

## MEMORANDUM

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

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

**“Pathways to Licensure” Statutes Review**

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.

**“Pathways to Licensure” Statutes Review**

- 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**

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46

**§ 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.

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

(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



**“Pathways to Licensure” Statutes Review**

- 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.

“Pathways to Licensure” Statutes Review

(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:~~

**“Pathways to Licensure” Statutes Review**

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~~**

**“Pathways to Licensure” Statutes Review**

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  
25 **§ 2911. Applicability of chapter to students and interns**

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

**“Pathways to Licensure” Statutes Review**

**§ 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.

**“Pathways to Licensure” Statutes Review**

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

**“Pathways to Licensure” Statutes Review**

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.

**“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 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.



**“Pathways to Licensure” Statutes Review**

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.

**“Pathways to Licensure” Statutes Review**

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

**“Pathways to Licensure” Statutes Review**

**§ 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.

**“Pathways to Licensure” Statutes Review**

- 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”**

**“Pathways to Licensure” Statutes Review**

- 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.

**“Pathways to Licensure” Statutes Review**

- 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.)*



## “Pathways to Licensure” Statutes Review

### 1 **Business and Professions Code - BPC**

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

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.

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.

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.

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.

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.

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

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

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

**“Pathways to Licensure” Statutes Review**

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.

**“Pathways to Licensure” Statutes Review**

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

## “Pathways to Licensure” Statutes Review

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.

**“Pathways to Licensure” Statutes Review**

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)

## “Pathways to Licensure” Statutes Review

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.)*

### 34 35 **§ 2914. Applicant’s requirements**

36  
 37 Each applicant for licensure shall:

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

**“Pathways to Licensure” Statutes Review**

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.



**“Pathways to Licensure” Statutes Review**

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

**“Pathways to Licensure” Statutes Review**

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.

**“Pathways to Licensure” Statutes Review**

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.

## “Pathways to Licensure” Statutes Review

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

**“Pathways to Licensure” Statutes Review**

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.

**“Pathways to Licensure” Statutes Review**

- 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.

**“Pathways to Licensure” Statutes Review**

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.

**“Pathways to Licensure” Statutes Review**

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

**“Pathways to Licensure” Statutes Review**

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.

**“Pathways to Licensure” Statutes Review**

- 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

**“Pathways to Licensure” Statutes Review**

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.

**“Pathways to Licensure” Statutes Review**

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.

**“Pathways to Licensure” Statutes Review**

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:~~

**“Pathways to Licensure” Statutes Review**

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:~~ (4) 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~~ must 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 shall~~ 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.)

**“Pathways to Licensure” Statutes Review**

**§ 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 the 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)



**“Pathways to Licensure” Statutes Review**

(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.

“Pathways to Licensure” Statutes Review

(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.)*

**§ 2914. Applicant’s requirements**

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

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

(b) ~~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) 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; ~~in educational 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, ~~or 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; ~~educational 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, ~~or 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; ~~educational psychology with the field of specialization in clinical, counseling, school, consulting, forensic or industrial/organizational psychology,~~ or in

**“Pathways to Licensure” Statutes Review**

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~~

**“Pathways to Licensure” Statutes Review**

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.

Commented [ML5]: Frm Horn comment via minutes

**“Pathways to Licensure” Statutes Review**

- 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

**“Pathways to Licensure” Statutes Review**

**§ 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~~<sup>six (6)</sup> ~~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**

## “Pathways to Licensure” Statutes Review

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.)*

### 24 **§ 2940. Application and fee**

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

### 37 **§ 2941. Examination and fee**

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

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

### 45 **§ 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

## “Pathways to Licensure” Statutes Review

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



**“Pathways to Licensure” Statutes Review**

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.

**“Pathways to Licensure” Statutes Review**

- 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”**

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

**“Pathways to Licensure” Statutes Review**

- 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

**“Pathways to Licensure” Statutes Review**

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

**“Pathways to Licensure” Statutes Review**

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.

**“Pathways to Licensure” Statutes Review**

- 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



## “Pathways to Licensure” Statutes Review

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.

## “Pathways to Licensure” Statutes Review

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

## “Pathways to Licensure” Statutes Review

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.)*

**“Pathways to Licensure” Statutes Review**

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46

**§ 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.

## “Pathways to Licensure” Statutes Review

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

**“Pathways to Licensure” Statutes Review**

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.

