they are not likely to have use for this
16 training.

17
18 “Human sexuality” as used in this section means the study of a human being as a
19 sexual being and how he or she functions with respect thereto.

20
21 The content and length of the training shall be determined by the administrative agency
22 regulating the business or profession and the agency shall proceed immediately upon
23 the effective date of this section to determine what training, and the quality of staff to
24 provide the training, is available and shall report its determination to the Legislature on
25 or before July 1, 1977.

26
27 If a licensing board or agency proposes to establish a training program in human
28 sexuality, the board or agency shall first consult with other licensing boards or agencies
29 that have established or propose to establish a training program in human sexuality to
30 ensure that the programs are compatible in scope and content.

31
32 *(Amended by Stats. 2011, Ch. 381, Sec. 1. Effective January 1, 2012.)*

33 34 **§ 27. Information to be provided on Internet; Entities in Department of consumer** 35 **Affairs required to comply**

36
37 (a) Each entity specified in subdivisions (c), (d), and (e) shall provide on the Internet
38 information regarding the status of every license issued by that entity in accordance with
39 the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of
40 Division 7 of Title 1 of the Government Code) and the Information Practices Act of 1977
41 (Chapter 1 (commencing with Section 1798) of Title 1.8 of Part 4 of Division 3 of the
42 Civil Code). The public information to be provided on the Internet shall include
43 information on suspensions and revocations of licenses issued by the entity and other
44 related enforcement action, including accusations filed pursuant to the Administrative
45 Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of
46 Title 2 of the Government Code) taken by the entity relative to persons, businesses, or

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1 facilities subject to licensure or regulation by the entity. The information may not include
2 personal information, including home telephone number, date of birth, or social security
3 number. Each entity shall disclose a licensee’s address of record. However, each entity
4 shall allow a licensee to provide a post office box number or other alternate address,
5 instead of his or her home address, as the address of record. This section shall not
6 preclude an entity from also requiring a licensee, who has provided a post office box
7 number or other alternative mailing address as his or her address of record, to provide a
8 physical business address or residence address only for the entity’s internal
9 administrative use and not for disclosure as the licensee’s address of record or
10 disclosure on the Internet.

11
12 (b) In providing information on the Internet, each entity specified in subdivisions (c) and
13 (d) shall comply with the Department of Consumer Affairs’ guidelines for access to
14 public records.

15
16 (c) Each of the following entities within the Department of Consumer Affairs shall
17 comply with the requirements of this section:

18
19 (1) The Board for Professional Engineers, Land Surveyors, and Geologists shall
20 disclose information on its registrants and licensees.

21
22 (2) The Bureau of Automotive Repair shall disclose information on its licensees,
23 including auto repair dealers, smog stations, lamp and brake stations, smog check
24 technicians, and smog inspection certification stations.

25
26 (3) The Bureau of Electronic and Appliance Repair, Home Furnishings, and Thermal
27 Insulation shall disclose information on its licensees and registrants, including major
28 appliance repair dealers, combination dealers (electronic and appliance), electronic
29 repair dealers, service contract sellers, and service contract administrators.

30
31 (4) The Cemetery and Funeral Bureau shall disclose information on its licensees,
32 including cemetery brokers, cemetery salespersons, cemetery managers, crematory
33 managers, cemetery authorities, crematories, cremated remains disposers, embalmers,
34 funeral establishments, and funeral directors.

35
36 (5) The Professional Fiduciaries Bureau shall disclose information on its licensees.

37
38 (6) The Contractors’ State License Board shall disclose information on its licensees and
39 registrants in accordance with Chapter 9 (commencing with Section 7000) of Division 3.
40 In addition to information related to licenses as specified in subdivision (a), the board
41 shall also disclose information provided to the board by the Labor Commissioner
42 pursuant to Section 98.9 of the Labor Code.

43
44 (7) The Bureau for Private Postsecondary Education shall disclose information on
45 private postsecondary institutions under its jurisdiction, including disclosure of notices to
46 comply issued pursuant to Section 94935 of the Education Code.

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- 1
2 (8) The California Board of Accountancy shall disclose information on its licensees and
3 registrants.
4
- 5 (9) The California Architects Board shall disclose information on its licensees, including
6 architects and landscape architects.
7
- 8 (10) The State Athletic Commission shall disclose information on its licensees and
9 registrants.
10
- 11 (11) The State Board of Barbering and Cosmetology shall disclose information on its
12 licensees.
13
- 14 (12) The State Board of Guide Dogs for the Blind shall disclose information on its
15 licensees and registrants.
16
- 17 (13) The Acupuncture Board shall disclose information on its licensees.
18
- 19 (14) The Board of Behavioral Sciences shall disclose information on its licensees,
20 including licensed marriage and family therapists, licensed clinical social workers,
21 licensed educational psychologists, and licensed professional clinical counselors.
22
- 23 (15) The Dental Board of California shall disclose information on its licensees.
24
- 25 (16) The State Board of Optometry shall disclose information on its licensees and
26 registrants.
27
- 28 (17) The Board of Psychology shall disclose information on its licensees, including
29 psychologists and psychological assistants.
30
- 31 (d) The State Board of Chiropractic Examiners shall disclose information on its
32 licensees.
33
- 34 (e) The Structural Pest Control Board shall disclose information on its licensees,
35 including applicators, field representatives, and operators in the areas of fumigation,
36 general pest and wood destroying pests and organisms, and wood roof cleaning and
37 treatment.
38
- 39 (f) The Bureau of Medical Cannabis Regulation shall disclose information on its
40 licensees.
41
- 42 (g) “Internet” for the purposes of this section has the meaning set forth in paragraph (6)
43 of subdivision (f) of Section 17538.
44
- 45 *(Amended (as amended by Stats. 2016, Ch. 32, Sec. 1) by Stats. 2016, Ch. 489, Sec.*
46 *1. Effective January 1, 2017.)*

“Pathways to Licensure” Statutes Review**§ 28. Child, elder, and dependent adult abuse assessment and reporting training**

(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 of Psychology and the Board of Behavioral Sciences shall establish required training in the area of child abuse assessment and reporting for all persons applying for initial licensure and renewal of a license as a psychologist, 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 psychologist, 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 2902, 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 responsible 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 responsible 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

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1 report, caring for a child’s needs after a report is made, sensitivity to previously abused
2 children and adults, and implications and methods of treatment for children and adults.

3
4 (4) An applicant shall provide the appropriate board with documentation of completion of
5 the required child abuse training.

6
7 (d) The Board of Psychology and the Board of Behavioral Sciences shall exempt an
8 applicant who applies for an exemption from this section and who shows to the
9 satisfaction of the board that there would be no need for the training in his or her
10 practice because of the nature of that practice.

11
12 (e) It is the intent of the Legislature that a person licensed as a psychologist, clinical
13 social worker, professional clinical counselor, or marriage and family therapist have
14 minimal but appropriate training in the areas of child, elder, and dependent adult abuse
15 assessment and reporting. It is not intended that, by solely complying with this section,
16 a practitioner is fully trained in the subject of treatment of child, elder, and dependent
17 adult abuse victims and abusers.

18
19 (f) The Board of Psychology and the Board of Behavioral Sciences are encouraged to
20 include coursework regarding the assessment and reporting of elder and dependent
21 adult abuse in the required training on aging and long-term care issues prior to licensure
22 or license renewal.

23
24 *(Amended by Stats. 2015, Ch. 426, Sec. 1. Effective January 1, 2016.)*

25
26 **§ 29. Adoption of continuing education requirements regarding**
27 **chemical dependency and alcoholism**

28
29 (a) The Board of Psychology and the Board of Behavioral Sciences shall consider
30 adoption of continuing education requirements including training in the area of
31 recognizing chemical dependency and early intervention for all persons applying for
32 renewal of a license as a psychologist, clinical social worker, marriage and family
33 therapist, or professional clinical counselor.

34
35 (b) Prior to the adoption of any regulations imposing continuing education relating to
36 alcohol and other chemical dependency, the boards are urged to consider coursework
37 to include, but not necessarily be limited to, the following topics:

38
39 (1) Historical and contemporary perspectives on alcohol and other drug abuse.

40
41 (2) Extent of the alcohol and drug abuse epidemic and its effects on the individual,
42 family, and community.

43
44 (3) Recognizing the symptoms of alcoholism and drug addiction.

45
46 (4) Making appropriate interpretations, interventions, and referrals.

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1
2 (5) Recognizing and intervening with affected family members.

3
4 (6) Learning about current programs of recovery, such as 12 step programs, and how
5 therapists can effectively utilize these programs.

6
7 *(Amended by Stats. 2011, Ch. 381, Sec. 3. Effective January 1, 2012.)*

8
9 **§ 2903. Licensure requirement; Practice of Psychology; Psychotherapy**

10
11 (a) No person may engage in the practice of psychology, or represent himself or herself
12 to be a psychologist, without a license granted under this chapter, except as otherwise
13 provided in this chapter. The practice of psychology is defined as rendering or offering
14 to render to individuals, groups, organizations, or the public any psychological service
15 involving the application of psychological principles, methods, and procedures of
16 understanding, predicting, and influencing behavior, such as the principles pertaining to
17 learning, perception, motivation, emotions, and interpersonal relationships; and the
18 methods and procedures of interviewing, counseling, psychotherapy, behavior
19 modification, and hypnosis; and of constructing, administering, and interpreting tests of
20 mental abilities, aptitudes, interests, attitudes, personality characteristics, emotions, and
21 motivations.

22
23 (b) The application of these principles and methods includes, but is not restricted to:
24 assessment, diagnosis, prevention, treatment, and intervention to increase effective
25 functioning of individuals, groups, and organizations.

26
27 (c) Psychotherapy within the meaning of this chapter means the use of psychological
28 methods in a professional relationship to assist a person or persons to acquire greater
29 human effectiveness or to modify feelings, conditions, attitudes, and behaviors that are
30 emotionally, intellectually, or socially ineffectual or maladaptive.

31
32 *(Amended by Stats. 2015, Ch. 529, Sec. 1. Effective January 1, 2016.)*

33
34 **§ 2913. Services by psychological assistants**

35
36 A person performing psychological services pursuant to section 2903 of the Code, that
37 does not have a license must register as a psychological assistant and meet the
38 following conditions, in order to prepare for licensure as psychologist.

39
40 (a) The person shall register with the board as a “psychological assistant.” This
41 registration shall be renewed annually in accordance with regulations adopted by the
42 board.

43
44 (b) The person (A) has completed a master’s degree in psychology or in education with
45 the field of specialization in educational psychology, counseling psychology, or school
46 psychology, or (B) has been admitted to candidacy for a doctoral degree in (1)

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1 psychology with the field of specialization in clinical, counseling, school, consulting,
2 forensic or industrial/organizational psychology, or (2) education, with the field of
3 specialization in educational psychology, counseling psychology, or school psychology,
4 or (3) a field of specialization designed to prepare graduates for the professional
5 practice of psychology after having satisfactorily completed three or more years of
6 postgraduate education in psychology and having passed preliminary doctoral
7 examinations, or (C) has completed a doctoral degree that qualifies for licensure under
8 Section 2914. The Board shall make the final determination as to whether a degree
9 meets the requirements of this section.

10
11 (c) (1) The psychological assistant shall be supervised by a primary supervisor who is a
12 licensed psychologist. The psychological assistant’s primary supervisor shall be
13 responsible for ensuring that the extent, kind, and quality of the psychological services
14 performed are consistent with the psychological assistant’s and the primary supervisor’s
15 training and experience. The primary supervisor shall be responsible for the
16 psychological assistant’s compliance with this chapter and regulations. Primary
17 supervisors may delegate supervision as prescribed by the board’s regulations.

18
19 (2) A licensed psychologist shall not supervise more than three (3) psychological
20 assistants at any given time.

21 (d) A psychological assistant shall not:(1) provide psychological services to the public
22 except as a trainee pursuant to this section.

23
24 (2) receive payments, monetary or otherwise, directly from clients or patients

25
26 (e) No person shall be registered to practice as a psychological assistant who is found
27 by the board to be in violation of Section 2960 and the rules and regulations duly
28 adopted thereunder.

29
30 This requirement applies to persons previously excluded from registration employed in
31 academic institutions, public schools, or governmental agencies.

32
33 *(Amended by Stats. 2016, Ch. 484, Sec. 2. Effective January 1, 2017.)*

§ 2914. Applicant’s requirements

34
35
36 Each applicant for licensure shall:

37
38
39 (a) not be subject to denial of licensure under Division 1.5 (commencing with Section
40 475).

41
42 (b) possess an earned doctorate degree (1) in psychology with the field of specialization
43 in clinical, counseling, school, consulting, forensic or industrial/organizational
44 psychology, or (2) in education with the field of specialization in counseling psychology,
45 educational psychology, or school psychology, or (3) in a field of specialization designed
46 to prepare graduates for the professional practice of psychology. Except as provided in

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1 subdivision (h), this degree or training shall be obtained from an accredited university,
2 college, or professional school. The board shall make the final determination as to
3 whether a degree meets the requirements of this section.
4

5 (c) (1) On or after January 1, 2020, possess an earned doctorate degree in psychology
6 with the field of specialization in clinical, counseling, school, consulting, forensic or
7 industrial/organizational psychology, or in education with the field of specialization in
8 counseling psychology, educational psychology, or school psychology from a college or
9 institution of higher education that is accredited by a regional accrediting agency
10 recognized by the United States Department of Education. Until January 1, 2020, the
11 board may accept an applicant who possesses a doctorate degree in psychology with
12 the field of specialization in clinical, counseling, school, consulting, forensic or
13 industrial/organizational psychology, or in education with the field of specialization in
14 counseling ,educational psychology, or school psychology from an institution that is not
15 accredited by an accrediting agency recognized by the United States Department of
16 Education, but is approved to operate in this state by the Bureau for Private
17 Postsecondary Education.
18

19 (2) Paragraph (1) does not apply to any student who was enrolled in a doctoral program
20 in psychology with the field of specialization in clinical, counseling, school, consulting,
21 forensic or industrial/organizational psychology, or in education with the field of
22 specialization in counseling psychology, educational psychology, or school psychology
23 at a nationally accredited or approved institution as of December 31, 2016.
24

25 (3) An applicant for licensure trained in an educational institution outside the United
26 States or Canada shall demonstrate to the satisfaction of the board that he or she
27 possesses a doctorate degree in psychology or education pursuant to (c)(1) and (2) that
28 is equivalent to a degree earned from a regionally accredited academic institution in the
29 United States or Canada. These applicants shall provide the board with a
30 comprehensive evaluation of the degree performed by a foreign credential evaluation
31 service that is a member of the National Association of Credential Evaluation Services
32 (NACES), and any other documentation the board deems necessary.
33

34 (d) (1) have engaged for at least two years in supervised professional experience under
35 the direction of a licensed psychologist, the specific requirements of which shall be
36 defined by the board in its regulations, or under suitable alternative supervision as
37 determined by the board in regulations duly adopted under this chapter, at least one
38 year of which shall occur after being awarded the qualifying doctorate. The supervisor
39 shall submit verification of the experience to the trainee as prescribed by the board. If
40 the supervising licensed psychologist fails to provide verification to the trainee in a
41 timely manner, the board may establish alternative procedures for obtaining the
42 necessary documentation. Absent good cause, the failure of a supervising licensed
43 psychologist to provide the verification to the board upon request shall constitute
44 unprofessional conduct.
45

46 (2) The board shall establish qualifications by regulation for supervising psychologists.

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1
2 (e) take and pass the examination required by Section 2941 unless otherwise exempted
3 by the board under this chapter.

4
5 (f) Complete coursework or provide evidence of training in the detection and treatment
6 of alcohol and other chemical substance dependency as prescribed by the board.

7
8 (g) (1) Complete coursework or provide evidence of training in spousal or partner abuse
9 assessment, detection, and intervention as prescribed by the board.

10
11 (h) Until January 1, 2020, an applicant holding a doctoral degree in psychology from an
12 approved institution is deemed to meet the requirements of this section if both of the
13 following are true:

14
15 (1) The approved institution offered a doctoral degree in psychology designed to
16 prepare students for a license to practice psychology and was approved by the former
17 Bureau for Private Postsecondary and Vocational Education on or before July 1, 1999.

18
19 (2) The approved institution has not, since July 1, 1999, had a new location, as
20 described in Section 94823.5 of the Education Code.

21
22 *(Amended by Stats. 2016, Ch. 484, Sec. 3. Effective January 1, 2017.)*

23
24 **§ 2915. Continuing education requirements; Practice outside fields of**
25 **competence**

26
27 (a) Except as provided in this section, the board shall issue a renewal license only to a
28 licensed psychologist who has completed 36 hours of approved continuing professional
29 development in the preceding two years.

30
31 (b) A licensed psychologist that renews or reinstates their license issued pursuant to this
32 chapter shall certify compliance with this section under penalty of perjury, and shall
33 retain proof of this compliance for submission to the board upon request. False
34 statements submitted pursuant to this section shall be a violation of Section 2970.

35
36 (c) Continuing professional development means certain learning activities approved in
37 four different categories:

38
39 (1) Professional Activities.

40
41 (2) Academic Activities.

42
43 (3) Sponsored continuing education coursework.

44
45 (4) Board certification from the American Board of Professional Psychology.

46

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1 The board may develop regulations further defining acceptable continuing professional
2 development activities.

3
4 (d) (1) The board shall require a licensed psychologist who began graduate study prior
5 to January 1, 2004, to take a continuing education course during his or her first renewal
6 period after the operative date of this section in spousal or partner abuse assessment,
7 detection, and intervention strategies, including community resources, cultural factors,
8 and same gender abuse dynamics. Equivalent courses in spousal or partner abuse
9 assessment, detection, and intervention strategies taken prior to the operative date of
10 this section or proof of equivalent teaching or practice experience may be submitted to
11 the board and at its discretion, may be accepted in satisfaction of this requirement.

12
13 (2) Continuing education courses taken pursuant to this subdivision shall be applied to
14 the 36 hours of approved continuing professional development required under
15 subdivision (a).

16
17 (e) Continuing education courses approved to meet the requirements of this section
18 shall be approved for credit by organizations approved by the board. An organization
19 previously approved by the board to provide or approve continuing education is deemed
20 approved under this section.

21
22 (f) The board may accept continuing education courses approved by an entity that has
23 demonstrated to the board in writing that it has, at a minimum, a 10-year history of
24 providing educational programming for psychologists and has documented procedures
25 for maintaining a continuing education approval program. The board shall adopt
26 regulations necessary for implementing this section.

27
28 (g) The administration of this section may be funded through professional license fees
29 and continuing education provider and course approval fees, or both. The fees related
30 to the administration of this section shall not exceed the costs of administering the
31 corresponding provisions of this section.

32
33 *(Amended by Stats. 2016, Ch. 484, Sec. 6. Effective January 1, 2017.)*

34
35 **§ 2915.5. Coursework in aging and long-term care required for licensure of new**
36 **applicant; Instruction on assessment and reporting of, as well as treatment**
37 **related to, elder and dependent adult abuse and neglect**

38
39 (a) Any applicant for licensure as a psychologist who began graduate study on or after
40 January 1, 2004, shall complete, as a condition of licensure, a minimum of six (6) hours
41 of coursework or applied experience in aging and long-term care, which may include,
42 but need not be limited to, the biological, social, and psychological aspects of aging. On
43 and after January 1, 2012, this coursework shall include instruction on the assessment
44 and reporting of, as well as treatment related to, elder and dependent adult abuse and
45 neglect.

