



Board of Behavioral Sciences

# Memo

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**To:** Board Members

**Date:** October 20, 2021

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Legislative Manager

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**Subject: Proposed Telehealth Training or Coursework Requirement**

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The Telehealth Committee is proposing to require training or coursework regarding delivery of mental health services to clients via telehealth, to ensure licensees are competent in its delivery.

## **Survey Results**

Board staff recently surveyed supervisors, school programs, associates, and students regarding various topics related to telehealth. The results of the survey were discussed at the September 9, 2021 Telehealth Committee meeting. Key takeaways regarding coursework were as follows:

- 34% of associates and 52% of students said their school provided coursework or training specific to providing services to clients via telehealth. 48% of associates and 68% of students feel that the coursework/training prepared them adequately.
- The primary topics associates and students would like to see covered if coursework were required in regard to providing clinical services via telehealth are: effective ways to work with clients via telehealth, assessing and addressing client risk factors, and legal and ethical issues.
- Commonly listed topics that supervisors believe should be covered if the Board were to require coursework and/or training include assessing and addressing client risk factors, and legal and ethical issues related to telehealth.
- 70% of supervisors who responded were in support of a board-required training regarding supervision via videoconferencing for supervisors, and felt the following topics should be covered: legal and ethical issues, and establishing/maintaining an effective supervisory relationship.

## Draft Language

The Telehealth Committee directed staff to draft language requiring training or coursework related to the provision of mental health services via telehealth, using the recently added statute requiring coursework or applied experience in suicide risk assessment and intervention as a model.

The draft language is shown in **Attachment A** and does the following:

- Requires applicants for licensure on or after July 1, 2023 to submit proof of completion of 3 hours of training or coursework in the provision of mental health services via telehealth, including law and ethics related to telehealth, with their application.
- Requires licensees, upon their first license renewal, reactivation, or reinstatement on or after July 1, 2023, to attest to having completed 3 hours of training or coursework in the provision of mental health services via telehealth, including law and ethics related to telehealth.
- Specifies that the training or coursework is a one-time requirement, and may be completed either as part of the qualifying degree program, or by taking a continuing education course.

The draft language only applies to applicants applying for licensure and to current licensees. It does not address any type of training requirement for supervisors who utilize videoconference supervision. Any change to the supervisor training requirements would need to be done via regulation.

Under the Board's recently approved supervision regulations (which become effective January 1, 2022), a one-time 15-hour training for new supervisors will be required, and must required to cover the following:

“...current best practices and current industry standards, which include legal requirements, professional codes of ethics, and research focused on supervision, regarding the following:

(A) Competencies necessary for new supervisors;

(B) Goal setting and evaluation;

(C) The supervisor-supervisee relationship;

(D) California law and ethics, including legal and ethical issues related to supervision;

(E) Cultural variables, including, but not limited to, race, gender, social class, and religious beliefs;

(F) Contextual variables, such as treatment modalities, work settings, and use of technology;

(G) Supervision theories and literature; and

(H) Documentation and record keeping of the supervisee's client files, as well as documentation of supervision.”

Existing supervisors do not need to take a one-time 15-hour course, however they must complete 6 hours of continuing professional development each renewal cycle (this may include a course, but they also may choose to participate in other specified activities, such as teaching a supervision course or collaboration activities with other supervisors.)

### **Background: Current Required Coursework**

The Board already requires applicants for a license to complete a number of courses covering specified topic areas. Some of these topics must be covered in the degree program, while others are a condition of licensure, or are one-time requirements that are completed as continuing education. (Hour amounts are specified for some required topics, but not all):