**“Pathways to Licensure” Statutes Review**

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.



**“Pathways to Licensure” Statutes Review**

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

**“Pathways to Licensure” Statutes Review**

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

**§ 2943. Examination subjects**

10  
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

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

19  
20  
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

**§ 2948. Issuance of license**

42  
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.

## “Pathways to Licensure” Statutes Review

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.

**“Pathways to Licensure” Statutes Review**

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45

(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

**“Pathways to Licensure” Statutes Review**

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.

54

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>              | <u>1978/79 FY</u> | <u>1979/80 FY</u> | <u>1980/81 FY</u> |
|                        | (G, S, N, B,<br>F, or L) |                   |                   |                   |

State Cost:  
 to include Short/Doyle under  
 licensing requirement. \_\_\_\_\_ Indeterminate Indeterminate

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.

8/21

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<br>Finance | AUTHOR<br>Compton | BILL NUMBER<br>SB 230 | DATE LAST AMENDED<br>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

| <b>§ 2909. Applicability of chapter to credentialed school psychologists, and psychologists and psychological assistants employed by colleges, universities, or governmental organizations</b>  |   |
|---|---|
| <b>Current</b>  | <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>   |
| <b>Marked</b>   | <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><del>(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.</del></p> |
| <b>Unmarked</b>   | <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>   |
| <b>Question: Should there be an exempt status? If so, who would that apply to and what would they be doing? (2909)</b>  |   |
| <b>NORCAL</b>   | <b>SOCAL</b>  |
| <ul style="list-style-type: none"> <li>▶ It applies to those performing direct psychological services to patients</li> <li>▶ Exempt status if you are not giving psychological services (e.g. research, academic settings)</li> <li>▶ People who have a PhD in psychology but don't provide psychological services.</li> <li>▶ Psychology professors, researchers, consultants, individuals hired for County mental health</li> </ul> | <ul style="list-style-type: none"> <li>▶ Yes, multiple individuals supporting the changes.</li> <li>▶ Statements made that clinical researchers do not need to be licensed, however those people supervising, managing, and training should be licensed.</li> <li>▶ 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.</li> </ul>  |



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"> <li>○ Differentiate between clinical licensed psychologist and licensed psychologist.</li> </ul> <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> |
|--|--|

### 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"><li>▶ What are we concerned about when an individual calls themselves a psychologist?</li><li>▶ Have there been any complaints relating to calling oneself a psychologist?</li><li>▶ Do we need exemptions?</li><li>▶ What services performed require a psychologist to be licensed?</li><li>▶ What are they doing in the field or in exempt settings?</li><li>▶ How is someone doing research in psychology and calling themselves a psychologist harming the public?</li><li>▶ Have there been issues/complaints in reference to those people working in exempt environments?</li><li>▶ Yes, as long as an individual is not doing 2903 in exempt settings then it is fine.</li></ul> <p>Thoughts/Suggestions:</p> <ul style="list-style-type: none"><li>▶ Adding “research” in front of psychologist would clarify it for the public.</li><li>▶ Redefine what the practice of psychology is and is not.</li><li>▶ List what the Board does not oversee in section 2903.</li><li>▶ 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.</li></ul> <p>Questions:</p> <ul style="list-style-type: none"><li>▶ What consists of patient services?</li><li>▶ What is the scope of licensed practice?</li></ul> |  |
|--|--|

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"> <li>▶ How do you distinguish this in relation to interns or (graduate) students?</li> <li>▶ Not this because this assumes they will be licensed at some point.</li> </ul> <p>Psychology Associate:</p> <ul style="list-style-type: none"> <li>▶ Preferred because the word psychologist is not included and as a result there is no confusion of the title.</li> <li>▶ This can be misconstrued to mean psychologist.</li> </ul> <p>Thoughts/Suggestions:</p> <ul style="list-style-type: none"> <li>▶ Psychological Assistant!</li> <li>▶ It was also recommended that this section be deleted entirely.</li> </ul> | <ul style="list-style-type: none"> <li>▶ Psychology associate is also a confusing term to use. There should be a differentiation to the degree, referring to BBS.</li> <li>▶ Recommended terms are:                             <ul style="list-style-type: none"> <li>○ Psychology fellow                                     <ul style="list-style-type: none"> <li>• Psychology fellow has a particular meaning and seems not to be very descriptive to what it’s being covered here.</li> </ul> </li> <li>○ Pre-licensed psychologists                                     <ul style="list-style-type: none"> <li>• Favored choice</li> </ul> </li> </ul> </li> <li>▶ Questions for staff to research:                             <ul style="list-style-type: none"> <li>○ What do other states do?</li> <li>○ Do we know what other states call this position?</li> </ul> </li> </ul> |