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1
2 (b) In order to satisfy the coursework requirement of this section, the applicant shall
3 submit to the board a written certification from the registrar or training director of the
4 educational institution or program from which the applicant graduated stating that the
5 coursework required by this section is included within the institution’s required
6 curriculum for graduation at the time the applicant graduated, or within the coursework,
7 that was completed by the applicant.

8
9 (c) If an applicant does not have coursework pursuant to this section, evidence of
10 compliance can be obtained as part of his or her applied experience. Applied
11 experience can be met in any of the following settings: practicum, internship, or formal
12 postdoctoral placement that meets the requirement of Section 2911, or other qualifying
13 supervised professional experience. To satisfy this requirement, the applicant shall
14 submit to the board a written certification from the director of training for the program or
15 primary supervisor where the qualifying experience has occurred stating that the
16 training required by this section is included within the applied experience.

17
18 (d) If an applicant does not meet the curriculum or coursework requirement pursuant to
19 this section, evidence of compliance can be obtained by taking a continuing education
20 course that meets the requirements of subdivision (e) or (f) of Section 2915 and that
21 qualifies as a continuing education learning activity category specified in paragraph (2)
22 or (3) of subdivision (c) of Section 2915. To satisfy this requirement, the applicant shall
23 submit to the board a certification of completion.

24
25 *(Amended by Stats. 2010, Ch. 552, Sec. 2. Effective January 1, 2011.)*

26
27 **§ 2915.7. Continuing education course in aging and long-term care required for**
28 **first license renewal; Instruction on assessment and reporting of, as well as**
29 **treatment related to, elder and dependent adult abuse and neglect**

30
31 (a) A licensee who began graduate study prior to January 1, 2004, shall complete a
32 three-hour continuing education course in aging and long-term care during his or her
33 first renewal period after the operative date of this section, and shall submit to the board
34 evidence acceptable to the board of the person’s satisfactory completion of that course.

35
36 (b) The course should include, but is not limited to, the biological, social, and
37 psychological aspects of aging. On and after January 1, 2012, this coursework shall
38 include instruction on the assessment and reporting of, as well as treatment related to,
39 elder and dependent adult abuse and neglect.

40
41 (c) Any person seeking to meet the requirements of subdivision (a) of this section may
42 submit to the board a certificate evidencing completion of equivalent courses in aging
43 and long-term care taken prior to the operative date of this section, or proof of
44 equivalent teaching or practice experience. The board, in its discretion, may accept that
45 certification as meeting the requirements of this section.

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1 (d) The board may not renew an applicant’s license until the applicant has met the
2 requirements of this section.

3
4 (e) A licensee whose practice does not include the direct provision of mental health
5 services may apply to the board for an exception to the requirements of this section.

6
7 *(Amended by Stats. 2010, Ch. 552, Sec. 3. Effective January 1, 2011.)*

8 9 **§ 2940. Application and fee**

10
11 Each person desiring to obtain a license from the board shall submit an application in a
12 manner prescribed by the board in regulations duly adopted under this chapter.

13
14 The application shall be accompanied by the application fee prescribed by Section 2987.
15 This fee shall not be refunded by the board.

16
17 *(Amended by Stats. 1997, Ch. 758, Sec. 38. Effective January 1, 1998.)*

18 19 **§ 2941. Examination and fee**

20
21 Each applicant for a psychology license shall be examined by the board, and shall pay
22 the examination fee prescribed by Section 2987, which shall not be refunded by the
23 board.

24
25 *(Amended by Stats. 1997, Ch. 758, Sec. 39. Effective January 1, 1998.)*

26 27 **§ 2942. Time for examinations; Passing grades**

28
29 The board may examine by written or computer-assisted examination or by both. All
30 aspects of the examination shall be in compliance with Section 139. The examination
31 shall be available for administration at least twice a year at the time and place and
32 under supervision as the board may determine. The passing grades for the
33 examinations shall be established by the board in regulations and shall be based on
34 psychometrically sound principles of establishing minimum qualifications and levels of
35 competency.

36
37 Examinations for a psychologist’s license may be utilized by the board under a uniform
38 examination system, and for that purpose the board may make arrangements with
39 organizations to supply and administer examination materials.

40
41 *(Amended by Stats. 2005, Ch. 658, Sec. 9. Effective January 1, 2006.)*

42 43 **§ 2943. Examination subjects**

44
45 The board may examine for knowledge in whatever theoretical or applied fields in
46 psychology as it deems appropriate. It may examine the candidate with regard to his or

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1 her professional skills and his or her judgment in the utilization of psychological
2 techniques and methods.

3
4 *(Amended by Stats. 1989, Ch. 888, Sec. 24.)*

5
6 **§ 2946. Temporary practice by out-of-state licensees; Waiver of examination
7 requirement**

8
9 The board shall grant a license to any person who passes the board’s supplemental
10 licensing examination and, at the time of application, has been licensed for at least two
11 years by a psychology licensing authority in another state or territory of the United
12 States or Canadian province if the requirements for obtaining a certificate or license to
13 practice psychology in that state, territory or province were substantially equivalent to
14 the requirements of this chapter.

15
16 A psychologist certified or licensed in another state, territory or province and has
17 applied to the board for a license in this state may perform activities and services of a
18 psychological nature without a valid California license for a period not to exceed 180
19 calendar days from the time of submitting his or her application or from the
20 commencement of residency in this state, whichever first occurs.

21
22 The board at its discretion may waive the examinations, when in the judgment of the
23 board the applicant has already demonstrated competence in areas covered by the
24 examinations. The board at its discretion may waive the examinations for diplomates of
25 the American Board of Professional Psychology.

26
27 *(Amended by Stats. 2005, Ch. 658, Sec. 11. Effective January 1, 2006.)*

28
29 **§ 2948. Issuance of license**

30
31 The board shall issue a license to all applicants who meet the requirements of this
32 chapter and who pay to the board the initial license fee provided in Section 2987.

33
34 *(Amended by Stats. 1997, Ch. 758, Sec. 40. Effective January 1, 1998.)*

35
36 **§ 2960. Grounds for action**

37
38 The board may refuse to issue any registration or license, or may issue a registration or
39 license with terms and conditions, or may suspend or revoke the registration or license
40 of any registrant or licensee if the applicant, registrant, or licensee has been guilty of
41 unprofessional conduct. Unprofessional conduct shall include, but not be limited to:

42
43 (a) Conviction of a crime substantially related to the qualifications, functions or duties of
44 a psychologist or psychological assistant.

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- 1 (b) Use of any controlled substance as defined in Division 10 (commencing with Section
2 11000) of the Health and Safety Code, or dangerous drug, or any alcoholic beverage to
3 an extent or in a manner dangerous to himself or herself, any other person, or the
4 public, or to an extent that this use impairs his or her ability to perform the work of a
5 psychologist with safety to the public.
6
- 7 (c) Fraudulently or neglectfully misrepresenting the type or status of license or
8 registration actually held.
9
- 10 (d) Impersonating another person holding a psychology license or allowing another
11 person to use his or her license or registration.
12
- 13 (e) Using fraud or deception in applying for a license or registration or in passing the
14 examination provided for in this chapter.
15
- 16 (f) Paying, or offering to pay, accepting, or soliciting any consideration, compensation,
17 or remuneration, whether monetary or otherwise, for the referral of clients.
18
- 19 (g) Violating Section 17500.
20
- 21 (h) Willful, unauthorized communication of information received in professional
22 confidence.
23
- 24 (i) Violating any rule of professional conduct promulgated by the board and set forth in
25 regulations duly adopted under this chapter.
26
- 27 (j) Being grossly negligent in the practice of his or her profession.
28
- 29 (k) Violating any of the provisions of this chapter or regulations duly adopted
30 thereunder.
31
- 32 (l) The aiding or abetting of any person to engage in the unlawful practice of
33 psychology.
34
- 35 (m) The suspension, revocation or imposition of probationary conditions by another
36 state or country of a license or certificate to practice psychology or as a psychological
37 assistant issued by that state or country to a person also holding a license or
38 registration issued under this chapter if the act for which the disciplinary action was
39 taken constitutes a violation of this section.
40
- 41 (n) The commission of any dishonest, corrupt, or fraudulent act.
42
- 43 (o) Any act of sexual abuse, or sexual relations with a patient or former patient within
44 two years following termination of therapy, or sexual misconduct that is substantially
45 related to the qualifications, functions or duties of a psychologist or psychological
46 assistant.

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1
2 (p) Functioning outside of his or her particular field or fields of competence as
3 established by his or her education, training, and experience.

4
5 (q) Willful failure to submit, on behalf of an applicant for licensure, verification of
6 supervised experience to the board.

7
8 (r) Repeated acts of negligence.

9
10 *(Amended by Stats. 2000, Ch. 836, Sec. 20. Effective January 1, 2001.)*

Evidence Code - EVID**§ 1010. “Psychotherapist”**

11
12
13
14
15
16 As used in this article, “psychotherapist” means a person who is, or is reasonably
17 believed by the patient to be:

18
19 (a) A person authorized to practice medicine in any state or nation who devotes, or is
20 reasonably believed by the patient to devote, a substantial portion of his or her time to
21 the practice of psychiatry.

22
23 (b) A person licensed as a psychologist under Chapter 6.6 (commencing with Section
24 2900) of Division 2 of the Business and Professions Code.

25
26 (c) A person licensed as a clinical social worker under Article 4 (commencing with
27 Section 4996) of Chapter 14 of Division 2 of the Business and Professions Code, when
28 he or she is engaged in applied psychotherapy of a nonmedical nature.

29
30 (d) A person who is serving as a school psychologist and holds a credential authorizing
31 that service issued by the state.

32
33 (e) A person licensed as a marriage and family therapist under Chapter 13
34 (commencing with Section 4980) of Division 2 of the Business and Professions Code.

35
36 (f) A person registered as a psychological assistant who is under the primary
37 supervision of a licensed psychologist as required by Section 2913 of the Business and
38 Professions Code, or a person registered as a marriage and family therapist intern who
39 is under the supervision of a licensed marriage and family therapist, a licensed clinical
40 social worker, a licensed psychologist, or a licensed physician and surgeon certified in
41 psychiatry, as specified in Section 4980.44 of the Business and Professions Code.

42
43 (g) A person registered as an associate clinical social worker who is under supervision
44 as specified in Section 4996.23 of the Business and Professions Code.

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1 (h) A trainee, as defined in subdivision (c) of Section 4980.03 of the Business and
2 Professions Code, who is fulfilling his or her supervised practicum required by
3 subparagraph (B) of paragraph (1) of subdivision (d) of Section 4980.36 of, or
4 subdivision (c) of Section 4980.37 of, the Business and Professions Code and is
5 supervised by a licensed psychologist, a board certified psychiatrist, a licensed clinical
6 social worker, a licensed marriage and family therapist, or a licensed professional
7 clinical counselor.

8
9 (i) A person licensed as a registered nurse pursuant to Chapter 6 (commencing with
10 Section 2700) of Division 2 of the Business and Professions Code, who possesses a
11 master’s degree in psychiatric-mental health nursing and is listed as a psychiatric-
12 mental health nurse by the Board of Registered Nursing.

13
14 (j) An advanced practice registered nurse who is certified as a clinical nurse specialist
15 pursuant to Article 9 (commencing with Section 2838) of Chapter 6 of Division 2 of the
16 Business and Professions Code and who participates in expert clinical practice in the
17 specialty of psychiatric-mental health nursing.

18
19 (k) A person rendering mental health treatment or counseling services as authorized
20 pursuant to Section 6924 of the Family Code.

21
22 (l) A person licensed as a professional clinical counselor under Chapter 16
23 (commencing with Section 4999.10) of Division 2 of the Business and Professions
24 Code.

25
26 (m) A person registered as a clinical counselor intern who is under the supervision of a
27 licensed professional clinical counselor, a licensed marriage and family therapist, a
28 licensed clinical social worker, a licensed psychologist, or a licensed physician and
29 surgeon certified in psychiatry, as specified in Sections 4999.42 to 4999.46, inclusive, of
30 the Business and Professions Code.

31
32 (n) A clinical counselor trainee, as defined in subdivision (g) of Section 4999.12 of the
33 Business and Professions Code, who is fulfilling his or her supervised practicum
34 required by paragraph (3) of subdivision (c) of Section 4999.32 of, or paragraph (3) of
35 subdivision (c) of Section 4999.33 of, the Business and Professions Code, and is
36 supervised by a licensed psychologist, a board-certified psychiatrist, a licensed clinical
37 social worker, a licensed marriage and family therapist, or a licensed professional
38 clinical counselor.

39
40 *(Amended by Stats. 2016, Ch. 86, Sec. 126. (SB 1171) Effective January 1, 2017.)*

“Pathways to Licensure” Statutes Review**Business and Professions Code - BPC****§ 25. Training in human sexuality**

Any person applying for a license, registration, or the first renewal of a license, after the effective date of this section, as a licensed marriage and family therapist, a licensed clinical social worker, a licensed psychologist, or a licensed professional clinical counselor shall, in addition to any other requirements, show by evidence satisfactory to the agency regulating the business or profession, that he or she has completed training in human sexuality as a condition of licensure. The training shall be creditable toward continuing education requirements as deemed appropriate by the agency regulating the business or profession, and the course shall not exceed more than 50 contact hours.

The Board of Psychology shall exempt from the requirements of this section any persons whose field of practice is such that they are not likely to have use for this training.

“Human sexuality” as used in this section means the study of a human being as a sexual being and how he or she functions with respect thereto.

The content and length of the training shall be determined by the administrative agency regulating the business or profession and the agency shall proceed immediately upon the effective date of this section to determine what training, and the quality of staff to provide the training, is available and shall report its determination to the Legislature on or before July 1, 1977.

If a licensing board or agency proposes to establish a training program in human sexuality, the board or agency shall first consult with other licensing boards or agencies that have established or propose to establish a training program in human sexuality to ensure that the programs are compatible in scope and content.

(Amended by Stats. 2011, Ch. 381, Sec. 1. Effective January 1, 2012.)

§ 27. Information to be provided on Internet; Entities in Department of consumer Affairs required to comply

(a) Each entity specified in subdivisions (c), (d), and (e) shall provide on the Internet information regarding the status of every license issued by that entity in accordance with the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1 of the Government Code) and the Information Practices Act of 1977 (Chapter 1 (commencing with Section 1798) of Title 1.8 of Part 4 of Division 3 of the Civil Code). The public information to be provided on the Internet shall include information on suspensions and revocations of licenses issued by the entity and other related enforcement action, including accusations filed pursuant to the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code) taken by the entity relative to persons, businesses, or

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1 facilities subject to licensure or regulation by the entity. The information may not include
2 personal information, including home telephone number, date of birth, or social security
3 number. Each entity shall disclose a licensee’s address of record. However, each entity
4 shall allow a licensee to provide a post office box number or other alternate address,
5 instead of his or her home address, as the address of record. This section shall not
6 preclude an entity from also requiring a licensee, who has provided a post office box
7 number or other alternative mailing address as his or her address of record, to provide a
8 physical business address or residence address only for the entity’s internal
9 administrative use and not for disclosure as the licensee’s address of record or
10 disclosure on the Internet.

11
12 (b) In providing information on the Internet, each entity specified in subdivisions (c) and
13 (d) shall comply with the Department of Consumer Affairs’ guidelines for access to
14 public records.

15
16 (c) Each of the following entities within the Department of Consumer Affairs shall
17 comply with the requirements of this section:

18
19 (1) The Board for Professional Engineers, Land Surveyors, and Geologists shall
20 disclose information on its registrants and licensees.

21
22 (2) The Bureau of Automotive Repair shall disclose information on its licensees,
23 including auto repair dealers, smog stations, lamp and brake stations, smog check
24 technicians, and smog inspection certification stations.

25
26 (3) The Bureau of Electronic and Appliance Repair, Home Furnishings, and Thermal
27 Insulation shall disclose information on its licensees and registrants, including major
28 appliance repair dealers, combination dealers (electronic and appliance), electronic
29 repair dealers, service contract sellers, and service contract administrators.

30
31 (4) The Cemetery and Funeral Bureau shall disclose information on its licensees,
32 including cemetery brokers, cemetery salespersons, cemetery managers, crematory
33 managers, cemetery authorities, crematories, cremated remains disposers, embalmers,
34 funeral establishments, and funeral directors.

35
36 (5) The Professional Fiduciaries Bureau shall disclose information on its licensees.

37
38 (6) The Contractors’ State License Board shall disclose information on its licensees and
39 registrants in accordance with Chapter 9 (commencing with Section 7000) of Division 3.
40 In addition to information related to licenses as specified in subdivision (a), the board
41 shall also disclose information provided to the board by the Labor Commissioner
42 pursuant to Section 98.9 of the Labor Code.

43
44 (7) The Bureau for Private Postsecondary Education shall disclose information on
45 private postsecondary institutions under its jurisdiction, including disclosure of notices to
46 comply issued pursuant to Section 94935 of the Education Code.

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- 1
2 (8) The California Board of Accountancy shall disclose information on its licensees and
3 registrants.
4
5 (9) The California Architects Board shall disclose information on its licensees, including
6 architects and landscape architects.
7
8 (10) The State Athletic Commission shall disclose information on its licensees and
9 registrants.
10
11 (11) The State Board of Barbering and Cosmetology shall disclose information on its
12 licensees.
13
14 (12) The State Board of Guide Dogs for the Blind shall disclose information on its
15 licensees and registrants.
16
17 (13) The Acupuncture Board shall disclose information on its licensees.
18
19 (14) The Board of Behavioral Sciences shall disclose information on its licensees,
20 including licensed marriage and family therapists, licensed clinical social workers,
21 licensed educational psychologists, and licensed professional clinical counselors.
22
23 (15) The Dental Board of California shall disclose information on its licensees.
24
25 (16) The State Board of Optometry shall disclose information on its licensees and
26 registrants.
27
28 (17) The Board of Psychology shall disclose information on its licensees, including
29 psychologists, psychological assistants, and ~~registered psychologists~~ psychology
30 associates.
31
32 (d) The State Board of Chiropractic Examiners shall disclose information on its
33 licensees.
34
35 (e) The Structural Pest Control Board shall disclose information on its licensees,
36 including applicators, field representatives, and operators in the areas of fumigation,
37 general pest and wood destroying pests and organisms, and wood roof cleaning and
38 treatment.
39
40 (f) The Bureau of Medical Cannabis Regulation shall disclose information on its
41 licensees.
42
43 (g) “Internet” for the purposes of this section has the meaning set forth in paragraph (6)
44 of subdivision (f) of Section 17538.
45

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1 *(Amended (as amended by Stats. 2016, Ch. 32, Sec. 1) by Stats. 2016, Ch. 489, Sec.*
 2 *1. Effective January 1, 2017.)*

3
 4 **§ 28. Child, elder, and dependent adult abuse assessment and reporting training**

5
 6 (a) The Legislature finds that there is a need to ensure that professionals of the healing
 7 arts who have demonstrable contact with victims and potential victims of child, elder,
 8 and dependent adult abuse, and abusers and potential abusers of children, elders, and
 9 dependent adults are provided with adequate and appropriate training regarding the
 10 assessment and reporting of child, elder, and dependent adult abuse that will
 11 ameliorate, reduce, and eliminate the trauma of abuse and neglect and ensure the
 12 reporting of abuse in a timely manner to prevent additional occurrences.

