



Board of Behavioral Sciences

# Memo

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**To:** Board Members **Date:** April 3, 2024

**From:** Rosanne Helms  
Legislative Manager

**Subject:** Discussion and Possible Action Regarding Proposed Amendments to Board-Sponsored Legislation: SB 1024 (Ochoa Bogh) Healing Arts: Board of Behavioral Sciences: Licensees and Registrants (Business and Professions Code (BPC) §§ 4980.31, 4980.32, 4980.43.2, 4980.43.4, 4989.17, 4989.48, 4996.7, 4996.8, 4996.23.1, 4996.23.3, 4996.75, 4999.46.2, 4999.46.4, 4999.70, and 4999.71)

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## Summary

The Board is sponsoring [SB 1024](#) (Ochoa Bogh) this year. The Board approved the amendments currently in the bill at its meetings on November 17, 2023 and March 1, 2024.

## Background

SB 1024 proposes the following two changes to the Board's practice acts:

1. Amendments to Requirements Regarding the Physical Display of a License or Registration

All licensees and registrants receive a paper copy of their license or registration from the Board. This copy contains the person's name, license number, type of license, and expiration date. The law requires that they display this license in a conspicuous place in their primary place of practice. This law was likely written this way before the Board had an online license lookup feature, to ensure a client could see that their therapist actually had a license or registration when in the office for an appointment.

The increased use of telehealth in therapy suggests that this law needs updating. Some therapists' primary place of practice may be virtual, or they may be seeing clients via telephone, making it difficult or impossible for the physical paper copy of the license or registration to be on display.

As a solution, the Board is proposing to require the license to be displayed in a conspicuous place in the licensee's primary place of practice when seeing clients in person. To account for telehealth services, the bill is proposing to also require therapists to include their name, license or registration number, type of license, and its expiration date in the notice to clients that is required to be provided before initiating psychotherapy services.

## 2. Clarifying who Qualifies as a "Supervisee"

All individuals seeking a license with the Board are required to register with the Board as an associate and gain 3,000 hours of experience under supervision upon graduation from their qualifying master's degree program.

The law uses the term "supervisees" to refer to those individuals required by the Board to be under supervision. To ensure quality supervision, there are some circumstances in which the law limits the number of "supervisees" per supervisor. The number of supervisees in group supervision is limited to eight. The number of individual or triadic supervisees per supervisor in nonexempt settings is limited to six. However, due to ambiguity in its interpretation, this bill is proposing amendments to further clarify who qualifies as a "supervisee".

## **Discussion of Proposed Additional Amendments**

The Board has received feedback suggesting two amendments be made to further clarify the bill. Based on that feedback, staff is recommending the Board consider the following amendments to the bill:

### 1. **Number of Persons Supervised Per Supervisor in Non-Exempt Settings.**

*Sections Affected: BPC §§4980.43.4, 4996.23.3, 4999.46.4. (See **Attachment A**)*

A stakeholder has noted that the proposed amendment limiting individual or triadic supervisors in nonexempt settings to a total of six persons who are receiving supervision for providing clinical mental health services in a nonexempt setting, could cause confusion in one particular instance.

They point out that if a supervisor is also overseeing licensees for their organization, it raises a question about whether the licensed persons count toward the six, even if that licensed person is receiving organizational supervision, rather than the close level of supervision that a pre-licensee must have.

It should be noted that this same concern does not apply to the similar amendment the bill is making to limit group supervision to eight persons receiving supervision for providing clinical mental health services. In this instance, a

licensee would be included if they are participating in group supervision, because they are taking a contributing spot in the group session.