Pathways to Licensure: Statutes – Stakeholder’s Feedback

| <b>§ 2913. Services by psychological assistants</b>  |  |
|--|--|
| 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><del>(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.</del></p> <p><del>(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.</del></p> <p><del>(1) provide psychological services to the public except as a trainee pursuant to this section.</del></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><b>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))</b></p> |  |
| <b>NORCAL</b>  | <b>SOCAL</b>   |
| <p>Yes:</p> <ul style="list-style-type: none"> <li>▶ 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)</li> </ul>   | <ul style="list-style-type: none"> <li>▶ Consensus was split on this issue.                             <ul style="list-style-type: none"> <li>○ 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.</li> </ul> </li> </ul>   |

Pathways to Licensure: Statutes – Stakeholder’s Feedback

|  |   |
|--|---|
| <p>No:</p> <ul style="list-style-type: none"> <li>▶ This feels like a loophole.</li> <li>▶ In order to accumulate hours, the supervisee would have to be supervised by someone with supervision training.</li> </ul> <p>Thoughts/Suggestions:</p> <ul style="list-style-type: none"> <li>▶ The majority of the group agrees that the primary supervisor should be required to be a licensed psychologist.</li> <li>▶ 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.</li> </ul> | <ul style="list-style-type: none"> <li>• MD’s are not supervised by the board. The Board only has jurisdiction over psychologists.</li> <li>• The board does not have authority over the license of MD thus limited enforcement power makes it ineffective.</li> <li>• Hold the psychiatrists to same standards and psychologists.</li> </ul> <ul style="list-style-type: none"> <li>▶ 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"> <li>○ 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.</li> <li>○ Another difference is the ethical code. Who will enforce the distinct ethic codes and reconcile that? Difference between structure and ethics.</li> </ul> </li> </ul> |
| <p><b>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))</b></p>  |   |
| <p><b>NORCAL</b></p>   | <p><b>SOCAL</b></p>   |
| <p>Thoughts/Suggestions:</p> <ul style="list-style-type: none"> <li>▶ Trending is an incredible decrease in the number of sites with psychiatrists on staff. I would rather see someone with the appropriate credential supervising.</li> <li>▶ Someone with a Master’s degree shouldn’t be supervising a doctorate student</li> <li>▶ It doesn’t affect that many people so it can be phased out, current supervisors would have to be grandfathered in though.</li> <li>▶ Having a delegated supervisor is a good option, someone with competency around the interdisciplinary experience.</li> </ul>                                | <ul style="list-style-type: none"> <li>▶ Limit opportunities in the field of primary supervisors.</li> <li>▶ Effect is on a small population</li> <li>▶ 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"> <li>○ Sometimes psychology is in that dilemma since there is none available.</li> </ul> </li> </ul>  |
| <p><b>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))</b></p>   |   |
| <p><b>NORCAL</b></p>   | <p><b>SOCAL</b></p>   |
| <p>Yes:</p> <ul style="list-style-type: none"> <li>▶ It makes sense that they could do some advertising with the appropriate disclaimers that they are under supervision, etc.</li> </ul>  | <ul style="list-style-type: none"> <li>▶ Consensus was in favor of permitting the assistant to advertise.             <ul style="list-style-type: none"> <li>○ Voiced complaints regarding marketing disadvantages for doctoral students.</li> <li>○ Suggested there be standardized language be included to define what a psychological assistant can do.</li> </ul> </li> </ul>   |