13
 14 (b) The Board of Psychology and the Board of Behavioral Sciences shall establish
 15 required training in the area of child abuse assessment and reporting for all persons
 16 applying for initial licensure and renewal of a license as a psychologist, clinical social
 17 worker, professional clinical counselor, or marriage and family therapist. This training
 18 shall be required one time only for all persons applying for initial licensure or for
 19 licensure renewal.

20
 21 (c) All persons applying for initial licensure or renewal of a license as a psychologist,
 22 clinical social worker, professional clinical counselor, or marriage and family therapist
 23 shall, in addition to all other requirements for licensure or renewal, have completed
 24 coursework or training in child abuse assessment and reporting that meets the
 25 requirements of this section, including detailed knowledge of the Child Abuse and
 26 Neglect Reporting Act (Article 2.5 (commencing with Section 11164) of Chapter 2 of
 27 Title 1 of Part 4 of the Penal Code). The training shall meet all of the following
 28 requirements:

29
 30 (1) Be obtained from one of the following sources:

31
 32 (A) An accredited or approved educational institution, as defined in Sections 2902,
 33 4980.36, 4980.37, 4996.18, and 4999.12, including extension courses offered by those
 34 institutions.

35
 36 (B) A continuing education provider as specified by the responsible board by regulation.

37
 38 (C) A course sponsored or offered by a professional association or a local, county, or
 39 state department of health or mental health for continuing education and approved or
 40 accepted by the responsible board.

41
 42 (2) Have a minimum of sevensix contact hours.

43
 44 (3) Include the study of the assessment and method of reporting of sexual assault,
 45 neglect, severe neglect, general neglect, willful cruelty or unjustifiable punishment,
 46 corporal punishment or injury, and abuse in out-of-home care. The training shall also

Commented [ML1]: Staff recommend keeping 7 hours due to impact of other programs.

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1 include physical and behavioral indicators of abuse, crisis counseling techniques,
2 community resources, rights and responsibilities of reporting, consequences of failure to
3 report, caring for a child’s needs after a report is made, sensitivity to previously abused
4 children and adults, and implications and methods of treatment for children and adults.
5

6 (4) An applicant shall provide the appropriate board with documentation of completion of
7 the required child abuse training.
8

9 (d) The Board of Psychology and the Board of Behavioral Sciences shall exempt an
10 applicant who applies for an exemption from this section and who shows to the
11 satisfaction of the board that there would be no need for the training in his or her
12 practice because of the nature of that practice.
13

14 (e) It is the intent of the Legislature that a person licensed as a psychologist, clinical
15 social worker, professional clinical counselor, or marriage and family therapist have
16 minimal but appropriate training in the areas of child, elder, and dependent adult abuse
17 assessment and reporting. It is not intended that, by solely complying with this section,
18 a practitioner is fully trained in the subject of treatment of child, elder, and dependent
19 adult abuse victims and abusers.
20

21 (f) The Board of Psychology and the Board of Behavioral Sciences are encouraged to
22 include coursework regarding the assessment and reporting of elder and dependent
23 adult abuse in the required training on aging and long-term care issues prior to licensure
24 or license renewal.
25

26 *(Amended by Stats. 2015, Ch. 426, Sec. 1. Effective January 1, 2016.)*
27

28 **§ 29. Adoption of continuing education requirements regarding**
29 **chemical dependency and alcoholism**
30

31 (a) The Board of Psychology and the Board of Behavioral Sciences shall consider
32 adoption of continuing education requirements including training in the area of
33 recognizing chemical dependency and early intervention for all persons applying for
34 renewal of a license as a psychologist, clinical social worker, marriage and family
35 therapist, or professional clinical counselor.
36

37 (b) Prior to the adoption of any regulations imposing continuing education relating to
38 alcohol and other chemical dependency, the boards are urged to consider coursework
39 to include, but not necessarily be limited to, the following topics:
40

41 (1) Historical and contemporary perspectives on alcohol and other drug abuse.
42

43 (2) Extent of the alcohol and drug abuse epidemic and its effects on the individual,
44 family, and community.
45

46 (3) Recognizing the symptoms of alcoholism and drug addiction.

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1
2 (4) Making appropriate interpretations, interventions, and referrals.

3
4 (5) Recognizing and intervening with affected family members.

5
6 (6) Learning about current programs of recovery, such as 12 step programs, and how
7 therapists can effectively utilize these programs.

8
9 *(Amended by Stats. 2011, Ch. 381, Sec. 3. Effective January 1, 2012.)*

10
11 **§ 2903. Licensure requirement; Practice of Psychology; Psychotherapy**

12
13 (a) No person may engage in the practice of psychology, or represent himself or herself
14 to be a psychologist, without a license granted under this chapter, except as otherwise
15 provided in this chapter. The practice of psychology is defined as rendering or offering
16 to render to individuals, groups, organizations, or the public any psychological service
17 involving the application of psychological principles, methods, and procedures of
18 understanding, predicting, and influencing behavior, such as the principles pertaining to
19 learning, perception, motivation, emotions, and interpersonal relationships; and the
20 methods and procedures of interviewing, counseling, psychotherapy, behavior
21 modification, and hypnosis; and of constructing, administering, and interpreting tests of
22 mental abilities, aptitudes, interests, attitudes, personality characteristics, emotions, and
23 motivations.

24
25 (b) The application of these principles and methods includes, but is not restricted to:
26 assessment, diagnosis, prevention, treatment, and intervention to increase effective
27 functioning of individuals, groups, and organizations.

28
29 (c) Psychotherapy within the meaning of this chapter means the use of psychological
30 methods in a professional relationship to assist a person or persons to acquire greater
31 human effectiveness or to modify feelings, conditions, attitudes, and behaviors that are
32 emotionally, intellectually, or socially ineffectual or maladaptive.

33
34 *(Amended by Stats. 2015, Ch. 529, Sec. 1. Effective January 1, 2016.)*

35
36 **§ 2909. Applicability of chapter to credentialed school psychologists, and**
37 **psychologists and psychological assistants employed by colleges, universities,**
38 **or governmental organizations**

39
40 ~~This chapter shall not be construed as restricting or preventing activities of a~~
41 ~~psychological nature or the use of the official title of the position for which they were~~
42 ~~employed on the part of the following persons, provided those persons are performing~~
43 ~~those activities as part of the duties for which they were employed, are performing those~~
44 ~~activities solely within the confines of or under the jurisdiction of the organization in~~
45 ~~which they are employed, and do not render or offer to render psychological services,~~
46 ~~as defined in Section 2903:~~

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1
2 (a) Persons who hold a valid and current credential as a school psychologist issued by
3 the Commission on Teacher Credentialing.

4
5 (b) Persons who are employed in positions as psychologists or psychological assistants
6 by accredited or approved colleges, junior colleges, or universities, or by federal, state,
7 county, or municipal governmental organizations that are not primarily involved in the
8 provision of direct health or mental health services, may conduct research and
9 disseminate their research findings and scientific information.

10
11 ~~(Amended by Stats. 2015, Ch. 218, Sec. 1. Effective January 1, 2016.)~~

12
13 **§ 2909.5. Applicability of chapter to registered psychologistspsychology associate**
14 **employed by nonprofit community agencies supported by governmental**
15 **organizations**

16
17 (a) This chapter shall not be construed as restricting or preventing activities of a
18 psychological nature ~~or the use of the official title of the position for which persons were~~
19 ~~employed~~ on the part of persons who are: ~~(1)~~ employed by nonprofit community
20 agencies that receive a minimum of 25 percent of their financial support from any
21 federal, state, county, or municipal governmental organizations for the purpose of
22 training and providing services; ~~(2)~~ performing those activities as part of the duties for
23 which they were employed; ~~(3) and~~ performing those activities solely within the confines
24 of or under the jurisdiction of the agency in which they are employed. **Such persons:**

25
26 ~~(1b) Such persons shall~~ meet the educational requirements of subdivision (b) of
27 Sections 2914(b) and (c) and ~~who have one year or more of the supervised professional~~
28 ~~experience referenced in subdivision (c) of Section 2914(d), if they are employed by~~
29 ~~nonprofit community agencies that receive a minimum of 25 percent of their financial~~
30 ~~support from any federal, state, county, or municipal governmental organizations for the~~
31 ~~purpose of training and providing services, provided those persons are performing those~~
32 ~~activities as part of the duties for which they were employed, are performing those~~
33 ~~activities solely within the confines of or under the jurisdiction of the organization in~~
34 ~~which they are employed and do not render or offer to render psychological services to~~
35 ~~the public, as defined in Section 2903.~~

36
37 ~~(2e) These persons s~~ shall be registered by the agency with the board at the time of
38 employment and shall be identified in the setting and may be referred to only as a
39 “~~registered psychologistpsychological associate.~~”

40
41 ~~(bd) These persons~~ Psychological associates shall be exempt from this chapter for a
42 maximum period of 30 months from the date of registration.

43
44 ~~(Amended by Stats. 2016, Ch. 484, Sec. 1. Effective January 1, 2017.)~~

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§ 2910. Applicability of chapter to practice of psychology by certain salaried employees of academic institutions, public schools, or governmental agencies

(a) This chapter shall not be construed to restrict the practice of psychology on the part of persons who are salaried employees of accredited or approved academic institutions, public schools, or governmental agencies, if those employees are complying with the following:

(1) Performing those psychological activities as part of the duties for which they were hired.

(2) Performing those activities solely within the jurisdiction or confines of those organizations.

(3) Do not hold themselves out to the public by any title or description of activities incorporating the words “psychology,” “psychological,” or “psychologist.”

(4) Are primarily gaining the supervised professional experience required for licensure that is being accrued consistent with the board’s regulations and the employees have as the primary supervisor a psychologist licensed in the state.

(b) Commencing January 1, 2016, an individual employed or who becomes employed by one or more employers as described in subdivision (a) shall be exempt under this section for a cumulative total of five years.

(Amended by Stats. 2015, Ch. 218, Sec. 3. Effective January 1, 2016.)

§ 2911. Applicability of chapter to students and interns

Nothing in this chapter shall be construed as restricting the activities and services of a ~~psychology graduate student or psychological intern in psychology pursuing a course of study leading to a graduate degree in psychology at an accredited or approved college or university and working in a training program, or a postdoctoral trainee working in a postdoctoral placement overseen by the American Psychological Association (APA), the Association of Psychology Postdoctoral and Internship Centers (APPIC), or the California Psychology Internship Council (CAPIC), provided that these activities and services constitute a part of his or her supervised course of study and that those persons are designated by the title “psychological, psychology intern,” or “psychological psychology trainee,” “postdoctoral intern,” or another title clearly indicating the training status appropriate to his or her level of training. The aforementioned terms shall be reserved for persons enrolled in thea doctoral program leading to one of the degrees listed in subdivision (b) of Section 2914(b) at an accredited or approved college or university or in a formal pre-doctoral internship overseen approved by the American Psychological Association (APA), Association of Psychology Postdoctoral and Internship Centers (APPIC), or California Psychology Internship Council (CAPIC).~~

Commented [ML2]: Ask LC if this was an intentional removal of this requirement. 1387(b)(2)(A)

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(Amended by Stats. 2005, Ch. 658, Sec. 3. Effective January 1, 2006.)

§ 2913. Services by psychological assistants

A person other than a licensed psychologist may perform psychological functions in preparation for licensure as a psychologist only if all of the following conditions are met:

(a) The person shall register himself or herself with the board as a “psychological assistant.” This registration shall be renewed annually in accordance with regulations adopted by the board.

(b) The person ~~(A)~~ has completed a master’s degree in psychology or in education with the field of specialization in educational psychology, ~~or~~ counseling psychology, or school psychology, or ~~(B)~~ has been admitted to candidacy for a doctoral degree in (1) psychology or education with the field of specialization in clinical, counseling, school, consulting, forensic or industrial/organizational psychology, or (2) education, with the field of specialization in educational psychology, counseling psychology, or school psychology, or (3) a field of specialization designed to prepare graduates for the professional practice of psychology after having satisfactorily completed three or more years of postgraduate education in psychology and having passed preliminary doctoral examinations, or ~~(C)~~ has completed a doctoral degree that qualifies for licensure under Section 2914. The Board shall make the final determination as to whether a degree meets the requirements of this section.

(c) (1) The psychological assistant shall be supervised by a primary supervisor who is a licensed psychologist, as prescribed by the board’s regulations. The psychological assistant’s primary supervisor is at all times under the immediate supervision, as defined in regulations adopted by the board, of a licensed psychologist, or a licensed physician and surgeon who is certified in psychiatry by the American Board of Psychiatry and Neurology or the American College of Osteopathic Board of Neurology and Psychiatry, who shall be responsible for ensuring that the extent, kind, and quality of the psychological services that the psychological assistant performs are consistent with his or her training, the psychological assistant’s and the primary supervisor’s training and experience, and the primary supervisor shall be responsible for the psychological assistant’s compliance with this chapter and regulations. Primary supervisors may delegate supervision as prescribed by the board’s regulations.

(2) A licensed psychologist ~~or board-certified psychiatrist~~ shall not supervise more than three (3) psychological assistants at any given time. ~~No psychological assistant may provide psychological services to the public except as a supervisee pursuant to this section.~~

(d) ~~The~~ A psychological assistant shall ~~not comply with regulations that the board may, from time to time, duly adopt relating to the fulfillment of requirements in continuing education.~~

Commented [ML3]: Check with Marks to see if stating Primary is removing authority for delegated.

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1
2 (1) provide psychological services to the public except as a trainee pursuant to this
3 section.

4
5 (2) receive payments, monetary or otherwise, directly from clients or patients
6

7 (e) No person shall be registered to practice as a psychological assistant who is found
8 by the board to be in violation of Section 2960 and the rules and regulations duly
9 adopted thereunder.

10
11 *(Amended by Stats. 2016, Ch. 484, Sec. 2. Effective January 1, 2017.)*

12
13 **§ 2914. Applicant’s requirements**

14
15 Each applicant for licensure shall ~~comply with all of the following requirements:~~

16
17 (a) ~~is not be~~ subject to denial of licensure under Division 1.5 (commencing with Section
18 475).

19
20 (b) ~~Possess~~ an earned doctorate degree (1) in psychology, ~~(2) in educational~~
21 ~~psychology with the field of specialization in clinical, counseling, school, consulting,~~
22 ~~forensic or industrial/organizational psychology, or (3) in education with the field of~~
23 ~~specialization in counseling psychology, or educational psychology, or school~~
24 ~~psychology, or (3) in a field of specialization designed to prepare graduates for the~~
25 ~~professional practice of psychology.~~ Except as provided in subdivision (h), this degree
26 or training shall be obtained from an accredited university, college, or professional
27 school. The board shall make the final determination as to whether a degree meets the
28 requirements of this section.

29
30 (c) (1) On or after January 1, 2020, possess an earned doctorate degree in psychology,
31 ~~in educational psychology with the field of specialization in clinical, counseling, school,~~
32 ~~consulting, forensic or industrial/organizational psychology, or in education with the field~~
33 ~~of specialization in counseling psychology, or educational psychology, or school~~
34 ~~psychology~~ from a college or institution of higher education that is accredited by a
35 regional accrediting agency recognized by the United States Department of Education.
36 Until January 1, 2020, the board may accept an applicant who possesses a doctorate
37 degree in psychology, ~~educational psychology with the field of specialization in clinical,~~
38 ~~counseling, school, consulting, forensic or industrial/organizational psychology, or in~~
39 ~~education with the field of specialization in counseling, or educational psychology, or~~
40 ~~school psychology~~ from an institution that is not accredited by an accrediting agency
41 recognized by the United States Department of Education, but is approved to operate in
42 this state by the Bureau for Private Postsecondary Education.

43
44 (2) Paragraph (1) does not apply to any student who was enrolled in a doctoral program
45 in psychology, ~~educational psychology with the field of specialization in clinical,~~
46 ~~counseling, school, consulting, forensic or industrial/organizational psychology, or in~~

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1 education with the field of specialization in counseling psychology, ~~or~~ educational
2 psychology, or school psychology at a nationally accredited or approved institution as of
3 December 31, 2016.

4
5 ~~(3) No educational institution shall be denied recognition as an accredited academic~~
6 ~~institution solely because its program is not accredited by any professional organization~~
7 ~~of psychologists, and nothing in this chapter or in the administration of this chapter shall~~
8 ~~require the registration with the board by educational institutions of their departments of~~
9 ~~psychology or their doctoral programs in psychology.~~

10
11 (43) An applicant for licensure trained in an educational institution outside the United
12 States or Canada shall demonstrate to the satisfaction of the board that he or she
13 possesses a doctorate degree in psychology or education pursuant to (c)(1) and (2) that
14 is equivalent to a degree earned from a regionally accredited academic
15 institution university in the United States or Canada. These applicants shall provide the
16 board with a comprehensive evaluation of the degree performed by a foreign credential
17 evaluation service that is a member of the National Association of Credential Evaluation
18 Services (NACES), and any other documentation the board deems necessary.

19
20 (d) (1) ~~Have~~ engaged for at least two years in supervised professional experience
21 under the direction of a licensed psychologist, the specific requirements of which shall
22 be defined by the board in its regulations, or under suitable alternative supervision as
23 determined by the board in regulations duly adopted under this chapter, at least one
24 year of which shall be occur after being awarded the qualifying doctorate in psychology.
25 The supervisor shall submit verification of the experience required by this subdivision to
26 the trainee in a manner as prescribed by the board. If the supervising licensed
27 psychologist fails to provide verification to the trainee in a timely manner, the board may
28 establish alternative procedures for obtaining the necessary documentation. Absent
29 good cause, the failure of a supervising licensed psychologist to provide the verification
30 to the board upon request shall constitute unprofessional conduct.

31
32 (2) The board shall establish qualifications by regulation for supervising psychologists.

33
34 (e) ~~Take~~ and pass the examination required by Section 2941 unless otherwise
35 exempted by the board under this chapter.

36
37 (f) ~~Show by evidence satisfactory to the board that he or she has completed~~
38 ~~training~~ Complete coursework or provide evidence of training in the detection and
39 treatment of alcohol and other chemical substance dependency. ~~This requirement~~
40 ~~applies only to applicants who matriculate on or after September 1, 1985 as prescribed~~
41 ~~by the board.~~

42
43 (g) (1) ~~Show by evidence satisfactory to the board that he or she has~~
44 ~~completed~~ Complete coursework or provide evidence of training in spousal or partner
45 abuse assessment, detection, and intervention. ~~This requirement applies to applicants~~

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1 ~~who began graduate training during the period commencing on January 1, 1995, and~~
2 ~~ending on December 31, 2003. as prescribed by the board.~~

3
4 ~~(2) An applicant who began graduate training on or after January 1, 2004, shall show by~~
5 ~~evidence satisfactory to the board that he or she has completed a minimum of 15~~
6 ~~contact hours of coursework in spousal or partner abuse assessment, detection, and~~
7 ~~intervention strategies, including knowledge of community resources, cultural factors,~~
8 ~~and same gender abuse dynamics. An applicant may request an exemption from this~~
9 ~~requirement if he or she intends to practice in an area that does not include the direct~~
10 ~~provision of mental health services.~~

11
12 ~~(3) Coursework required under this subdivision may be satisfactory if taken either in~~
13 ~~fulfillment of other educational requirements for licensure or in a separate course. This~~
14 ~~requirement for coursework shall be satisfied by, and the board shall accept in~~
15 ~~satisfaction of the requirement, a certification from the chief academic officer of the~~
16 ~~educational institution from which the applicant graduated that the required coursework~~
17 ~~is included within the institution’s required curriculum for graduation.~~

18
19 (h) Until January 1, 2020, an applicant holding a doctoral degree in psychology from an
20 approved institution is deemed to meet the requirements of this section if both of the
21 following are true:

22
23 (1) The approved institution offered a doctoral degree in psychology designed to
24 prepare students for a license to practice psychology and was approved by the former
25 Bureau for Private Postsecondary and Vocational Education on or before July 1, 1999.