Staff recommends that the limit of 6 persons receiving supervision for providing clinical mental health services per individual or triadic supervisor only apply to non-licensees, as the level of supervision provided for this population is generally different from organizational supervision provided to a licensed person. Therefore, staff recommends the following amendment (new amendment in yellow highlight):

(c) ~~Supervisors of supervisees in a nonexempt setting~~ *At any one time, supervisors in nonexempt settings* shall not serve as individual or triadic supervisors for more than ~~six supervisees at any time. Supervisees may be registered as associate marriage and family therapists, associate professional clinical counselors, associate clinical social workers, or any combination of those registrations.~~ *a total of six persons who are not fully licensed at the highest level for independent clinical practice and who are receiving supervision for providing clinical mental health services in a nonexempt setting.*

## **2. Change “Seeing Clients” to “Rendering Professional Services.”**

*Sections Affected: BPC §§ 4980.31, 4989.48, 4996.7, 4999.70 (See Attachment A)*

When drafting the March 14, 2024 amendments to the bill (which were approved by the Board at its March 1, 2024 meeting), Legislative Counsel suggested a change as follows. The use of the term “rendering professional services” is more consistent with other similar references in law to the act of providing services:

A licensee shall display ~~his or her~~ *their* license in a conspicuous place in the licensee’s primary place of ~~practice.~~ *practice when ~~seeing clients~~ rendering professional services in person.*

### **Recommendation**

Conduct an open discussion of the proposed changes shown in red in **Attachment A**. Direct staff to make any discussed changes and any non-substantive changes, and bring to the Board for consideration as amendments to SB 1024.

### **Attachment**

**Attachment A:** Proposed SB 1024 Amendments

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# ATTACHMENT A

AMENDED IN SENATE MARCH 14, 2024

SENATE BILL

No. 1024

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Introduced by Senator Ochoa Bogh

February 6, 2024

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An act to amend Sections ~~4980.31~~, 4980.32, 4980.43.2, 4980.43.4, 4989.17, ~~4989.48~~, 4996.23.1, 4996.23.3, ~~4996.7~~, 4996.75, 4999.46.2, 4999.46.4, ~~4999.70~~, and 4999.71 of, and to repeal ~~Sections 4980.31, 4989.48, 4996.7, 4996.8, and 4999.70~~ Section 4996.8 of, the Business and Professions Code, relating to healing arts.

## legislative counsel's digest

SB 1024, as amended, Ochoa Bogh. Healing arts: Board of Behavioral Sciences: licensees and registrants.

(1) Existing law establishes the Board of Behavioral Sciences within the Department of Consumer Affairs and requires the board to regulate various registrants and licensees under the Licensed Marriage and Family Therapist Act (LMFTA), the Educational Psychologist Practice Act (EPPA), the Clinical Social Worker Practice Act (CSWPA), and the Licensed Professional Clinical Counselor Act (LPCCA). Existing law makes a violation of the provisions under those acts a crime.

Existing law, under those acts, requires a licensee to display their license in a conspicuous place in the licensee's primary place of practice. Existing law requires a licensee or registrant to provide, before initiating specified services or as soon as practicably possible thereafter, a client with a prescribed written notice that specifies that the board receives and responds to complaints regarding services within the scope of the licensed practiced, among other things.

This bill would ~~repeal the requirement~~ provide that a licensee is required to display their license in a conspicuous place in the licensee's

primary place of ~~practice~~. *practice when seeing clients in person*. The bill, commencing July 1, 2025, would require the above-described written notice to additionally include information about the licensee or registrant, including, among others, the licensee's or registrant's full name as filed with the board and the license or registration number, as prescribed. ~~The bill would require a licensee or registrant to inform their clients of any change to the active status of their license or registration.~~

(2) Existing law, under the LMFTA, CSWPA, and LPCCA, requires an applicant for licensure to have, among other things, at least one hour of direct supervisor contact, as defined, in each week for which experience is credited in each work setting. For purposes of that definition, existing law refers to the individual receiving supervision as the supervisee. Existing law prohibits supervisors of supervisees, as specified, from serving as individual or triadic supervisors for more than 6 supervisees at any time, as provided.

This bill would revise the definition of "one hour of direct supervisor contact," delete references to "supervisee," and instead refer to that individual as the person receiving supervision for providing clinical mental health services. The bill would delete the above-described prohibition and instead prohibit supervisors in nonexempt settings from serving as individual or triadic supervisors for more than a total of 6 ~~individuals~~ *persons* who are receiving supervision for providing clinical mental health services in a nonexempt setting.