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"> <li>○ 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.</li> </ul> <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:<br/>Thoughts/Suggestions:</p> <ul style="list-style-type: none"> <li>▶ Having psychological assistants add “unlicensed” or “pre-licensed” to their title could be further clarifying to the public.</li> <li>▶ 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?</li> </ul> | <ul style="list-style-type: none"> <li>○ 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.</li> <li>○ Suggestion to have a listing which was supported by many.</li> <li>○ Suggestion to create a template and expressly state supervisory role on part of psychologist to supervise that website.             <ul style="list-style-type: none"> <li>• Stakeholder less concerned about overseeing advertising than they are about other supervisory duties. Psychology assistants cannot be independent contractors.</li> </ul> </li> <li>○ Suggestion made that the Board develop a clear definition and parameters for advertisement.             <ul style="list-style-type: none"> <li>• 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.</li> <li>• 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.</li> </ul> </li> </ul> <p>▶ Concerns</p> <ul style="list-style-type: none"> <li>○ 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.</li> <li>○ How would the Board monitor if the assistant has more than one supervisor?             <ul style="list-style-type: none"> <li>• 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.</li> </ul> </li> <li>○ Website open to social media. There is confusion and concern. Favor moving away from assistants having all the</li> </ul> |
|---|--|

Pathways to Licensure: Statutes – Stakeholder’s Feedback

|  |  |
|--|--|
|  | <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"><li>○ Concern regarding the wording of the advertisement and whether website advertisement will be excluded.<ul style="list-style-type: none"><li>● Other stakeholders referring back to the practice of psychology within practice settings only. If allowing website advertisement, then it will interfere with such.</li></ul></li><li>▶ Client Production Related Concerns<ul style="list-style-type: none"><li>○ 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.</li></ul></li><li>▶ MFT (BBS) can advertise.</li><li>▶ 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.</li></ul> |
|--|--|

Pathways to Licensure: Statutes – Stakeholder’s Feedback

| <b>§ 2914. Applicant’s requirements</b> |  |
|---|--|
| 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"> <li>▶ 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.</li> <li>▶ I am cautious about being specific with the terms and am more concerned with what was done within the program.</li> <li>▶ The current list of specializations is good but perhaps add a provision for combined programs (schools that offer programs with more than one specialization).</li> <li>▶ 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.</li> <li>▶ 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?</li> </ul> <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"> <li>▶ If we list the specializations programs may just identify based on the regulations.</li> </ul> <p>Questions:</p> <ul style="list-style-type: none"> <li>▶ Where does re-specialization come in, this would be adding on to the clinical piece.</li> <li>▶ Why isn’t licensure required for I/O?</li> </ul> | <ul style="list-style-type: none"> <li>▶ Yes, those in nonapplied psychology programs.             <ul style="list-style-type: none"> <li>o Some expressed that they are unsure of the benefit obtained from this proposal.</li> <li>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"> <li>• If they are meeting all other requirements, hours, why is the board limiting them to licensure.</li> </ul> </li> </ul> </li> <li>▶ Majority in favor of the change.             <ul style="list-style-type: none"> <li>o Suggestion that the qualifying degrees be even more limited to clinical counseling and schooling.</li> <li>o Suggestion to use General Applied Psychology</li> </ul> </li> <li>▶ Suggestion that it include experimental, research, and applied psychology.</li> </ul> |

Pathways to Licensure: Statutes – Stakeholder’s Feedback

|  |   |
|--|---|
| <ul style="list-style-type: none"> <li>▶ What about the PsyD in Marriage and Family, are they included or not?</li> <li>▶ Rather than just institution accreditation, why don't we just use COA accreditation? o</li> <li>▶ Want to include other pathways, not just from accredited schools</li> <li>▶ Why not require an internship?</li> </ul>  |   |
| <b>Question 2: Are the listed fields of emphasis adequate to ensure consumer protection and access to care?</b>  |   |
| <b>NORCAL</b>  | <b>SOCAL</b>  |
| <p>Thoughts/Suggestions:</p> <ul style="list-style-type: none"> <li>▶ Include all the degrees specifically because it is easier to understand and allows for fewer loopholes.</li> <li>▶ Include the catchall from 2913 into 2914 to incorporate all of the applied degrees.</li> <li>▶ 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.</li> </ul> | <ul style="list-style-type: none"> <li>▶ Fewer specializations serve as a gatekeeper.</li> <li>▶ Are there instances where if this loophole was not there then certain people wouldn't be licensed?</li> <li>▶ 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.</li> <li>▶ From consumer protection, the board feels that fields need to be emphasized.</li> </ul> |