- LMFT, LCSW, and LPCC applicants must complete specified coursework in spousal or partner abuse assessment, detection, and intervention. (BCP §§4980.36, 4980.41, 4996.2, 4999.32, 4999.33)
- LMFT, LCSW, and LPCC applicants must complete specified coursework in human sexuality. (BPC §§25, 4980.41, 4996.2, 4999.32, 4999.33, California Code of Regulations (CCR) Title 16 §1807)
- All Board applicants must complete specified coursework in child abuse assessment and reporting (specified to be at least 7 hours). (BPC §§28, 4980.36, 4980.41, 4996.2, 4999.32, 4999.33, 16 CCR §1807.2)
- LMFT, LCSW, and LPCC applicants must complete specified coursework in aging and long-term care. (BPC §§4980.36, 4980.36, 4980.395, 4996.25, 4996.26, 4999.32, 4999.33)
- All Board applicants must complete specified coursework in alcoholism and other substance dependency. (BPC §§4980.36, 4980.41, 4996.2, 4999.32, 4999.33, 16 CCR §1810)
- LMFT, LCSW, and LPCC applicants must complete 7 hours of coursework in assessment and treatment of HIV/AIDS as a one-time requirement. Equivalent coursework or proof of teaching or practice experience may be submitted to the Board in lieu of the coursework requirement. (BPC §32, 16 CCR §1887.3)
- All applicants for a Board license must complete a minimum of 6 hours of coursework or applied experience under supervision in suicide risk assessment and intervention. Current licensees, at their first renewal on or after January 1, 2021, must certify that they have done this. (BPC §4980.396, 4989.23, 4996.27, 4999.66) This is the Board's newest one-time requirement.

## **Previous Committee Action**

At its meeting on October 1, 2021, the Telehealth Committee discussed the proposal and asked staff to make its recommended changes, and to bring the proposed language to the Policy and Advocacy Committee for discussion.

At its meeting on October 20, 2021, the Policy and Advocacy Committee discussed the proposal and directed staff to bring it to the Board for consideration as a legislative proposal.

## **Recommendation**

Discuss the proposed language in **Attachment A** and direct staff to make any discussed changes, and also any non-substantive changes, to the proposed language, and pursue as a legislative proposal.

## **References**

**Attachment A:** Proposed Language (Add BPC §§4980.395, 4989.23.1, 4996.27.1, 4999.67)

**Reference 1:** [Current Law – BPC §4980.396: Suicide Risk Assessment and Intervention Requirement for LMFT Applicants and Licensees](#)

**Reference 2:** [Current Law – California Code of Regulations \(CCR\) Title 16, §1887.3\(c\): Assessment and Treatment of HIV/AIDS Continuing Education Requirement for Licensees](#)

**ATTACHMENT A  
PROPOSED LANGUAGE**

**For LMFTs:**

**ADD BPC § 4980.395. REQUIRED TRAINING OR COURSEWORK:  
PROVISION OF MENTAL HEALTH SERVICES VIA TELEHEALTH**

(a) On or after July 1, 2023, an applicant for licensure as a marriage and family therapist shall show, as part of the application, that they have completed a minimum of three hours of training or coursework in the provision of mental health services via telehealth, which shall include law and ethics related to telehealth. This requirement shall be met in one of the following ways:

(1) Obtained as part of their qualifying graduate degree program. To satisfy this requirement, the applicant shall submit to the board a written certification from the registrar or training director 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 curriculum required for graduation at the time the applicant graduated, or within the coursework that was completed by the applicant.

(2) By taking a continuing education course that meets the requirements of Section 4980.54. To satisfy this requirement, the applicant shall submit to the board a certification of completion.

(b) As a one-time requirement, a licensee prior to the time of their first renewal after July 1, 2023, or an applicant for reactivation or reinstatement to an active license status on or after July 1, 2023, shall have completed a minimum of three hours of training or coursework in the provision of mental health services via telehealth, which shall include law and ethics related to telehealth, using one of the methods specified in subdivision (a).

(c) Proof of compliance with subdivision (b) shall be certified under penalty of perjury that they are in compliance with this section and shall be retained for submission to the board upon request.