(3) Existing law, under the CSWPA, requires a licensee to complete specified actions on or before the expiration date of the license to renew an unexpired license. Existing law requires the current renewal receipt to be displayed near the licensee's license.

This bill would repeal the above-described requirement that the current renewal receipt be displayed near the licensee's license.

(4) Because the bill would impose new requirements on licensees and registrants under the LMFTA, EPPA, CSWPA, and LPCCA, the violation of which is a crime, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1     ~~SECTION 1. Section 4980.31 of the Business and Professions~~  
2     ~~Code is repealed.~~

3     SECTION 1. Section 4980.31 of the Business and Professions  
4     Code is amended to read:

5     4980.31. A licensee shall display ~~his or her~~ *their* license in a  
6     conspicuous place in the licensee’s primary place of ~~practice.~~  
7     *practice when seeing clients rendering professional services in person.*

8     SEC. 2. Section 4980.32 of the Business and Professions Code  
9     is amended to read:

10    4980.32. (a) ~~On and after July 1, 2020, a~~ A licensee or  
11    registrant shall provide a client with a notice written in at least  
12    12-point type prior to initiating psychotherapy services, or as soon  
13    as practicably possible thereafter, that reads as follows:  
14

15    NOTICE TO CLIENTS

16    The Board of Behavioral Sciences receives and responds to  
17    complaints regarding services provided within the scope of practice  
18    of marriage and family therapists. You may contact the board  
19    online at [www.bbs.ca.gov](http://www.bbs.ca.gov), or by calling (916) 574-7830.  
20

21    (b) On and after July 1, 2025, upon initiation of psychotherapy  
22    services with a client, the notice described in subdivision (a) shall  
23    also include the licensee’s or registrant’s full name as filed with  
24    the board, the license or registration number, the type of license  
25    or registration, and the license or registration expiration date.

26    (c) Delivery of the notice required by this section to the client  
27    shall be documented.

28    ~~(d) A licensee or registrant shall inform their clients of any~~  
29    ~~change to the active status of their license or registration.~~

30    SEC. 3. Section 4980.43.2 of the Business and Professions  
31    Code, as amended by Section 1 of Chapter 204 of the Statutes of  
32    2022, is amended to read:

33    4980.43.2. (a) Except for experience gained by attending  
34    workshops, seminars, training sessions, or conferences, as

1 described in paragraph (10) of subdivision (c) of Section 4980.43,  
2 direct supervisor contact shall occur as follows:

3 (1) Supervision shall include at least one hour of direct  
4 supervisor contact in each week for which experience is credited  
5 in each work setting.

6 (2) A trainee shall receive an average of at least one hour of  
7 direct supervisor contact for every five hours of direct clinical  
8 counseling performed each week in each setting. For experience  
9 gained on or after January 1, 2009, no more than six hours of  
10 supervision, whether individual, triadic, or group, shall be credited  
11 during any single week.

12 (3) An associate gaining experience who performs more than  
13 10 hours of direct clinical counseling in a week in any setting shall  
14 receive at least one additional hour of direct supervisor contact for  
15 that setting. For experience gained on or after January 1, 2009, no  
16 more than six hours of supervision, whether individual, triadic, or  
17 group, shall be credited during any single week.

18 (4) Of the 104 weeks of required supervision, 52 weeks shall  
19 be individual supervision, triadic supervision, or a combination of  
20 both.

21 (b) (1) For purposes of this chapter, “one hour of direct  
22 supervisor contact” means any of the following:

23 (A) Individual supervision, which means one hour of  
24 face-to-face contact between one supervisor and one person  
25 receiving supervision for providing clinical mental health services.

26 (B) Triadic supervision, which means one hour of face-to-face  
27 contact between one supervisor and two persons receiving  
28 supervision for providing clinical mental health services.