26
27 (2) The approved institution has not, since July 1, 1999, had a new location, as
28 described in Section 94823.5 of the Education Code.

29
30 *(Amended by Stats. 2016, Ch. 484, Sec. 3. Effective January 1, 2017.)*

31
32 **§ 2915. Continuing education requirements; Practice outside fields of**
33 **competence**

34
35 (a) Except as provided in this section, the board shall issue a renewal license only to an
36 applicant licensed psychologist who has completed 36 hours of approved continuing
37 professional development in the preceding two years.

38
39 (b) ~~Each person licensed psychologist who applies to that~~ renews ~~or reinstates his or~~
40 ~~her~~ their license issued pursuant to this chapter shall certify ~~under penalty of perjury that~~
41 ~~he or she is in~~ compliance with this section ~~under penalty of perjury,~~ and shall retain
42 proof of this compliance for submission to the board upon request. False statements
43 submitted pursuant to this section shall be a violation of Section 2970.

44
45 (c) Continuing professional development means certain continuing education learning
46 activities approved in four different categories:

Commented [ML4]: Find more appropriate citation that relates to false statements.

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- 1
2 (1) Professional Activities.
3
4 (2) Academic Activities.
5
6 (3) Sponsored continuing education coursework.
7
8 (4) Board certification from the American Board of Professional Psychology.
9
10 The board may develop regulations further defining acceptable continuing professional
11 development activities.
12
13 (d) (1) The board shall require a licensed psychologist who began graduate study prior
14 to January 1, 2004, to take a continuing education course during his or her first renewal
15 period after the operative date of this section in spousal or partner abuse assessment,
16 detection, and intervention strategies, including community resources, cultural factors,
17 and same gender abuse dynamics. Equivalent courses in spousal or partner abuse
18 assessment, detection, and intervention strategies taken prior to the operative date of
19 this section or proof of equivalent teaching or practice experience may be submitted to
20 the board and at its discretion, may be accepted in satisfaction of this requirement.
21
22 (2) Continuing education courses taken pursuant to this subdivision shall be applied to
23 the 36 hours of approved continuing professional development required under
24 subdivision (a).
25
26 (e) Continuing education courses approved to meet the requirements of this section
27 shall be approved for credit by organizations approved by the board. An organization
28 previously approved by the board to provide or approve continuing education is deemed
29 approved under this section.
30
31 (f) The board may accept continuing education courses approved by an entity that has
32 demonstrated to the board in writing that it has, at a minimum, a 10-year history of
33 providing educational programming for psychologists and has documented procedures
34 for maintaining a continuing education approval program. The board shall adopt
35 regulations necessary for implementing this section.
36
37 ~~(g) The board may grant an exemption, or an extension of the time for compliance with,~~
38 ~~from the continuing professional development requirement of this section.~~
39
40 (gh) The administration of this section may be funded through professional license fees
41 and continuing education provider and course approval fees, or both. The fees related
42 to the administration of this section shall not exceed the costs of administering the
43 corresponding provisions of this section.
44
45 (Amended by Stats. 2016, Ch. 484, Sec. 6. Effective January 1, 2017.)
46

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§ 2915.5. Coursework in aging and long-term care required for licensure of new applicant; Instruction on assessment and reporting of, as well as treatment related to, elder and dependent adult abuse and neglect

(a) Any applicant for licensure as a psychologist who began graduate study on or after January 1, 2004, shall complete, as a condition of licensure, a minimum of ~~40~~^{six (6)} ~~contact~~ hours of coursework or applied experience in aging and long-term care, which may include, but need not be 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.

~~(b) Coursework taken in fulfillment of other educational requirements for licensure pursuant to this chapter, or in a separate course of study, may, at the discretion of the board, fulfill the requirements of this section.~~

~~(c)~~ In order to satisfy the coursework requirement of this section, the applicant shall submit to the board a written certification from the registrar or training director or chief academic officer of the educational institution or program from which the applicant graduated stating that the coursework required by this section is included within the institution’s required curriculum for graduation at the time the applicant graduated, or within the coursework, that was completed by the applicant.

(c) If an applicant does not have coursework pursuant to this section, evidence of compliance can be obtained as part of his or her applied experience. Applied experience can be met in any of the following settings: practicum, internship, or formal postdoctoral placement that meets the requirement of Section 2911, or other qualifying supervised professional experience. To satisfy this requirement, the applicant shall submit to the board a written certification from the director of training for the program or primary supervisor where the qualifying experience has occurred stating that the training required by this section is included within the applied experience.

(d) If an applicant does not meet the curriculum or coursework requirement pursuant to this section, evidence of compliance can be obtained by taking a continuing education course that meets the requirements of subdivision (e) or (f) of Section 2915 and that qualifies as a continuing education learning activity category specified in paragraph (2) or (3) of subdivision (c) of Section 2915. To satisfy this requirement, the applicant shall submit to the board a certification of completion. ~~The board shall not issue a license to the applicant until the applicant has met the requirements of this section.~~

(Amended by Stats. 2010, Ch. 552, Sec. 2. Effective January 1, 2011.)

§ 2915.7. Continuing education course in aging and long-term care required for first license renewal; Instruction on assessment and reporting of, as well as treatment related to, elder and dependent adult abuse and neglect

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1 (a) A licensee who began graduate study prior to January 1, 2004, shall complete a
 2 three-hour continuing education course in aging and long-term care during his or her
 3 first renewal period after the operative date of this section, and shall submit to the board
 4 evidence acceptable to the board of the person’s satisfactory completion of that course.

5
 6 (b) The course should include, but is not limited to, the biological, social, and
 7 psychological aspects of aging. On and after January 1, 2012, this coursework shall
 8 include instruction on the assessment and reporting of, as well as treatment related to,
 9 elder and dependent adult abuse and neglect.

10
 11 (c) Any person seeking to meet the requirements of subdivision (a) of this section may
 12 submit to the board a certificate evidencing completion of equivalent courses in aging
 13 and long-term care taken prior to the operative date of this section, or proof of
 14 equivalent teaching or practice experience. The board, in its discretion, may accept that
 15 certification as meeting the requirements of this section.

16
 17 (d) The board may not renew an applicant’s license until the applicant has met the
 18 requirements of this section.

19
 20 (e) A licensee whose practice does not include the direct provision of mental health
 21 services may apply to the board for an exception to the requirements of this section.

22
 23 *(Amended by Stats. 2010, Ch. 552, Sec. 3. Effective January 1, 2011.)*

§ 2940. Application and fee

24
 25 Each person desiring to obtain a license from the board shall **submit an** ~~make~~ application
 26 **in a manner prescribed by the board in regulations duly adopted under this chapter.** ~~to~~
 27 ~~the board. The application shall be made upon a form and shall be made submitted in a~~
 28 ~~manner prescribed by~~ **as the board prescribes in regulations duly adopted under this**
 29 ~~chapter.~~
 30
 31

32
 33 The application shall be accompanied by the application fee prescribed by Section ~~2949~~
 34 2987. This fee shall not be refunded by the board.

35
 36 *(Amended by Stats. 1997, Ch. 758, Sec. 38. Effective January 1, 1998.)*

§ 2941. Examination and fee

37
 38 Each applicant for a psychology license shall be examined by the board, and shall pay
 39 ~~to the board, at least 30 days prior to the date of examination,~~ the examination fee
 40 prescribed by Section 2987, which ~~fee~~ shall not be refunded by the board.
 41
 42

43
 44 *(Amended by Stats. 1997, Ch. 758, Sec. 39. Effective January 1, 1998.)*

§ 2942. Time for examinations; Passing grades

Commented [ML6]: Incorporate application form in 1381

Commented [ML7]: Ask Tom if we can incorporate application and form in BreZE

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1
2 The board may examine by written or computer-assisted examination or by both. All
3 aspects of the examination shall be in compliance with Section 139. The examination
4 shall be available for administration at least twice a year at the time and place and
5 under supervision as the board may determine. The passing grades for the
6 examinations shall be established by the board in regulations and shall be based on
7 psychometrically sound principles of establishing minimum qualifications and levels of
8 competency.

9
10 Examinations for a psychologist’s license may be ~~conducted~~ utilized by the board under
11 a uniform examination system, and for that purpose the board may make arrangements
12 with organizations to supply and administer ~~furnishing examination materials~~ material as
13 ~~may in its discretion be desirable.~~

14
15 *(Amended by Stats. 2005, Ch. 658, Sec. 9. Effective January 1, 2006.)*

§ 2943. Examination subjects

16
17
18
19 The board may examine for knowledge in whatever theoretical or applied fields in
20 psychology as it deems appropriate. It may examine the candidate with regard to his or
21 her professional skills and his or her judgment in the utilization of psychological
22 techniques and methods.

23
24 *(Amended by Stats. 1989, Ch. 888, Sec. 24.)*

§ 2944. Written examinations

25
26
27
28 ~~The board shall grade the written examination and keep the written examination papers~~
29 ~~for at least one year, unless a uniform examination is conducted pursuant to Section~~
30 ~~2942.~~

31
32 *(Amended by Stats. 1989, Ch. 888, Sec. 25.)*

§ 2946. Reciprocity licenses; Temporary practice by out-of-state licensees; Waiver of examination requirement

33
34
35
36
37 The board shall grant a license to any person who passes the board’s supplemental
38 licensing examination and, at the time of application, has been licensed for at least
39 two ~~five~~ years by a psychology licensing authority in another state or territory of the
40 United States or Canadian province if the requirements for obtaining a certificate or
41 license to practice psychology in that state, territory or province were substantially
42 equivalent to the requirements of this chapter.

43
44 A psychologist certified or licensed in another state, territory or province and who has
45 made application ~~applied~~ to the board for a license in this state may perform activities
46 and services of a psychological nature without a valid California license for a period not

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1 to exceed 180 calendar days from the time of submitting his or her application or from
2 the commencement of residency in this state, whichever first occurs.

3
4 The board at its discretion may waive the examinations, when in the judgment of the
5 board the applicant has already demonstrated competence in areas covered by the
6 examinations. The board at its discretion may waive the examinations for diplomates of
7 the American Board of Professional Psychology.

8
9 *(Amended by Stats. 2005, Ch. 658, Sec. 11. Effective January 1, 2006.)*

§ 2948. Issuance of license

10
11
12
13 The board shall issue a license to all applicants who meet the requirements of this
14 chapter and who pay to the board the initial license fee provided in Section 2987.

15
16 *(Amended by Stats. 1997, Ch. 758, Sec. 40. Effective January 1, 1998.)*

§ 2960. Grounds for action

17
18
19
20 The board may refuse to issue any registration or license, or may issue a registration or
21 license with terms and conditions, or may suspend or revoke the registration or license
22 of any registrant or licensee if the applicant, registrant, or licensee has been guilty of
23 unprofessional conduct. Unprofessional conduct shall include, but not be limited to:

24
25 (a) Conviction of a crime substantially related to the qualifications, functions or duties of
26 a psychologist or psychological assistant.

27
28 (b) Use of any controlled substance as defined in Division 10 (commencing with Section
29 11000) of the Health and Safety Code, or dangerous drug, or any alcoholic beverage to
30 an extent or in a manner dangerous to himself or herself, any other person, or the
31 public, or to an extent that this use impairs his or her ability to perform the work of a
32 psychologist with safety to the public.

33
34 (c) Fraudulently or neglectfully misrepresenting the type or status of license or
35 registration actually held.

36
37 (d) Impersonating another person holding a psychology license or allowing another
38 person to use his or her license or registration.

39
40 (e) Using fraud or deception in applying for a license or registration or in passing the
41 examination provided for in this chapter.

42
43 (f) Paying, or offering to pay, accepting, or soliciting any consideration, compensation,
44 or remuneration, whether monetary or otherwise, for the referral of clients.

45
46 (g) Violating Section 17500.

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- 1
- 2 (h) Willful, unauthorized communication of information received in professional
- 3 confidence.
- 4
- 5 (i) Violating any rule of professional conduct promulgated by the board and set forth in
- 6 regulations duly adopted under this chapter.
- 7
- 8 (j) Being grossly negligent in the practice of his or her profession.
- 9
- 10 (k) Violating any of the provisions of this chapter or regulations duly adopted
- 11 thereunder.
- 12
- 13 (l) The aiding or abetting of any person to engage in the unlawful practice of
- 14 psychology.
- 15
- 16 (m) The suspension, revocation or imposition of probationary conditions by another
- 17 state or country of a license or certificate to practice psychology or as a psychological
- 18 assistant issued by that state or country to a person also holding a license or
- 19 registration issued under this chapter if the act for which the disciplinary action was
- 20 taken constitutes a violation of this section.
- 21
- 22 (n) The commission of any dishonest, corrupt, or fraudulent act.
- 23
- 24 (o) Any act of sexual abuse, or sexual relations with a patient or former patient within
- 25 two years following termination of therapy, or sexual misconduct that is substantially
- 26 related to the qualifications, functions or duties of a psychologist or psychological
- 27 assistant or **registered psychologist/psychology associate**.
- 28
- 29 (p) Functioning outside of his or her particular field or fields of competence as
- 30 established by his or her education, training, and experience.
- 31
- 32 (q) Willful failure to submit, on behalf of an applicant for licensure, verification of
- 33 supervised experience to the board.
- 34
- 35 (r) Repeated acts of negligence.
- 36
- 37 *(Amended by Stats. 2000, Ch. 836, Sec. 20. Effective January 1, 2001.)*
- 38

Evidence Code - EVID

§ 1010. “Psychotherapist”

42
43 As used in this article, “psychotherapist” means a person who is, or is reasonably
44 believed by the patient to be:
45

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- 1 (a) A person authorized to practice medicine in any state or nation who devotes, or is
 2 reasonably believed by the patient to devote, a substantial portion of his or her time to
 3 the practice of psychiatry.
 4
- 5 (b) A person licensed as a psychologist under Chapter 6.6 (commencing with Section
 6 2900) of Division 2 of the Business and Professions Code.
 7
- 8 (c) A person licensed as a clinical social worker under Article 4 (commencing with
 9 Section 4996) of Chapter 14 of Division 2 of the Business and Professions Code, when
 10 he or she is engaged in applied psychotherapy of a nonmedical nature.
 11
- 12 (d) A person who is serving as a school psychologist and holds a credential authorizing
 13 that service issued by the state.
 14
- 15 (e) A person licensed as a marriage and family therapist under Chapter 13
 16 (commencing with Section 4980) of Division 2 of the Business and Professions Code.
 17
- 18 (f) A person registered as a psychological assistant who is under the **primary**
 19 supervision of a licensed psychologist ~~or board certified psychiatrist~~ as required by
 20 Section 2913 of the Business and Professions Code, or a person registered as a
 21 marriage and family therapist intern who is under the supervision of a licensed marriage
 22 and family therapist, a licensed clinical social worker, a licensed psychologist, or a
 23 licensed physician and surgeon certified in psychiatry, as specified in Section 4980.44
 24 of the Business and Professions Code.
 25
- 26 (g) A person registered as an associate clinical social worker who is under supervision
 27 as specified in Section 4996.23 of the Business and Professions Code.
 28
- 29 (h) A person registered with the Board of Psychology as a **registered**
 30 ~~psychologist~~ **psychology associate** who is under the **primary** supervision of a licensed
 31 psychologist ~~or board certified psychiatrist~~.
 32
- 33 (i) A psychological intern as defined in Section 2911 of the Business and Professions
 34 Code who is under the **primary** supervision of a licensed psychologist ~~or board certified~~
 35 ~~psychiatrist~~.
 36
- 37 (j) A trainee, as defined in subdivision (c) of Section 4980.03 of the Business and
 38 Professions Code, who is fulfilling his or her supervised practicum required by
 39 subparagraph (B) of paragraph (1) of subdivision (d) of Section 4980.36 of, or
 40 subdivision (c) of Section 4980.37 of, the Business and Professions Code and is
 41 supervised by a licensed psychologist, a board certified psychiatrist, a licensed clinical
 42 social worker, a licensed marriage and family therapist, or a licensed professional
 43 clinical counselor.
 44
- 45 (k) A person licensed as a registered nurse pursuant to Chapter 6 (commencing with
 46 Section 2700) of Division 2 of the Business and Professions Code, who possesses a

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1 master’s degree in psychiatric-mental health nursing and is listed as a psychiatric-
2 mental health nurse by the Board of Registered Nursing.

3
4 (l) An advanced practice registered nurse who is certified as a clinical nurse specialist
5 pursuant to Article 9 (commencing with Section 2838) of Chapter 6 of Division 2 of the
6 Business and Professions Code and who participates in expert clinical practice in the
7 specialty of psychiatric-mental health nursing.

8
9 (m) A person rendering mental health treatment or counseling services as authorized
10 pursuant to Section 6924 of the Family Code.

11
12 (n) A person licensed as a professional clinical counselor under Chapter 16
13 (commencing with Section 4999.10) of Division 2 of the Business and Professions
14 Code.

15
16 (o) A person registered as a clinical counselor intern who is under the supervision of a
17 licensed professional clinical counselor, a licensed marriage and family therapist, a
18 licensed clinical social worker, a licensed psychologist, or a licensed physician and
19 surgeon certified in psychiatry, as specified in Sections 4999.42 to 4999.46, inclusive, of
20 the Business and Professions Code.

21
22 (p) A clinical counselor trainee, as defined in subdivision (g) of Section 4999.12 of the
23 Business and Professions Code, who is fulfilling his or her supervised practicum
24 required by paragraph (3) of subdivision (c) of Section 4999.32 of, or paragraph (3) of
25 subdivision (c) of Section 4999.33 of, the Business and Professions Code, and is
26 supervised by a licensed psychologist, a board-certified psychiatrist, a licensed clinical
27 social worker, a licensed marriage and family therapist, or a licensed professional
28 clinical counselor.

29
30 *(Amended by Stats. 2016, Ch. 86, Sec. 126. (SB 1171) Effective January 1, 2017.)*

“Pathways to Licensure” Statutes Review**Business and Professions Code - BPC****§ 25. Training in human sexuality**

Any person applying for a license, registration, or the first renewal of a license, after the effective date of this section, as a licensed marriage and family therapist, a licensed clinical social worker, a licensed psychologist, or a licensed professional clinical counselor shall, in addition to any other requirements, show by evidence satisfactory to the agency regulating the business or profession, that he or she has completed training in human sexuality as a condition of licensure. The training shall be creditable toward continuing education requirements as deemed appropriate by the agency regulating the business or profession, and the course shall not exceed more than 50 contact hours.

The Board of Psychology shall exempt from the requirements of this section any persons whose field of practice is such that they are not likely to have use for this training.