**For LEPs:**

**ADD BPC § 4989.23.1. REQUIRED TRAINING OR COURSEWORK:  
PROVISION OF MENTAL HEALTH SERVICES VIA TELEHEALTH**

(a) On or after July 1, 2023, an applicant for licensure as an educational psychologist shall show, as part of the application, that they have completed a minimum of three hours of training or coursework in the provision of mental health services via telehealth, which shall include law and ethics related to telehealth. This requirement shall be met in one of the following ways:

(1) Obtained as part of their qualifying graduate degree program. To satisfy this requirement, the applicant shall submit to the board a written certification from the registrar or training director 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 curriculum required for graduation at the time the applicant graduated, or within the coursework that was completed by the applicant.

(2) By taking a continuing education course that meets the requirements of Section 4989.34. To satisfy this requirement, the applicant shall submit to the board a certification of completion.

(b) As a one-time requirement, a licensee prior to the time of their first renewal after July 1, 2023, or an applicant for reactivation or reinstatement to an active license status on or after July 1, 2023, shall have completed a minimum of three hours of training or coursework in the provision of mental health services via telehealth, which shall include law and ethics related to telehealth, using one of the methods specified in subdivision (a).

(c) Proof of compliance with subdivision (b) shall be certified under penalty of perjury that they are in compliance with this section and shall be retained for submission to the board upon request.

**For LCSWs:**

**ADD BPC § 4996.27.1. REQUIRED TRAINING OR COURSEWORK:  
PROVISION OF MENTAL HEALTH SERVICES VIA TELEHEALTH**

(a) On or after July 1, 2023, an applicant for licensure as a clinical social worker shall show, as part of the application, that they have completed a minimum of three hours of training or coursework in the provision of mental health services via telehealth, which shall include law and ethics related to telehealth. This requirement shall be met in one of the following ways:

(1) Obtained as part of their qualifying graduate degree program. To satisfy this requirement, the applicant shall submit to the board a written certification from the registrar or training director 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 curriculum required for graduation at the time the applicant graduated, or within the coursework that was completed by the applicant.

(2) By taking a continuing education course that meets the requirements of Section 4996.22. To satisfy this requirement, the applicant shall submit to the board a certification of completion.

(b) As a one-time requirement, a licensee prior to the time of their first renewal after July 1, 2023, or an applicant for reactivation or reinstatement to an active license status on or after July 1, 2023, shall have completed a minimum of three hours of training or

coursework in the provision of mental health services via telehealth, which shall include law and ethics related to telehealth, using one of the methods specified in subdivision (a).

(c) Proof of compliance with subdivision (b) shall be certified under penalty of perjury that they are in compliance with this section and shall be retained for submission to the board upon request.

**For LPCCs:**

**ADD BPC § 4999.67. REQUIRED TRAINING OR COURSEWORK:  
PROVISION OF MENTAL HEALTH SERVICES VIA TELEHEALTH**

(a) On or after July 1, 2023, an applicant for licensure as a professional clinical counselor shall show, as part of the application, that they have completed a minimum of three hours of training or coursework in the provision of mental health services via telehealth, which shall include law and ethics related to telehealth. This requirement shall be met in one of the following ways:

(1) Obtained as part of their qualifying graduate degree program. To satisfy this requirement, the applicant shall submit to the board a written certification from the registrar or training director 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 curriculum required for graduation at the time the applicant graduated, or within the coursework that was completed by the applicant.

(2) By taking a continuing education course that meets the requirements of Section 4999.76. To satisfy this requirement, the applicant shall submit to the board a certification of completion.

(b) As a one-time requirement, a licensee prior to the time of their first renewal after July 1, 2023, or an applicant for reactivation or reinstatement to an active license status on or after July 1, 2023, shall have completed a minimum of three hours of training or coursework in the provision of mental health services via telehealth, which shall include law and ethics related to telehealth, using one of the methods specified in subdivision (a).

(c) Proof of compliance with subdivision (b) shall be certified under penalty of perjury that they are in compliance with this section and shall be retained for submission to the board upon request.