“Human sexuality” as used in this section means the study of a human being as a sexual being and how he or she functions with respect thereto.

The content and length of the training shall be determined by the administrative agency regulating the business or profession and the agency shall proceed immediately upon the effective date of this section to determine what training, and the quality of staff to provide the training, is available and shall report its determination to the Legislature on or before July 1, 1977.

If a licensing board or agency proposes to establish a training program in human sexuality, the board or agency shall first consult with other licensing boards or agencies that have established or propose to establish a training program in human sexuality to ensure that the programs are compatible in scope and content.

(Amended by Stats. 2011, Ch. 381, Sec. 1. Effective January 1, 2012.)

§ 27. Information to be provided on Internet; Entities in Department of consumer Affairs required to comply

(a) Each entity specified in subdivisions (c), (d), and (e) shall provide on the Internet information regarding the status of every license issued by that entity in accordance with the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1 of the Government Code) and the Information Practices Act of 1977 (Chapter 1 (commencing with Section 1798) of Title 1.8 of Part 4 of Division 3 of the Civil Code). The public information to be provided on the Internet shall include information on suspensions and revocations of licenses issued by the entity and other related enforcement action, including accusations filed pursuant to the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code) taken by the entity relative to persons, businesses, or

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1 facilities subject to licensure or regulation by the entity. The information may not include
2 personal information, including home telephone number, date of birth, or social security
3 number. Each entity shall disclose a licensee’s address of record. However, each entity
4 shall allow a licensee to provide a post office box number or other alternate address,
5 instead of his or her home address, as the address of record. This section shall not
6 preclude an entity from also requiring a licensee, who has provided a post office box
7 number or other alternative mailing address as his or her address of record, to provide a
8 physical business address or residence address only for the entity’s internal
9 administrative use and not for disclosure as the licensee’s address of record or
10 disclosure on the Internet.

11
12 (b) In providing information on the Internet, each entity specified in subdivisions (c) and
13 (d) shall comply with the Department of Consumer Affairs’ guidelines for access to
14 public records.

15
16 (c) Each of the following entities within the Department of Consumer Affairs shall
17 comply with the requirements of this section:

18
19 (1) The Board for Professional Engineers, Land Surveyors, and Geologists shall
20 disclose information on its registrants and licensees.

21
22 (2) The Bureau of Automotive Repair shall disclose information on its licensees,
23 including auto repair dealers, smog stations, lamp and brake stations, smog check
24 technicians, and smog inspection certification stations.

25
26 (3) The Bureau of Electronic and Appliance Repair, Home Furnishings, and Thermal
27 Insulation shall disclose information on its licensees and registrants, including major
28 appliance repair dealers, combination dealers (electronic and appliance), electronic
29 repair dealers, service contract sellers, and service contract administrators.

30
31 (4) The Cemetery and Funeral Bureau shall disclose information on its licensees,
32 including cemetery brokers, cemetery salespersons, cemetery managers, crematory
33 managers, cemetery authorities, crematories, cremated remains disposers, embalmers,
34 funeral establishments, and funeral directors.

35
36 (5) The Professional Fiduciaries Bureau shall disclose information on its licensees.

37
38 (6) The Contractors’ State License Board shall disclose information on its licensees and
39 registrants in accordance with Chapter 9 (commencing with Section 7000) of Division 3.
40 In addition to information related to licenses as specified in subdivision (a), the board
41 shall also disclose information provided to the board by the Labor Commissioner
42 pursuant to Section 98.9 of the Labor Code.

43
44 (7) The Bureau for Private Postsecondary Education shall disclose information on
45 private postsecondary institutions under its jurisdiction, including disclosure of notices to
46 comply issued pursuant to Section 94935 of the Education Code.

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- 1
2 (8) The California Board of Accountancy shall disclose information on its licensees and
3 registrants.
4
5 (9) The California Architects Board shall disclose information on its licensees, including
6 architects and landscape architects.
7
8 (10) The State Athletic Commission shall disclose information on its licensees and
9 registrants.
10
11 (11) The State Board of Barbering and Cosmetology shall disclose information on its
12 licensees.
13
14 (12) The State Board of Guide Dogs for the Blind shall disclose information on its
15 licensees and registrants.
16
17 (13) The Acupuncture Board shall disclose information on its licensees.
18
19 (14) The Board of Behavioral Sciences shall disclose information on its licensees,
20 including licensed marriage and family therapists, licensed clinical social workers,
21 licensed educational psychologists, and licensed professional clinical counselors.
22
23 (15) The Dental Board of California shall disclose information on its licensees.
24
25 (16) The State Board of Optometry shall disclose information on its licensees and
26 registrants.
27
28 (17) The Board of Psychology shall disclose information on its licensees, including
29 psychologists, psychological assistants, and psychology associates.
30
31 (d) The State Board of Chiropractic Examiners shall disclose information on its
32 licensees.
33
34 (e) The Structural Pest Control Board shall disclose information on its licensees,
35 including applicators, field representatives, and operators in the areas of fumigation,
36 general pest and wood destroying pests and organisms, and wood roof cleaning and
37 treatment.
38
39 (f) The Bureau of Medical Cannabis Regulation shall disclose information on its
40 licensees.
41
42 (g) “Internet” for the purposes of this section has the meaning set forth in paragraph (6)
43 of subdivision (f) of Section 17538.
44
45 *(Amended (as amended by Stats. 2016, Ch. 32, Sec. 1) by Stats. 2016, Ch. 489, Sec.*
46 *1. Effective January 1, 2017.)*

“Pathways to Licensure” Statutes Review**§ 28. Child, elder, and dependent adult abuse assessment and reporting training**

(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 of Psychology and the Board of Behavioral Sciences shall establish required training in the area of child abuse assessment and reporting for all persons applying for initial licensure and renewal of a license as a psychologist, 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 psychologist, 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 2902, 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 responsible 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 responsible board.

(2) Have a minimum of six 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

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1 report, caring for a child’s needs after a report is made, sensitivity to previously abused
2 children and adults, and implications and methods of treatment for children and adults.

3
4 (4) An applicant shall provide the appropriate board with documentation of completion of
5 the required child abuse training.

6
7 (d) The Board of Psychology and the Board of Behavioral Sciences shall exempt an
8 applicant who applies for an exemption from this section and who shows to the
9 satisfaction of the board that there would be no need for the training in his or her
10 practice because of the nature of that practice.

11
12 (e) It is the intent of the Legislature that a person licensed as a psychologist, clinical
13 social worker, professional clinical counselor, or marriage and family therapist have
14 minimal but appropriate training in the areas of child, elder, and dependent adult abuse
15 assessment and reporting. It is not intended that, by solely complying with this section,
16 a practitioner is fully trained in the subject of treatment of child, elder, and dependent
17 adult abuse victims and abusers.

18
19 (f) The Board of Psychology and the Board of Behavioral Sciences are encouraged to
20 include coursework regarding the assessment and reporting of elder and dependent
21 adult abuse in the required training on aging and long-term care issues prior to licensure
22 or license renewal.

23
24 *(Amended by Stats. 2015, Ch. 426, Sec. 1. Effective January 1, 2016.)*

25 26 **§ 29. Adoption of continuing education requirements regarding** 27 **chemical dependency and alcoholism**

28
29 (a) The Board of Psychology and the Board of Behavioral Sciences shall consider
30 adoption of continuing education requirements including training in the area of
31 recognizing chemical dependency and early intervention for all persons applying for
32 renewal of a license as a psychologist, clinical social worker, marriage and family
33 therapist, or professional clinical counselor.

34
35 (b) Prior to the adoption of any regulations imposing continuing education relating to
36 alcohol and other chemical dependency, the boards are urged to consider coursework
37 to include, but not necessarily be limited to, the following topics:

38
39 (1) Historical and contemporary perspectives on alcohol and other drug abuse.

40
41 (2) Extent of the alcohol and drug abuse epidemic and its effects on the individual,
42 family, and community.

43
44 (3) Recognizing the symptoms of alcoholism and drug addiction.

45
46 (4) Making appropriate interpretations, interventions, and referrals.

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1
2 (5) Recognizing and intervening with affected family members.

3
4 (6) Learning about current programs of recovery, such as 12 step programs, and how
5 therapists can effectively utilize these programs.

6
7 *(Amended by Stats. 2011, Ch. 381, Sec. 3. Effective January 1, 2012.)*

8 9 **§ 2903. Licensure requirement; Practice of Psychology; Psychotherapy**

10
11 (a) No person may engage in the practice of psychology, or represent himself or herself
12 to be a psychologist, without a license granted under this chapter, except as otherwise
13 provided in this chapter. The practice of psychology is defined as rendering or offering
14 to render to individuals, groups, organizations, or the public any psychological service
15 involving the application of psychological principles, methods, and procedures of
16 understanding, predicting, and influencing behavior, such as the principles pertaining to
17 learning, perception, motivation, emotions, and interpersonal relationships; and the
18 methods and procedures of interviewing, counseling, psychotherapy, behavior
19 modification, and hypnosis; and of constructing, administering, and interpreting tests of
20 mental abilities, aptitudes, interests, attitudes, personality characteristics, emotions, and
21 motivations.

22
23 (b) The application of these principles and methods includes, but is not restricted to:
24 assessment, diagnosis, prevention, treatment, and intervention to increase effective
25 functioning of individuals, groups, and organizations.

26
27 (c) Psychotherapy within the meaning of this chapter means the use of psychological
28 methods in a professional relationship to assist a person or persons to acquire greater
29 human effectiveness or to modify feelings, conditions, attitudes, and behaviors that are
30 emotionally, intellectually, or socially ineffectual or maladaptive.

31
32 *(Amended by Stats. 2015, Ch. 529, Sec. 1. Effective January 1, 2016.)*

33 **§ 2909.5. Applicability of chapter to psychology associate employed by nonprofit** 34 **community agencies supported by governmental organizations**

35
36 (a) This chapter shall not be construed as restricting or preventing activities of a
37 psychological nature on the part of persons who are: employed by nonprofit community
38 agencies that receive a minimum of 25 percent of their financial support from any
39 federal, state, county, or municipal governmental organizations for the purpose of
40 training and providing services; performing those activities as part of the duties for
41 which they were employed; and performing those activities solely within the confines of
42 or under the jurisdiction of the agency in which they are employed. Such persons:

43
44 (1) Shall meet the educational requirements of Sections 2914(b) and (c) and have one
45 year or more of the supervised professional experience referenced in Section 2914(d).
46

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1 (2) Shall be registered by the agency with the board at the time of employment and may
2 be referred to only as a “psychological associate.”

3
4 (b) Psychological associates shall be exempt from this chapter for a maximum period of
5 30 months from the date of registration.

6
7 *(Amended by Stats. 2016, Ch. 484, Sec. 1. Effective January 1, 2017.)*

8
9 **§ 2910. Applicability of chapter to practice of psychology by certain salaried**
10 **employees of academic institutions, public schools, or governmental agencies**

11
12 (a) This chapter shall not be construed to restrict the practice of psychology on the part
13 of persons who are salaried employees of accredited or approved academic institutions,
14 public schools, or governmental agencies, if those employees are complying with the
15 following:

16
17 (1) Performing those psychological activities as part of the duties for which they were
18 hired.

19
20 (2) Performing those activities solely within the jurisdiction or confines of those
21 organizations.

22
23 (3) Do not hold themselves out to the public by any title or description of activities
24 incorporating the words “psychology,” “psychological,” or “psychologist.”

25
26 (4) Are primarily gaining the supervised professional experience required for licensure
27 that is being accrued consistent with the board’s regulations and the employees have as
28 the primary supervisor a psychologist licensed in the state.

29
30 (b) Commencing January 1, 2016, an individual employed or who becomes employed
31 by one or more employers as described in subdivision (a) shall be exempt under this
32 section for a cumulative total of five years.

33
34 *(Amended by Stats. 2015, Ch. 218, Sec. 3. Effective January 1, 2016.)*

35
36 **§ 2911. Applicability of chapter to students and interns**

37
38 Nothing in this chapter shall be construed as restricting the activities and services of a
39 psychology graduate student, psychology intern, or psychology trainee enrolled in a
40 doctoral program leading to one of the degrees listed in Section 2914(b) at an
41 accredited or approved college or university or in a formal pre-doctoral internship
42 approved by the American Psychological Association (APA), Association of Psychology
43 Postdoctoral and Internship Centers (APPIC), or California Psychology Internship
44 Council (CAPIC).

45
46 *(Amended by Stats. 2005, Ch. 658, Sec. 3. Effective January 1, 2006.)*

“Pathways to Licensure” Statutes Review**§ 2913. Services by psychological assistants**

A person other than a licensed psychologist may perform psychological functions in preparation for licensure as a psychologist only if all of the following conditions are met:

(a) The person shall register with the board as a “psychological assistant.” This registration shall be renewed annually in accordance with regulations adopted by the board.

(b) The person (A) has completed a master’s degree in psychology or in education with the field of specialization in educational psychology, counseling psychology, or school psychology, or (B) has been admitted to candidacy for a doctoral degree in (1) psychology with the field of specialization in clinical, counseling, school, consulting, forensic or industrial/organizational psychology, or (2) education, with the field of specialization in educational psychology, counseling psychology, or school psychology, or (3) a field of specialization designed to prepare graduates for the professional practice of psychology after having satisfactorily completed three or more years of postgraduate education in psychology and having passed preliminary doctoral examinations, or (C) has completed a doctoral degree that qualifies for licensure under Section 2914. The Board shall make the final determination as to whether a degree meets the requirements of this section.

(c) (1) The psychological assistant shall be supervised by a primary supervisor who is a licensed psychologist. The psychological assistant’s primary supervisor shall be responsible for ensuring that the extent, kind, and quality of the psychological services performed are consistent with the psychological assistant’s and the primary supervisor’s training and experience. The primary supervisor shall be responsible for the psychological assistant’s compliance with this chapter and regulations. Primary supervisors may delegate supervision as prescribed by the board’s regulations.

(2) A licensed psychologist shall not supervise more than three (3) psychological assistants at any given time.

(d) A psychological assistant shall not:

(1) provide psychological services to the public except as a trainee pursuant to this section.

(2) receive payments, monetary or otherwise, directly from clients or patients

(e) No person shall be registered to practice as a psychological assistant who is found by the board to be in violation of Section 2960 and the rules and regulations duly adopted thereunder.

(Amended by Stats. 2016, Ch. 484, Sec. 2. Effective January 1, 2017.)

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§ 2914. Applicant’s requirements

Each applicant for licensure shall:

(a) not be subject to denial of licensure under Division 1.5 (commencing with Section 475).

(b) possess an earned doctorate degree (1) in psychology with the field of specialization in clinical, counseling, school, consulting, forensic or industrial/organizational psychology, or (2) in education with the field of specialization in counseling psychology, educational psychology, or school psychology, or (3) in a field of specialization designed to prepare graduates for the professional practice of psychology. Except as provided in subdivision (h), this degree or training shall be obtained from an accredited university, college, or professional school. The board shall make the final determination as to whether a degree meets the requirements of this section.

(c) (1) On or after January 1, 2020, possess an earned doctorate degree in psychology with the field of specialization in clinical, counseling, school, consulting, forensic or industrial/organizational psychology, or in education with the field of specialization in counseling psychology, educational psychology, or school psychology from a college or institution of higher education that is accredited by a regional accrediting agency recognized by the United States Department of Education. Until January 1, 2020, the board may accept an applicant who possesses a doctorate degree in psychology with the field of specialization in clinical, counseling, school, consulting, forensic or industrial/organizational psychology, or in education with the field of specialization in counseling ,educational psychology, or school psychology from an institution that is not accredited by an accrediting agency recognized by the United States Department of Education, but is approved to operate in this state by the Bureau for Private Postsecondary Education.

(2) Paragraph (1) does not apply to any student who was enrolled in a doctoral program in psychology with the field of specialization in clinical, counseling, school, consulting, forensic or industrial/organizational psychology, or in education with the field of specialization in counseling psychology, educational psychology, or school psychology at a nationally accredited or approved institution as of December 31, 2016.

(3) An applicant for licensure trained in an educational institution outside the United States or Canada shall demonstrate to the satisfaction of the board that he or she possesses a doctorate degree in psychology or education pursuant to (c)(1) and (2) that is equivalent to a degree earned from a regionally accredited academic institution in the United States or Canada. 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 (NACES), and any other documentation the board deems necessary.

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1 (d) (1) have engaged for at least two years in supervised professional experience under
 2 the direction of a licensed psychologist, the specific requirements of which shall be
 3 defined by the board in its regulations, or under suitable alternative supervision as
 4 determined by the board in regulations duly adopted under this chapter, at least one
 5 year of which shall occur after being awarded the qualifying doctorate. The supervisor
 6 shall submit verification of the experience to the trainee as prescribed by the board. If
 7 the supervising licensed psychologist fails to provide verification to the trainee in a
 8 timely manner, the board may establish alternative procedures for obtaining the
 9 necessary documentation. Absent good cause, the failure of a supervising licensed
 10 psychologist to provide the verification to the board upon request shall constitute
 11 unprofessional conduct.

12
 13 (2) The board shall establish qualifications by regulation for supervising psychologists.

14
 15 (e) take and pass the examination required by Section 2941 unless otherwise exempted
 16 by the board under this chapter.

17
 18 (f) Complete coursework or provide evidence of training in the detection and treatment
 19 of alcohol and other chemical substance dependency as prescribed by the board.

20
 21 (g) (1) Complete coursework or provide evidence of training in spousal or partner abuse
 22 assessment, detection, and intervention as prescribed by the board.

23
 24 (h) Until January 1, 2020, an applicant holding a doctoral degree in psychology from an
 25 approved institution is deemed to meet the requirements of this section if both of the
 26 following are true:

27
 28 (1) The approved institution offered a doctoral degree in psychology designed to
 29 prepare students for a license to practice psychology and was approved by the former
 30 Bureau for Private Postsecondary and Vocational Education on or before July 1, 1999.

31
 32 (2) The approved institution has not, since July 1, 1999, had a new location, as
 33 described in Section 94823.5 of the Education Code.

34
 35 *(Amended by Stats. 2016, Ch. 484, Sec. 3. Effective January 1, 2017.)*

36 37 **§ 2915. Continuing education requirements; Practice outside fields of** 38 **competence**

39
 40 (a) Except as provided in this section, the board shall issue a renewal license only to a
 41 licensed psychologist who has completed 36 hours of approved continuing professional
 42 development in the preceding two years.

43
 44 (b) A licensed psychologist that renews or reinstates their license issued pursuant to
 45 this chapter shall certify compliance with this section under penalty of perjury, and shall

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1 retain proof of this compliance for submission to the board upon request. False
2 statements submitted pursuant to this section shall be a violation of Section 2970.

3
4 (c) Continuing professional development means certain learning activities approved in
5 four different categories:

6
7 (1) Professional Activities.

8
9 (2) Academic Activities.

10
11 (3) Sponsored continuing education coursework.

12
13 (4) Board certification from the American Board of Professional Psychology.

14
15 The board may develop regulations further defining acceptable continuing professional
16 development activities.

17
18 (d) (1) The board shall require a licensed psychologist who began graduate study prior
19 to January 1, 2004, to take a continuing education course during his or her first renewal
20 period after the operative date of this section in spousal or partner abuse assessment,
21 detection, and intervention strategies, including community resources, cultural factors,
22 and same gender abuse dynamics. Equivalent courses in spousal or partner abuse
23 assessment, detection, and intervention strategies taken prior to the operative date of
24 this section or proof of equivalent teaching or practice experience may be submitted to
25 the board and at its discretion, may be accepted in satisfaction of this requirement.

26
27 (2) Continuing education courses taken pursuant to this subdivision shall be applied to
28 the 36 hours of approved continuing professional development required under
29 subdivision (a).

30
31 (e) Continuing education courses approved to meet the requirements of this section
32 shall be approved for credit by organizations approved by the board. An organization
33 previously approved by the board to provide or approve continuing education is deemed
34 approved under this section.

35
36 (f) The board may accept continuing education courses approved by an entity that has
37 demonstrated to the board in writing that it has, at a minimum, a 10-year history of
38 providing educational programming for psychologists and has documented procedures
39 for maintaining a continuing education approval program. The board shall adopt
40 regulations necessary for implementing this section.

41
42 (g) The administration of this section may be funded through professional license fees
43 and continuing education provider and course approval fees, or both. The fees related
44 to the administration of this section shall not exceed the costs of administering the
45 corresponding provisions of this section.

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1 *(Amended by Stats. 2016, Ch. 484, Sec. 6. Effective January 1, 2017.)*
2

3 **§ 2915.5. Coursework in aging and long-term care required for licensure of new**
4 **applicant; Instruction on assessment and reporting of, as well as treatment**
5 **related to, elder and dependent adult abuse and neglect**
6

7 (a) Any applicant for licensure as a psychologist who began graduate study on or after
8 January 1, 2004, shall complete, as a condition of licensure, a minimum of six (6) hours
9 of coursework or applied experience in aging and long-term care, which may include,
10 but need not be limited to, the biological, social, and psychological aspects of aging. On
11 and after January 1, 2012, this coursework shall include instruction on the assessment
12 and reporting of, as well as treatment related to, elder and dependent adult abuse and
13 neglect.
14

15 (b) In order to satisfy the coursework requirement of this section, the applicant shall
16 submit to the board a written certification from the registrar or training director of the
17 educational institution or program from which the applicant graduated stating that the
18 coursework required by this section is included within the institution’s required
19 curriculum for graduation at the time the applicant graduated, or within the coursework,
20 that was completed by the applicant.
21

22 (c) If an applicant does not have coursework pursuant to this section, evidence of
23 compliance can be obtained as part of his or her applied experience. Applied
24 experience can be met in any of the following settings: practicum, internship, or formal
25 postdoctoral placement that meets the requirement of Section 2911, or other qualifying
26 supervised professional experience. To satisfy this requirement, the applicant shall
27 submit to the board a written certification from the director of training for the program or
28 primary supervisor where the qualifying experience has occurred stating that the
29 training required by this section is included within the applied experience.
30

31 (d) If an applicant does not meet the curriculum or coursework requirement pursuant to
32 this section, evidence of compliance can be obtained by taking a continuing education
33 course that meets the requirements of subdivision (e) or (f) of Section 2915 and that
34 qualifies as a continuing education learning activity category specified in paragraph (2)
35 or (3) of subdivision (c) of Section 2915. To satisfy this requirement, the applicant shall
36 submit to the board a certification of completion.
37

38 *(Amended by Stats. 2010, Ch. 552, Sec. 2. Effective January 1, 2011.)*
39

39 **§ 2915.7. Continuing education course in aging and long-term care required for**
40 **first license renewal; Instruction on assessment and reporting of, as well as**
41 **treatment related to, elder and dependent adult abuse and neglect**
42

43 (a) A licensee who began graduate study prior to January 1, 2004, shall complete a
44 three-hour continuing education course in aging and long-term care during his or her
45 first renewal period after the operative date of this section, and shall submit to the board
46 evidence acceptable to the board of the person’s satisfactory completion of that course.

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1
2 (b) The course should include, but is not limited to, the biological, social, and
3 psychological aspects of aging. On and after January 1, 2012, this coursework shall
4 include instruction on the assessment and reporting of, as well as treatment related to,
5 elder and dependent adult abuse and neglect.
6

7 (c) Any person seeking to meet the requirements of subdivision (a) of this section may
8 submit to the board a certificate evidencing completion of equivalent courses in aging
9 and long-term care taken prior to the operative date of this section, or proof of
10 equivalent teaching or practice experience. The board, in its discretion, may accept that
11 certification as meeting the requirements of this section.
12

13 (d) The board may not renew an applicant’s license until the applicant has met the
14 requirements of this section.
15

16 (e) A licensee whose practice does not include the direct provision of mental health
17 services may apply to the board for an exception to the requirements of this section.
18

19 *(Amended by Stats. 2010, Ch. 552, Sec. 3. Effective January 1, 2011.)*
20

§ 2940. Application and fee

21
22
23 Each person desiring to obtain a license from the board shall submit an application in a
24 manner prescribed by the board in regulations duly adopted under this chapter.
25

26 The application shall be accompanied by the application fee prescribed by Section 2987.
27 This fee shall not be refunded by the board.
28

29 *(Amended by Stats. 1997, Ch. 758, Sec. 38. Effective January 1, 1998.)*
30

§ 2941. Examination and fee

31
32
33 Each applicant for a psychology license shall be examined by the board, and shall pay
34 the examination fee prescribed by Section 2987, which shall not be refunded by the
35 board.
36

37 *(Amended by Stats. 1997, Ch. 758, Sec. 39. Effective January 1, 1998.)*
38

§ 2942. Time for examinations; Passing grades

39
40
41 The board may examine by written or computer-assisted examination or by both. All
42 aspects of the examination shall be in compliance with Section 139. The examination
43 shall be available for administration at least twice a year at the time and place and
44 under supervision as the board may determine. The passing grades for the
45 examinations shall be established by the board in regulations and shall be based on

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1 psychometrically sound principles of establishing minimum qualifications and levels of
2 competency.

3
4 Examinations for a psychologist’s license may be utilized by the board under a uniform
5 examination system, and for that purpose the board may make arrangements with
6 organizations to supply and administer examination materials.

7
8 *(Amended by Stats. 2005, Ch. 658, Sec. 9. Effective January 1, 2006.)*
9

10 **§ 2943. Examination subjects**

11
12 The board may examine for knowledge in whatever theoretical or applied fields in
13 psychology as it deems appropriate. It may examine the candidate with regard to his or
14 her professional skills and his or her judgment in the utilization of psychological
15 techniques and methods.

16
17 *(Amended by Stats. 1989, Ch. 888, Sec. 24.)*
18

19 **§ 2946. Temporary practice by out-of-state licensees; Waiver of examination 20 requirement**

21
22 The board shall grant a license to any person who passes the board’s supplemental
23 licensing examination and, at the time of application, has been licensed for at least two
24 years by a psychology licensing authority in another state or territory of the United
25 States or Canadian province if the requirements for obtaining a certificate or license to
26 practice psychology in that state, territory or province were substantially equivalent to
27 the requirements of this chapter.

28
29 A psychologist certified or licensed in another state, territory or province and has
30 applied to the board for a license in this state may perform activities and services of a
31 psychological nature without a valid California license for a period not to exceed 180
32 calendar days from the time of submitting his or her application or from the
33 commencement of residency in this state, whichever first occurs.

34
35 The board at its discretion may waive the examinations, when in the judgment of the
36 board the applicant has already demonstrated competence in areas covered by the
37 examinations. The board at its discretion may waive the examinations for diplomates of
38 the American Board of Professional Psychology.

39
40 *(Amended by Stats. 2005, Ch. 658, Sec. 11. Effective January 1, 2006.)*
41

42 **§ 2948. Issuance of license**

43
44 The board shall issue a license to all applicants who meet the requirements of this
45 chapter and who pay to the board the initial license fee provided in Section 2987.
46

“Pathways to Licensure” Statutes Review

1 *(Amended by Stats. 1997, Ch. 758, Sec. 40. Effective January 1, 1998.)*
2

3 **§ 2960. Grounds for action**
4

5 The board may refuse to issue any registration or license, or may issue a registration or
6 license with terms and conditions, or may suspend or revoke the registration or license
7 of any registrant or licensee if the applicant, registrant, or licensee has been guilty of
8 unprofessional conduct. Unprofessional conduct shall include, but not be limited to:
9

10 (a) Conviction of a crime substantially related to the qualifications, functions or duties of
11 a psychologist or psychological assistant.
12

13 (b) Use of any controlled substance as defined in Division 10 (commencing with Section
14 11000) of the Health and Safety Code, or dangerous drug, or any alcoholic beverage to
15 an extent or in a manner dangerous to himself or herself, any other person, or the
16 public, or to an extent that this use impairs his or her ability to perform the work of a
17 psychologist with safety to the public.
18

19 (c) Fraudulently or neglectfully misrepresenting the type or status of license or
20 registration actually held.
21

22 (d) Impersonating another person holding a psychology license or allowing another
23 person to use his or her license or registration.
24

25 (e) Using fraud or deception in applying for a license or registration or in passing the
26 examination provided for in this chapter.
27

28 (f) Paying, or offering to pay, accepting, or soliciting any consideration, compensation,
29 or remuneration, whether monetary or otherwise, for the referral of clients.
30

31 (g) Violating Section 17500.
32

33 (h) Willful, unauthorized communication of information received in professional
34 confidence.
35

36 (i) Violating any rule of professional conduct promulgated by the board and set forth in
37 regulations duly adopted under this chapter.
38

39 (j) Being grossly negligent in the practice of his or her profession.
40

41 (k) Violating any of the provisions of this chapter or regulations duly adopted
42 thereunder.
43

44 (l) The aiding or abetting of any person to engage in the unlawful practice of
45 psychology.
46

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1 (m) The suspension, revocation or imposition of probationary conditions by another
 2 state or country of a license or certificate to practice psychology or as a psychological
 3 assistant issued by that state or country to a person also holding a license or
 4 registration issued under this chapter if the act for which the disciplinary action was
 5 taken constitutes a violation of this section.

6
 7 (n) The commission of any dishonest, corrupt, or fraudulent act.

8
 9 (o) Any act of sexual abuse, or sexual relations with a patient or former patient within
 10 two years following termination of therapy, or sexual misconduct that is substantially
 11 related to the qualifications, functions or duties of a psychologist or psychological
 12 assistant or psychology associate.

13
 14 (p) Functioning outside of his or her particular field or fields of competence as
 15 established by his or her education, training, and experience.

16
 17 (q) Willful failure to submit, on behalf of an applicant for licensure, verification of
 18 supervised experience to the board.

19
 20 (r) Repeated acts of negligence.

21
 22 *(Amended by Stats. 2000, Ch. 836, Sec. 20. Effective January 1, 2001.)*

23 **Evidence Code - EVID**

24 **§ 1010. “Psychotherapist”**

25
 26
 27
 28 As used in this article, “psychotherapist” means a person who is, or is reasonably
 29 believed by the patient to be:

30
 31 (a) A person authorized to practice medicine in any state or nation who devotes, or is
 32 reasonably believed by the patient to devote, a substantial portion of his or her time to
 33 the practice of psychiatry.

34
 35 (b) A person licensed as a psychologist under Chapter 6.6 (commencing with Section
 36 2900) of Division 2 of the Business and Professions Code.

37
 38 (c) A person licensed as a clinical social worker under Article 4 (commencing with
 39 Section 4996) of Chapter 14 of Division 2 of the Business and Professions Code, when
 40 he or she is engaged in applied psychotherapy of a nonmedical nature.

41
 42 (d) A person who is serving as a school psychologist and holds a credential authorizing
 43 that service issued by the state.

44
 45 (e) A person licensed as a marriage and family therapist under Chapter 13
 46 (commencing with Section 4980) of Division 2 of the Business and Professions Code.

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(f) A person registered as a psychological assistant who is under the primary supervision of a licensed psychologist as required by Section 2913 of the Business and Professions Code, or a person registered as a marriage and family therapist intern who is under the supervision of a licensed marriage and family therapist, a licensed clinical social worker, a licensed psychologist, or a licensed physician and surgeon certified in psychiatry, as specified in Section 4980.44 of the Business and Professions Code.

(g) A person registered as an associate clinical social worker who is under supervision as specified in Section 4996.23 of the Business and Professions Code.

(h) A person registered with the Board of Psychology as a psychology associate who is under the primary supervision of a licensed psychologist.

(i) A psychological intern as defined in Section 2911 of the Business and Professions Code who is under the primary supervision of a licensed psychologist.

(j) A trainee, as defined in subdivision (c) of Section 4980.03 of the Business and Professions Code, who is fulfilling his or her supervised practicum required by subparagraph (B) of paragraph (1) of subdivision (d) of Section 4980.36 of, or subdivision (c) of Section 4980.37 of, the Business and Professions Code and is supervised by a licensed psychologist, a board certified psychiatrist, a licensed clinical social worker, a licensed marriage and family therapist, or a licensed professional clinical counselor.

(k) A person licensed as a registered nurse pursuant to Chapter 6 (commencing with Section 2700) of Division 2 of the Business and Professions Code, who possesses a master’s degree in psychiatric-mental health nursing and is listed as a psychiatric-mental health nurse by the Board of Registered Nursing.

(l) An advanced practice registered nurse who is certified as a clinical nurse specialist pursuant to Article 9 (commencing with Section 2838) of Chapter 6 of Division 2 of the Business and Professions Code and who participates in expert clinical practice in the specialty of psychiatric-mental health nursing.

(m) A person rendering mental health treatment or counseling services as authorized pursuant to Section 6924 of the Family Code.

(n) A person licensed as a professional clinical counselor under Chapter 16 (commencing with Section 4999.10) of Division 2 of the Business and Professions Code.

(o) A person registered as a clinical counselor intern who is under the supervision of a licensed professional clinical counselor, a licensed marriage and family therapist, a licensed clinical social worker, a licensed psychologist, or a licensed physician and

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1 surgeon certified in psychiatry, as specified in Sections 4999.42 to 4999.46, inclusive, of
2 the Business and Professions Code.

3

4 (p) A clinical counselor trainee, as defined in subdivision (g) of Section 4999.12 of the
5 Business and Professions Code, who is fulfilling his or her supervised practicum
6 required by paragraph (3) of subdivision (c) of Section 4999.32 of, or paragraph (3) of
7 subdivision (c) of Section 4999.33 of, the Business and Professions Code, and is
8 supervised by a licensed psychologist, a board-certified psychiatrist, a licensed clinical
9 social worker, a licensed marriage and family therapist, or a licensed professional
10 clinical counselor.

11

12 *(Amended by Stats. 2016, Ch. 86, Sec. 126. (SB 1171) Effective January 1, 2017.)*

SB 230

ASSEMBLY SUBCOMMITTEE ON HEALTH PERSONNEL
GORDON DUFFY, CHAIRMAN

ANALYSIS - SB 230 (CARPENTER)
(As amended in Assembly June 26, 1979)

Hearing: Monday, July 16, 1979, 1:30 p.m., Room 2133, State Capitol

Subject: Public Health Facilities: Professional Staffing
Requirements

ABSTRACT:

At issue is whether existing law concerning licensure requirements for professional health personnel employed in public health facilities should be made more restrictive in its application to psychologists and clinical social workers who are employed under specified circumstances in such facilities.

SUMMARY:

SB 230 does the following:

1. Amends Health & Safety Code Section 1277 to limit the current two year waiver of the licensure requirements for professional personnel working in governmental health facilities (including all local county controlled and administered mental health programs operating as health facilities under the Short/Doyle Act) to psychologists and clinical social workers who are continuing in their employment in the same class as of January 1, 1979, in the same state or other governmental health facility.

Such exemption applies to those persons on authorized leave of absence, but excludes intermittent employees. Eligibility for this exemption is limited to those psychologists and clinical social workers who are gaining qualifying experience for licensure in this state. Clinical social workers would be exempt up to three years to enable them to complete required clinical onsite training.

This time limitation upon waivers does not apply to active doctoral degree candidates for social work, social welfare or social science who are enrolled in accredited educational institution.

Personnel recruited for employment from outside the state who have experience sufficient for taking the licensing exam shall have one year from the date of employment to obtain a license or be subject to termination.

2. Modifies the current statutory licensure exemption for persons employed by specified governmental agencies as psychologists or

psychological assistants to exclude agencies or institutions which do not provide direct health or mental health services. (Amends B & P Sections 2909 and 2910)

BACKGROUND:

SB 230 was introduced at the request of the California State Psychological Association.

SB 212 (Carpenter) Chapter 321 of 1978, also sponsored by this association, inadvertently established a two-year waiver of the licensure requirements for professional health personnel employed by state or other governmental agencies, other than psychologists and clinical social workers.

The legislative intent of this bill is to restrict the waiver or exemptions specified in Chapter 321 to the minimum time required for psychology and clinical social work personnel in order to ensure that the professional staff licensure requirements for public health or mental health facilities are not less than those for professional personnel in private health facilities. This was the original intent of SB 212.

SB 230 is intended to be a "clean-up" bill to SB 212.

COMMENTS:

1. According to the sponsors, the intent of this bill is to apply the same standards for professional staffing to all facilities and services of the State Departments of Mental Health and Developmental Services as applied to private health facilities and thus, eliminate the double standard of health care. However, Health and Safety Code Section 1277 only applies to licensed health facilities; hence any Short/Doyle programs which are operating as other than health facilities are not covered by this bill.

QUESTIONS:

1. On page 5, lines 4 to 6, categories of professional personnel affected by the provision are enumerated as a non-exclusive list. Would a general term such as "professional personnel" be preferable to specific listings in order to avoid the "laundry list" effect in the future?
2. This bill carves out several exemptions to the general licensure requirement. What assurance, if any, is there that consumer health, safety and welfare is adequately protected as a result of the exceptions created?
3. Amendments to both B & P Sections 2909 and 2910 are applicable to specified public or governmental agencies or institutions which do not provide "direct health or mental health services". Would this exclusion apply to student or employee health or mental health services provided by many such agencies?

4. Legislative Counsel has indicated that this bill appears to be in conflict with SB 661 (Craven) and AB 46 (McCarthy). Have the conflicting provisions, if any, been addressed and/or resolved?

FISCAL IMPACT:

There is no direct cost associated with the provisions of this bill. Indirect costs of an undetermined amount may be incurred by the Departments of Developmental Services and Mental Health if it becomes necessary to replace intermittent psychologists and social workers who were not licensed as of January 1, 1979.

SENATE ACTION:

Committee on Health & Welfare: Ayes 5 Noes 0

Senate Floor: Ayes 37 Noes 0

POSITIONS:

Support: California State Psychological Association (sponsor)
National Association of Social Workers, California Chapter

Opposition: None known

ASSEMBLY COMMITTEE ON HEALTH
Art Torres, Chairman

BP
SB 230

ANALYSIS UPDATE - SB 230 (CARPENTER)

AS AMENDED JULY 6, 1979

HEARING: Monday, July 16, 1979, 1:30 P.M., Room 2133,
State Capitol

Prior to the July 6 amendments, SB 230 stated that activities of a psychologic nature could be carried out by a non-licensed individual, if among other things, the person was employed by a government facility or institution which is not primarily engaged in providing health or mental health services.

The July 6, 1979 amendments provide that:

- (1) This bill does not prevent activities of a psychologic nature if, among other things, the person does not provide direct health or mental health services.
- (2) Persons providing mental health services as part of a county Short-Doyle program must meet all appropriate licensing requirements.

- QUESTIONS:
- 1. What is the definition of "activities of a psychological nature"?
 - 2. What activities of a psychological nature are provided by persons who do not provide direct mental health services?

* * *

Legislative Analyst
May 29, 1979

ANALYSIS OF SENATE BILL NO. 230 (Carpenter)
As Amended in Senate May 4, 1979
1979-80 Session

SB 230 (Am. 5/4/79)

Fiscal Effect:

Cost: None.

Revenue: None.

Analysis:

This bill makes technical changes to existing law which requires licensure of professional staff at governmental health and mental health facilities. Specifically, the bill:

1. Makes temporary waivers of licensure requirements available only to psychologists and clinical social workers, and extends the waiver period for social workers who are doctoral degree candidates.

2. Makes explicit a requirement that psychologists employed in direct health or mental health services be licensed.

Chapter 321, Statutes of 1978, requires that governmental facilities meet the same professional licensure standards as nongovernmental facilities. Temporary waivers may be granted by the Department of Health Services to professionals continuously employed as of January 1, 1979, in training, or in the process of obtaining a valid license. The waiver provision in the chaptered bill inadvertently applies to all professional personnel. This bill would restrict availability of waivers to psychologists and clinical social workers, as originally intended by Chapter 321. The bill would also extend from two to three years the waiver period for clinical social workers undergoing doctoral training.

The Business and Professions Code requires that psychologists be licensed. However, certain psychologists employed by governmental agencies are exempted from licensure requirements. Generally, exemptions are available to

SB 230 (Continued)

individuals who are employed by academic institutions or schools, and only when performing duties associated with their employment. This bill would further specify that exemptions would be granted to individuals only if they are employed by agencies not primarily engaged in providing health or mental health services. This is a clarification of existing law and will have no effect on current practice.

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ASSEMBLY SUBCOMMITTEE ON HEALTH PERSONNEL
GORDON DUFFY, CHAIRMANANALYSIS - SB 230 (CARPENTER)
(As amended in Assembly June 26, 1979)

Hearing: July 3, 1979, 3:30 PM, Room 6031

Subject: Public Health Facilities: Professional Staffing
Requirements

ABSTRACT:

At issue is whether existing law concerning licensure requirements for professional health personnel employed in public health facilities should be made more restrictive in its application to psychologists and clinical social workers who are employed under specified circumstances in such facilities.

SUMMARY:

SB 230 does the following:

1. Amends Health & Safety Code Section 1277 to limit the current two year waiver of the licensure requirements for professional personnel working in governmental health facilities (including all local county controlled and administered mental health programs operating as health facilities under the Short/Doyle Act) to psychologists and clinical social workers who are continuing in their employment in the same class as of January 1, 1979, in the same state or other governmental health facility.

Such exemption applies to those persons on authorized leave of absence, but excludes intermittent employees. Eligibility for this exemption is limited to those psychologists and clinical social workers who are gaining qualifying experience for licensure in this state. Clinical social workers would be exempt up to three years to enable them to complete required clinical onsite training.

This time limitation upon waivers does not apply to active doctoral degree candidates for social work, social welfare or social science who are enrolled in accredited educational institution.

Personnel recruited for employment from outside the state who have experience sufficient for taking the licensing exam shall have one year from the date of employment to obtain a license or be subject to termination.

2. Modifies the current statutory licensure exemption for persons employed by specified governmental agencies as psychologists or

psychological assistants to exclude agencies or institutions which do not provide direct health or mental health services. (Amends B & P Sections 2909 and 2910)

BACKGROUND:

SB 230 was introduced at the request of the California State Psychological Association.

SB 212 (Carpenter) Chapter 321 of 1978, also sponsored by this association, inadvertently established a two-year waiver of the licensure requirements for professional health personnel employed by state or other governmental agencies, other than psychologists and clinical social workers.

The legislative intent of this bill is to restrict the waiver or exemptions specified in Chapter 321 to the minimum time required for psychology and clinical social work personnel in order to ensure that the professional staff licensure requirements for public health or mental health facilities are not less than those for professional personnel in private health facilities. This was the original intent of SB 212.

SB 230 is intended to be a "clean-up" bill to SB 212.

COMMENTS:

1. According to the sponsors, the intent of this bill is to apply the same standards for professional staffing to all facilities and services of the State Departments of Mental Health and Developmental Services as applied to private health facilities and thus, eliminate the double standard of health care. However, Health and Safety Code Section 1277 only applies to licensed health facilities; hence any Short/Doyle programs which are operating as other than health facilities are not covered by this bill.

QUESTIONS:

1. On page 5, lines 4 to 6, categories of professional personnel affected by the provision are enumerated as a non-exclusive list. Would a general term such as "professional personnel" be preferable to specific listings in order to avoid the "laundry list" effect in the future?

2. This bill carves out several exemptions to the general licensure requirement. What assurance, if any, is there that consumer health, safety and welfare is adequately protected as a result of the exceptions created?

3. Amendments to both B & P Sections 2909 and 2910 are applicable to specified public or governmental agencies or institutions which do not provide "direct health or mental health services". Would this exclusion apply to student or employee health or mental health services provided by many such agencies?

4. Legislative Counsel has indicated that this bill appears to be in conflict with SB 661 (Craven) and AB 45 (McCarthy). Have the conflicting provisions, if any, been addressed and/or resolved?

FISCAL IMPACT:

There is no direct cost associated with the provisions of this bill. Indirect costs of an undetermined amount may be incurred by the Departments of Developmental Services and Mental Health if it becomes necessary to replace intermittent psychologists and social workers who were not licensed as of January 1, 1979.

SENATE ACTION:

Committee on Health & Welfare: Ayes 5 Noes 0

Senate Floor: Ayes 37 Noes 0

POSITIONS:

Support: California State Psychological Association (sponsor)
National Association of Social Workers, California Chapter

Opposition: None known

ASSEMBLY COMMITTEE ON HEALTH
Art Torres, Chairman

BF
SB 230

ANALYSIS UPDATE - SB 230 (CARPENTER)

AS AMENDED JULY 6, 1979

HEARING:

Monday, July 16, 1979, 1:30 P.M., Room 2133,
State Capitol

Prior to the July 6 amendments, SB 230 stated that activities of a psychologic nature could be carried out by a non-licensed individual, if among other things, the person was employed by a government facility or institution which is not primarily engaged in providing health or mental health services.

The July 6, 1979 amendments provide that:

- (1) This bill does not prevent activities of a psychologic nature if, among other things, the person does not provide direct health or mental health services.
- (2) Persons providing mental health services as part of a county Short-Doyle program must meet all appropriate licensing requirements.

QUESTIONS:

1. What is the definition of "activities of a psychological nature"?
2. What activities of a psychological nature are provided by persons who do not provide direct mental health services?

* * *

WAYS AND MEANS STAFF ANALYSIS

BILL NUMBER SB 230 AUTHOR Carpenter AMENDED 7-6-79 ITEM 7
INDEX Licensing POLICY COMMITTEE Health (7-0) CONSULTANT Sharpless

SUBJECT: PUBLIC HEALTH FACILITIES: PROFESSIONAL

<u>FISCAL SUMMARY:</u>	<u>FUND</u> (G, S, N, B, F, or L)	<u>1978/79 FY</u>	<u>1979/80 FY</u>	<u>1980/81 FY</u>
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State Cost: to include Short/Doyle under licensing requirement.			<u>Indeterminate</u>	<u>Indeterminate</u>
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Urgency: Yes No

SUMMARY:

SB 230 would make the current licensing exemption for professional personnel working in governmental health facilities applicable only to psychologists and clinical social workers who have continued their employment for the same class as of January 1, 1979 and in the same State or other governmental health facility. Clinical social workers will be allowed a three-year exemption and psychologists a two-year exemption in order to gain qualifying experience for licensure. Time limitation upon waivers will not apply to active doctoral degree candidates for social work enrolled in accredited educational institutions until completion of such training. Includes mental health services provided under the Short/Doyle program within the scope of this law.

COMMENTS:

This bill is intended to clean-up legislation (SB 212-Carpenter) enacted last year which required governmental health facilities to provide professional personnel in accordance with professional licensure standards applicable to private health facilities.

The bill inadvertently established a two-year waiver of the licensure requirements of professional health personnel employed by State or other governmental agencies. Apparently, the original intent of last year's bill was to provide waivers to only psychologists and clinical social workers so as to allow them minimum time to meet the requirements necessary for licensure. SB 230 is intended to rectify this problem as well as others which have become apparent in the process of implementing this law.

FISCAL IMPACT:

Indeterminate costs to State by including Short/Doyle program personnel under the licensing requirement. State reimbursement would be required under State-local cost-sharing formulas.

RECOMMENDATION:

None.

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SB 230 (Am. 7/6/79)

ANALYSIS OF SENATE BILL NO. 230 (Carpenter)
As Amended in Assembly July 6, 1979
1979-80 Session

Fiscal Effect:

Cost: Indeterminate increased costs to state for support of local mental health programs.

Revenue: None.

Analysis:

This bill extends and makes technical changes in existing law which requires licensure of professional staff at governmental health and mental health facilities. Specifically, the bill:

1. Makes temporary waivers of licensure requirements available only to psychologists and clinical social workers, and extends the waiver period for social workers who are in training.
2. Makes explicit a requirement that psychologists employed in direct health or mental health services be licensed.
3. Extends provisions requiring licensure of professional staff to local mental health clinics.

Background

Chapter 321, Statutes of 1978, requires that governmental facilities meet the same professional licensure standards as nongovernmental facilities. Temporary waivers may be granted by the Department of Health Services to professional personnel who were so employed as of January 1, 1979, or who are in training or in the process of obtaining a valid license. The waiver provision in Chapter 321 inadvertently applies to all professional personnel. This bill restricts availability of waivers to psychologists and clinical social workers, as originally intended by Chapter 321, and extends from two to three years the waiver period for clinical social workers who are in training.

SB 230 (Continued)

The Business and Professions Code requires that psychologists be licensed. However, certain psychologists employed by governmental agencies are exempted from licensure requirements. Generally, exemptions are available to individuals who are employed by academic institutions or schools, and only when performing duties associated with their employment. This bill further specifies that exemptions shall be granted to individuals only if they do not provide direct health or mental health services. This is a clarification of existing law and will have no effect on current practice.

This bill also extends professional licensure standards to local mental health clinics, which were not explicitly covered under Chapter 321. This would result in increased costs to the extent that unlicensed personnel are currently employed in clinics and to the extent that licensed professionals demand greater salaries than unlicensed personnel. Such costs would be wholly borne by the state under state-local cost-sharing formulas established by existing law.

NO FORMAL ANALYSIS REQUIRED		Form DF-436 (Rev. 3/79)	
DEPARTMENT Finance	AUTHOR Carpenter	BILL NUMBER SB 230	DATE LAST AMENDED JULY 6, 1979

- Technical bill--no program or fiscal changes to existing program.
- Technical amendment--no change in previous analysis required. Approved position of analysis of bill as amended on _____ is _____.
- Minor amendment--previously submitted analysis still valid. Approved position of analysis of bill as amended on MAY 4, 1979 is OFFICER'S BILLS AMENDED.
- The attached analysis by the Department of _____ has been reviewed and appears to be reasonable and consistent with current program objectives. The cost estimates presented in the analysis appear to be reasonable.
- Other. (Example: Spot bills.)

REMARKS: With one exception, amendments on June 26 and July 6, 1979 were technical only. Exception is amendment on 7/6/79 to add Section 5600.3 to the Welfare and Institutions Code to erect similar licensing provisions for County Short-Dayle programs.
"Open, unless amended" provision still valid. Provisions of this bill would require termination of experienced and several members in State Hospital and local mental health programs who were not licensed as of January 1, 1979.

FTSCAL SUMMARY:

Department or Agency	Code 1978-79	Code 1979-80	Code 1980-81	Fund
NONE				

Form DF-43E (Rev. 3/79 4M)

BILL ANALYSIS DEPARTMENT		AUTHOR	BILL NUMBER
FINANCE		Carpenter	SB 230
SPONSORED BY		RELATED BILLS	DATE LAST AMENDED
			May 4, 1979

BILL SUMMARY

This bill makes various changes to existing law concerning licensure requirements for professional personnel in governmental health facilities; limits statutory exemptions to these requirements to psychologists and clinical social workers (excluding intermittent employees) who are gaining qualifying experience for licensure in this State.

SUMMARY OF OPPOSITION

Staff recommends an "oppose, unless amended" position on a policy basis. A provision of this bill would require termination of experienced hard to recruit part-time and intermittent psychologists and social workers in State hospitals who were not licensed as of January 1, 1979. Staff recommends the following amendment: On page 5, line 14, strike: "but not including intermittent personnel".

FISCAL SUMMARY

None

ANALYSIS

A. Specific Findings

Existing law requires professional personnel in governmental health facilities to comply with the same licensure standards as those in private health facilities. Under SB 212 (Carpenter) of 1978, exemptions from this requirement were provided for persons employed in a governmental health facility on January 1, 1979. In addition, SB 212 permitted waivers of the requirement for two years from the date of employment for new graduates and personnel recruited from out-of-state.

This bill limits the licensure requirements to physicians and surgeons, dentists, podiatrists, psychologists, pharmacist, registered nurses, and clinical social workers. It limits the exemptions provided under SB 212 and the eligibility for waivers to psychologists and clinical social workers and extends the waiver for clinical social workers from two to three years. This measure also includes a new provision which excludes part-time or intermittent psychologists and clinical social workers from the exemption of licensure.

Most of the changes proposed in this bill will clarify provisions of SB 212 (Section 1277 of the Health and Safety Code) by specifying "the professional disciplines" to whom licensure standards apply. The exemption and waiver restrictions in the bill to psychologists and social workers will not affect the State hospitals since members of the other health professions are already licensed. There are, however, part-time and intermittent psychologists and social workers employed in the State hospitals.

POSITION	Governor's Office use
OPPOSE, unless amended, then neutral	Position noted
	Position approved

A. Specific Findings (Continued)

The provision of this bill that would terminate their employment would eliminate experienced staff of demonstrated capability from programs which already experience recruitment and retention difficulties. From a policy standpoint, it also appears to be inequitable to grant the exemption to employees in the same civil service classes as those excluded from the exemption solely on the basis on their time base.

B. Fiscal Analysis

There is no direct cost associated with the provisions of this bill. Indirect costs of an undetermined amount may be incurred by the Departments of Developmental Services and Mental Health if it becomes necessary to replace part-time and intermittent psychologists and social workers who were not licensed as of January 1, 1979.

Pathways to Licensure: Statutes – Stakeholder’s Feedback

§ 2909. Applicability of chapter to credentialed school psychologists, and psychologists and psychological assistants employed by colleges, universities, or governmental organizations	
Current	<p>This chapter shall not be construed as restricting or preventing activities of a psychological nature or the use of the official title of the position for which they were employed on the part of the following persons, provided those persons are performing those activities as part of the duties for which they were employed, are performing those activities solely within the confines of or under the jurisdiction of the organization in which they are employed, and do not render or offer to render psychological services, as defined in Section 2903:</p> <p>(a) Persons who hold a valid and current credential as a school psychologist issued by the Commission on Teacher Credentialing.</p> <p>(b) Persons who are employed in positions as psychologists or psychological assistants by accredited or approved colleges, junior colleges, or universities, or by federal, state, county, or municipal governmental organizations that are not primarily involved in the provision of direct health or mental health services, may conduct research and disseminate their research findings and scientific information.</p>
Marked	<p>This chapter shall not be construed as restricting or preventing activities of a psychological nature or the use of the official title of the position for which they were employed on the part of the following persons, provided those persons are performing those activities as part of the duties for which they were employed, are performing those activities solely within the confines of or under the jurisdiction of the organization in which they are employed, and do not render or offer to render psychological services, as defined in section 2903 <u>outside of those settings</u>:</p> <p>(a) Persons who hold a valid and current credential as a school psychologist issued by the Commission on Teacher Credentialing.</p> <p>(b) Persons who are employed in positions as psychologists or psychological assistants by accredited or approved colleges, junior colleges, or universities, or by federal, state, county, or municipal governmental organizations that are not primarily involved in the provision of direct health or mental health services, may conduct research and disseminate their research findings and scientific information.</p>
Unmarked	<p>This chapter shall not be construed as restricting or preventing activities of a psychological nature or the use of the official title of the position for which they were employed on the part of the following persons, provided those persons are performing those activities as part of the duties for which they were employed, are performing those activities solely within the confines of or under the jurisdiction of the organization in which they are employed, and do not render or offer to render psychological services, as defined in section 2903 outside of those settings:</p> <p>(a) Persons who hold a valid and current credential as a school psychologist issued by the Commission on Teacher Credentialing.</p>
Question: Should there be an exempt status? If so, who would that apply to and what would they be doing? (2909)	
NORCAL	SOCAL
<ul style="list-style-type: none"> ▶ It applies to those performing direct psychological services to patients ▶ Exempt status if you are not giving psychological services (e.g. research, academic settings) ▶ People who have a PhD in psychology but don't provide psychological services. ▶ Psychology professors, researchers, consultants, individuals hired for County mental health 	<ul style="list-style-type: none"> ▶ Yes, multiple individuals supporting the changes. ▶ Statements made that clinical researchers do not need to be licensed, however those people supervising, managing, and training should be licensed. ▶ This exemption refers to the work that is of psychological nature, but not work that requires a license, for example, research. The delivery of psychological services in certain settings that do not require licensure.

Pathways to Licensure: Statutes – Stakeholder’s Feedback

<p>▶ One stakeholder felt that who this applies to is more clearly stated with the wording in 2909(b), which is proposed to be removed.</p> <p>▶ Proposed solution: Have two separate titles—one that describes those people who provide direct patient care and another for those who do not but are related to the field (e.g. researchers, academics)</p> <p>Yes:</p> <p>▶ The Psychology field has a lot of research psychologists and social psychologists; it would be harmful to eliminate the exemption. Instead look at what they can and cannot do versus what they call themselves.</p> <p>▶ Faculty are not licensed, it would be problematic for them to not call themselves psychologists.</p> <p>▶ Reference to the case in Texas relating to whether a person would be able to call herself a psychologist when she studied and received her degree and she won.</p> <p>No:</p> <p>▶ Either license all or none. If anyone is using the title or term psychologist then they should be licensed, no exemptions, it’s best for consumer protection.</p> <p>▶ Duty in protecting the profession as well as the public. Is the person interrogating an individual, how do they portray themselves and the profession?</p> <p>▶ No exemptions because there are people who do clinical research and while do so they are also interacting with patients.</p> <p>Thoughts/Suggestions:</p> <p>▶ Need to distinguish between the two categories—perhaps a dual program with different titles: Licensed psychologist (provide services) and psychologist (do not provide services). This way there is control over the title used and the exemptions can be clarified.</p> <ul style="list-style-type: none"> ○ Differentiate between clinical licensed psychologist and licensed psychologist. <p>▶ 2909 is unclear and should be clarified to reflect the two distinctions in the field.</p>	<p>▶ Key word, “provide services”. Researchers aren’t providing services, they are conducting research. So why the need for a licensed supervisor?</p>
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Pathways to Licensure: Statutes – Stakeholder’s Feedback

<p>▶ Review 2903 and redefine the practice of licensed psychology to make it clearer.</p> <p>Questions posed:</p> <ul style="list-style-type: none"> ▶ What are we concerned about when an individual calls themselves a psychologist? ▶ Have there been any complaints relating to calling oneself a psychologist? ▶ Do we need exemptions? ▶ What services performed require a psychologist to be licensed? ▶ What are they doing in the field or in exempt settings? ▶ How is someone doing research in psychology and calling themselves a psychologist harming the public? ▶ Have there been issues/complaints in reference to those people working in exempt environments? ▶ Yes, as long as an individual is not doing 2903 in exempt settings then it is fine. <p>Thoughts/Suggestions:</p> <ul style="list-style-type: none"> ▶ Adding “research” in front of psychologist would clarify it for the public. ▶ Redefine what the practice of psychology is and is not. ▶ List what the Board does not oversee in section 2903. ▶ It was suggested that there be further parameters on what we call research. Define research study vs. research treatment and determine what type of research requires a license and what does not. <p>Questions:</p> <ul style="list-style-type: none"> ▶ What consists of patient services? ▶ What is the scope of licensed practice? 	
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Pathways to Licensure: Statutes – Stakeholder’s Feedback

§ 2909.5. Applicability of chapter to registered psychologist employed by nonprofit community agencies supported by governmental organizations	
Current	(c) Those persons shall be registered by the agency with the board at the time of employment and shall be identified in the setting as a “registered psychologist.”
Marked	(c) Those persons shall be registered by the agency with the board at the time of employment and shall be identified in the setting <u>and may be referred to only</u> as a “registered psychologist.”
Unmarked	(c) Those persons shall be registered by the agency with the board at the time of employment and shall be identified in the setting and may be referred to only as a “registered psychologist.”
Question: What would be an alternate term for “registered psychologist”?	
NORCAL	SOCAL
<p>Pre-licensed psychologist:</p> <ul style="list-style-type: none"> ▶ How do you distinguish this in relation to interns or (graduate) students? ▶ Not this because this assumes they will be licensed at some point. <p>Psychology Associate:</p> <ul style="list-style-type: none"> ▶ Preferred because the word psychologist is not included and as a result there is no confusion of the title. ▶ This can be misconstrued to mean psychologist. <p>Thoughts/Suggestions:</p> <ul style="list-style-type: none"> ▶ Psychological Assistant! ▶ It was also recommended that this section be deleted entirely. 	<ul style="list-style-type: none"> ▶ Psychology associate is also a confusing term to use. There should be a differentiation to the degree, referring to BBS. ▶ Recommended terms are: <ul style="list-style-type: none"> ○ Psychology fellow <ul style="list-style-type: none"> • Psychology fellow has a particular meaning and seems not to be very descriptive to what it’s being covered here. ○ Pre-licensed psychologists <ul style="list-style-type: none"> • Favored choice ▶ Questions for staff to research: <ul style="list-style-type: none"> ○ What do other states do? ○ Do we know what other states call this position?

Pathways to Licensure: Statutes – Stakeholder’s Feedback

§ 2913. Services by psychological assistants	
Current	<p>(c) (1) The psychological assistant is at all times under the immediate supervision, as defined in regulations adopted by the board, of a licensed psychologist, or a licensed physician and surgeon who is certified in psychiatry by the American Board of Psychiatry and Neurology or the American College of Osteopathic Board of Neurology and Psychiatry, who shall be responsible for insuring that the extent, kind, and quality of the psychological services that the psychological assistant performs are consistent with his or her training and experience and be responsible for the psychological assistant’s compliance with this chapter and regulations.</p> <p>(d) The psychological assistant shall comply with regulations that the board may, from time to time, duly adopt relating to the fulfillment of requirements in continuing education.</p>
Marked	<p>(c) (1) The psychological assistant shall be supervised by a primary supervisor who is a licensed psychologist, as prescribed by the board’s regulations. The psychological assistant’s supervisor is at all times under the immediate supervision, as defined in regulations adopted by the board, of a licensed psychologist, or a licensed physician and surgeon who is certified in psychiatry by the American Board of Psychiatry and Neurology or the American College of Osteopathic Board of Neurology and Psychiatry, who shall be responsible for ensuring that the extent, kind, and quality of the psychological services that the psychological assistant performs are consistent with his or her training and experience and shall be responsible for the psychological assistant’s compliance with this chapter and regulations. Primary supervisors may delegate supervision as prescribed by the board’s regulations.</p> <p>(d) The A psychological assistant shall not comply with regulations that the board may, from time to time, duly adopt relating to the fulfillment of requirements in continuing education.</p> <p>(1) provide psychological services to the public except as a trainee pursuant to this section.</p>
Unmarked	<p>(c) (1) The psychological assistant shall be supervised by a primary supervisor who is a licensed psychologist, as prescribed by the board’s regulations. The psychological assistant’s supervisor shall be responsible for ensuring that the extent, kind, and quality of the psychological services that the psychological assistant performs are consistent with his or her training and experience and shall be responsible for the psychological assistant’s compliance with this chapter and regulations. Primary supervisors may delegate supervision as prescribed by the board’s regulations.</p> <p>(d) A psychological assistant shall not:</p> <p>(1) provide psychological services to the public except as a trainee pursuant to this section.</p>
<p>Question 1: Should board-certified psychiatrists be allowed to be primary supervisors for psychological assistants since they are not required to take the 6-hour course in supervision, are not subject to any other of the psychology regs., and they do not promote the kind of socialization into the field of psychology that might be more applicable to psychologists? (§ 2913(c)(1))</p>	
<p>NORCAL SOCAL</p>	
<p>Yes:</p> <ul style="list-style-type: none"> ▶ If they were to continue to be allowed to be primary supervisors then yes they should be required to take the course of supervision. (however the Board has no authority over psychiatrists) 	<ul style="list-style-type: none"> ▶ Consensus was split on this issue. <ul style="list-style-type: none"> ○ Some are not opposed to psychiatrists to be supervisors. There is the perception that they are an integral part of other’s training to receive training from a psychiatrist.

Pathways to Licensure: Statutes – Stakeholder’s Feedback

<p>No:</p> <ul style="list-style-type: none"> ▶ This feels like a loophole. ▶ In order to accumulate hours, the supervisee would have to be supervised by someone with supervision training. <p>Thoughts/Suggestions:</p> <ul style="list-style-type: none"> ▶ The majority of the group agrees that the primary supervisor should be required to be a licensed psychologist. ▶ If the Board has authority over the supervisee, then the Board could regulate who they are allowed to be supervised by, but that may further reduce the number of sites trainees have to get educated. 	<ul style="list-style-type: none"> • MD’s are not supervised by the board. The Board only has jurisdiction over psychologists. • The board does not have authority over the license of MD thus limited enforcement power makes it ineffective. • Hold the psychiatrists to same standards and psychologists. <ul style="list-style-type: none"> ▶ Those opposed to psychiatrists being primary supervisors mentioned that there exist differences in the scope of practice and completion of required hours. <ul style="list-style-type: none"> ○ There exists a difference in the way of thinking. Doctoral candidates are early psychologists and are vulnerable, because they are still learning about their identity. ○ Another difference is the ethical code. Who will enforce the distinct ethic codes and reconcile that? Difference between structure and ethics.
<p>Question 2: What would be the ramifications to remove board-certified psychiatrists as primary supervisors? Would the Board be limiting supervision opportunities in some settings such as institutions? (§ 2913(c)(1))</p>	
<p>NORCAL</p>	<p>SOCAL</p>
<p>Thoughts/Suggestions:</p> <ul style="list-style-type: none"> ▶ Trending is an incredible decrease in the number of sites with psychiatrists on staff. I would rather see someone with the appropriate credential supervising. ▶ Someone with a Master’s degree shouldn’t be supervising a doctorate student ▶ It doesn’t affect that many people so it can be phased out, current supervisors would have to be grandfathered in though. ▶ Having a delegated supervisor is a good option, someone with competency around the interdisciplinary experience. 	<ul style="list-style-type: none"> ▶ Limit opportunities in the field of primary supervisors. ▶ Effect is on a small population ▶ Access to resources will decline. In a medical setting, they are not going to hire a psychologist to hire a psychologist. <ul style="list-style-type: none"> ○ Sometimes psychology is in that dilemma since there is none available.
<p>Question 3: Should a psychological assistant be allowed to advertise considering they are not allowed to practice independently? If so, should there be restrictions in how a psychological assistant can advertise? What are the restrictions? Can a psychological assistant have a website? (§ 2913(d)(1))</p>	
<p>NORCAL</p>	<p>SOCAL</p>
<p>Yes:</p> <ul style="list-style-type: none"> ▶ It makes sense that they could do some advertising with the appropriate disclaimers that they are under supervision, etc. 	<ul style="list-style-type: none"> ▶ Consensus was in favor of permitting the assistant to advertise. <ul style="list-style-type: none"> ○ Voiced complaints regarding marketing disadvantages for doctoral students. ○ Suggested there be standardized language be included to define what a psychological assistant can do.

Pathways to Licensure: Statutes – Stakeholder’s Feedback

<p>▶ Psych assistants have to connect their name to their supervisors already so how is this different? As long as connected to supervisor it’s adequate consumer protection.</p> <ul style="list-style-type: none"> ○ If there is more than one supervisor (e.g. multiple assistantships) advertise with the supervisor who is connected to the specific setting they are working at. <p>▶ As far as restrictions, perhaps a mandatory description on the advertisements for the services they are offering.</p> <p>▶ Psychology assistants can have a website as long as they are meeting the criteria to do so.</p> <p>▶ If they are supervised by multiple people, then they should list the primary supervisor for each of the different services they are providing or advertising for on their website.</p> <p>No: Thoughts/Suggestions:</p> <ul style="list-style-type: none"> ▶ Having psychological assistants add “unlicensed” or “pre-licensed” to their title could be further clarifying to the public. ▶ How much do we want to be prescriptive to what we include in advertising, as part of informed consent it has to be clear in the law already? 	<ul style="list-style-type: none"> ○ Suggestion to differentiate the post doctorate as necessary. Differentiation is with post-doctoral versus pre-doctoral. We are trying to help move the post-doctoral forward. Use the correct role. ○ Suggestion to have a listing which was supported by many. ○ Suggestion to create a template and expressly state supervisory role on part of psychologist to supervise that website. <ul style="list-style-type: none"> • Stakeholder less concerned about overseeing advertising than they are about other supervisory duties. Psychology assistants cannot be independent contractors. ○ Suggestion made that the Board develop a clear definition and parameters for advertisement. <ul style="list-style-type: none"> • Assistants are employed by someone, part of it is the relationship and employee contract if there is one. It comes down to the employer and what they will allow. A psychology assistant is an employee, it is up to the psychologist to determine if the employee can have website. • It should be made clear whether they can or cannot have a website. How far will it go if assistants can advertise in certain manners for example, business cards, will that blur into other advertisement channels. <p>▶ Concerns</p> <ul style="list-style-type: none"> ○ Psychologists have concerns with the work of psychological assistant. Participant expressed uncomfortability in not having the power or authority to monitor or regulate the advertisement. Not right, should advertisement they are able to practice. ○ How would the Board monitor if the assistant has more than one supervisor? <ul style="list-style-type: none"> • Suggestion to provide contact information from each supervisor, however can get confusing on who is supposed to approve website content if there are multiple supervisors. ○ Website open to social media. There is confusion and concern. Favor moving away from assistants having all the
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	<p>rights as a psychologist. Should be careful with the title of psychologists. This will open various hazards.</p> <ul style="list-style-type: none">○ Concern regarding the wording of the advertisement and whether website advertisement will be excluded.<ul style="list-style-type: none">● Other stakeholders referring back to the practice of psychology within practice settings only. If allowing website advertisement, then it will interfere with such.▶ Client Production Related Concerns<ul style="list-style-type: none">○ Assistants are expected to bring in client, so in that case not being able to advertise or have a website will be a disadvantage. Always disclose they are under the supervision of so and so. There is a business element that we need to think about. People are assistants for a long time.▶ MFT (BBS) can advertise.▶ Board of Psychology role is consumer protection. There exists general confusion, between psychologists and psychiatrist. This does nothing to clarify things for the consumer and creates burden regarding the enforcement of advertisements specifically as it relates to the risk for exploitation in the employer-employee relationship by having the assistant bring in customers and the employer signing off on hours.
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Pathways to Licensure: Statutes – Stakeholder’s Feedback

§ 2914. Applicant’s requirements	
Current	<p>(b) Possess an earned doctorate degree (1) in psychology, (2) in educational psychology, or (3) in education with the field of specialization in counseling psychology or educational psychology. Except as provided in subdivision (h), this degree or training shall be obtained from an accredited university, college, or professional school. The board shall make the final determination as to whether a degree meets the requirements of this section.</p> <p>(c) (1) On or after January 1, 2020, possess an earned doctorate degree in psychology, in educational psychology, or in education with the field of specialization in counseling psychology or educational psychology from a college or institution of higher education that is accredited by a regional accrediting agency recognized by the United States Department of Education. Until January 1, 2020, the board may accept an applicant who possesses a doctorate degree in psychology, educational psychology, or in education with the field of specialization in counseling psychology or educational psychology from an institution that is not accredited by an accrediting agency recognized by the United States Department of Education, but is approved to operate in this state by the Bureau for Private Postsecondary Education.</p>
Marked	<p>(b) <u>possess an earned doctorate degree (1) in psychology, (2) in educational psychology with the field of specialization in clinical, counseling, school, consulting, forensic or industrial/organizational psychology, or (3) in education with the field of specialization in counseling psychology, or educational psychology, or school psychology, or (3) a field of specialization designed to prepare graduates for the professional practice of psychology.</u> Except as provided in subdivision (h), this degree or training shall be obtained from an accredited university, college, or professional school. The board shall make the final determination as to whether a degree meets the requirements of this section.</p> <p>(c) (1) On or after January 1, 2020, possess an earned doctorate degree <u>in psychology, in educational psychology with the field of specialization in clinical, counseling, school, consulting, forensic or industrial/organizational psychology,</u> or in education with the field of specialization in counseling psychology, <u>or educational psychology, or school psychology</u> from a college or institution of higher education that is accredited by a regional accrediting agency recognized by the United States Department of Education. Until January 1, 2020, the board may accept an applicant who possesses a doctorate degree in psychology, <u>educational psychology with the field of specialization in clinical, counseling, school, consulting, forensic or industrial/organizational psychology,</u> or in education with the field of specialization in counseling <u>or educational psychology, or school psychology</u> from an institution that is not accredited by an accrediting agency recognized by the United States Department of Education, but is approved to operate in this state by the Bureau for Private Postsecondary Education.</p>
Unmarked	<p>(b) possess an earned doctorate degree (1) in psychology with the field of specialization in clinical, counseling, school, consulting, forensic or industrial/organizational psychology, or (2) in education with the field of specialization in counseling psychology, educational psychology, or school psychology. Except as provided in subdivision (h), this degree or training shall be obtained from an accredited university, college, or professional school. The board shall make the final determination as to whether a degree meets the requirements of this section.</p> <p>(c) (1) On or after January 1, 2020, possess an earned doctorate degree in psychology with the field of specialization in clinical, counseling, school, consulting, forensic or industrial/organizational psychology, or in education with the field of specialization in counseling psychology, educational psychology, or school psychology from a college or institution of higher education that is accredited by a regional accrediting agency recognized by the United States Department of Education. Until January 1, 2020, the board may accept an applicant who possesses a doctorate degree in psychology, psychology with the field of specialization in clinical, counseling, school, consulting, forensic or industrial/organizational psychology, or in education with the field of specialization in counseling ,educational psychology, or school psychology from an institution that is not accredited by an accrediting agency recognized by the United States Department of Education, but is approved to operate in this state by the Bureau for Private Postsecondary Education.</p>

Pathways to Licensure: Statutes – Stakeholder’s Feedback

Question 1: By listing the fields of emphasis in psychology, would potential applicants be excluded for licensure and what qualifying degrees would be left out? How would this impact the field?

NORCAL	SOCAL
<p>Thoughts/Suggestions:</p> <ul style="list-style-type: none"> ▶ It should be more about the coursework and what they were trained in, currently there is not requirement about coursework and nearly every other state is more specific. ▶ I am cautious about being specific with the terms and am more concerned with what was done within the program. ▶ The current list of specializations is good but perhaps add a provision for combined programs (schools that offer programs with more than one specialization). ▶ There is a concern that it will “weed out” program that don’t have the specific specializations called out, maybe use a broader term such as “applied” but then define the coursework further. ▶ I like that it’s getting a little narrower, closing some of the loopholes (said by 2 people). Psychology is the only profession that doesn’t require accreditation in the academic program, why? Requiring accredited programs would be good for consumers. o We think the non-accredited schools are similar to those that are, an alternate pathway is necessary □APA doesn’t recognize alternative methods of education (online), PCSAS is growing and we don’t want to discount that. • Where is the evidence students are going to do harm or get subpar training if they come from a non-accredited school? <p>Things are in flux more than in previous decades, there is no way to predict what types of different programs are going to pop up in the future and there could be challenges with that if we are too specific.</p> <ul style="list-style-type: none"> ▶ If we list the specializations programs may just identify based on the regulations. <p>Questions:</p> <ul style="list-style-type: none"> ▶ Where does re-specialization come in, this would be adding on to the clinical piece. ▶ Why isn’t licensure required for I/O? 	<ul style="list-style-type: none"> ▶ Yes, those in nonapplied psychology programs. <ul style="list-style-type: none"> o Some expressed that they are unsure of the benefit obtained from this proposal. o Graduate in psychology, can gain supervised experience to meet requirements and pass exams, then why can’t they be licensed? What is the argument to limiting the number of people who can meet the licensure requirements? Students are interested in a program during college, and decide they want to license. What would be the rationale from limiting someone who has a doctorate in psychology? <ul style="list-style-type: none"> • If they are meeting all other requirements, hours, why is the board limiting them to licensure. ▶ Majority in favor of the change. <ul style="list-style-type: none"> o Suggestion that the qualifying degrees be even more limited to clinical counseling and schooling. o Suggestion to use General Applied Psychology ▶ Suggestion that it include experimental, research, and applied psychology.

Pathways to Licensure: Statutes – Stakeholder’s Feedback

<ul style="list-style-type: none"> ▶ What about the PsyD in Marriage and Family, are they included or not? ▶ Rather than just institution accreditation, why don't we just use COA accreditation? o ▶ Want to include other pathways, not just from accredited schools ▶ Why not require an internship? 	
<p align="center">Question 2: Are the listed fields of emphasis adequate to ensure consumer protection and access to care?</p>	
<p align="center">NORCAL</p>	<p align="center">SOCAL</p>
<p>Thoughts/Suggestions:</p> <ul style="list-style-type: none"> ▶ Include all the degrees specifically because it is easier to understand and allows for fewer loopholes. ▶ Include the catchall from 2913 into 2914 to incorporate all of the applied degrees. ▶ There should be some practicum training at the doctoral level, by listing more specific degrees it could allow for more people to enter the field without the practical training. 	<ul style="list-style-type: none"> ▶ Fewer specializations serve as a gatekeeper. ▶ Are there instances where if this loophole was not there then certain people wouldn't be licensed? ▶ Dangerously close to being prescriptive on the course work that a good psychologist needs to have. Not sure the board wants to go down that road. There are people who naturally would be a good psychologist, it seems restrictive. Just doesn't feel quite right. ▶ From consumer protection, the board feels that fields need to be emphasized.