29 (C) Group supervision, which means two hours of face-to-face  
30 contact between one supervisor and no more than eight persons  
31 receiving supervision for providing clinical mental health services.  
32 Segments of group supervision may be split into no less than one  
33 continuous hour. A supervisor shall ensure that the amount and  
34 degree of supervision is appropriate for each person in the group.

35 (2) For purposes of this subdivision, “face-to-face contact”  
36 means in-person contact, contact via two-way, real-time  
37 videoconferencing, or some combination of these.

38 (c) The supervisor shall be responsible for ensuring compliance  
39 with federal and state laws relating to confidentiality of patient  
40 health information.



1 (d) (1) Within 60 days of the commencement of supervision,  
2 a supervisor shall conduct a meeting with the supervisee during  
3 which the supervisor shall assess the appropriateness of allowing  
4 the supervisee to receive supervision via two-way, real-time  
5 videoconferencing. This assessment of appropriateness shall  
6 include, but is not limited to, the abilities of the supervisee, the  
7 preferences of both the supervisee and supervisor, and the privacy  
8 of the locations of the supervisee and supervisor while supervision  
9 is conducted.

10 (2) The supervisor shall document the results of the assessment  
11 made pursuant to paragraph (1), and shall not utilize supervision  
12 via two-way, real-time videoconferencing if their assessment finds  
13 it is not appropriate.

14 (e) Direct supervisor contact shall occur within the same week  
15 as the hours claimed.

16 (f) Alternative supervision may be arranged during a  
17 supervisor's vacation or sick leave if the alternative supervision  
18 meets the requirements of this chapter.

19 (g) Notwithstanding any other law, once the required number  
20 of experience hours are gained, associates and applicants for  
21 licensure shall receive a minimum of one hour of direct supervisor  
22 contact per week for each practice setting in which direct clinical  
23 counseling is performed. Once the required number of experience  
24 hours are gained, further supervision for nonclinical practice, as  
25 defined in paragraph (10) of subdivision (c) of Section 4980.43,  
26 shall be at the supervisor's discretion.

27 (h) This section shall remain in effect only until January 1, 2026,  
28 and as of that date is repealed.

29 *SEC. 4. Section 4980.43.2 of the Business and Professions*  
30 *Code, as added by Section 2 of Chapter 204 of the Statutes of 2022,*  
31 *is amended to read:*

32 4980.43.2. (a) Except for experience gained by attending  
33 workshops, seminars, training sessions, or conferences, as  
34 described in paragraph (10) of subdivision (c) of Section 4980.43,  
35 direct supervisor contact shall occur as follows:

36 (1) Supervision shall include at least one hour of direct  
37 supervisor contact in each week for which experience is credited  
38 in each work setting.

39 (2) A trainee shall receive an average of at least one hour of  
40 direct supervisor contact for every five hours of direct clinical

1 counseling performed each week in each setting. For experience  
2 gained on or after January 1, 2009, no more than six hours of  
3 supervision, whether individual, triadic, or group, shall be credited  
4 during any single week.

5 (3) An associate gaining experience who performs more than  
6 10 hours of direct clinical counseling in a week in any setting shall  
7 receive at least one additional hour of direct supervisor contact for  
8 that setting. For experience gained on or after January 1, 2009, no  
9 more than six hours of supervision, whether individual, triadic, or  
10 group, shall be credited during any single week.

11 (4) Of the 104 weeks of required supervision, 52 weeks shall  
12 be individual supervision, triadic supervision, or a combination of  
13 both.

14 (b) For purposes of this chapter, “one hour of direct supervisor  
15 contact” means any of the following:

16 (1) Individual supervision, which means one hour of face-to-face  
17 contact between one supervisor and one ~~supervisee~~ *person*  
18 *receiving supervision for providing clinical mental health services.*

19 (2) Triadic supervision, which means one hour of face-to-face  
20 contact between one supervisor and two ~~supervisees~~ *persons*  
21 *receiving supervision for providing clinical mental health services.*

22 (3) Group supervision, which means two hours of face-to-face  
23 contact between one supervisor and no more than eight ~~supervisees~~  
24 *persons receiving supervision for providing clinical mental health*  
25 *services.* Segments of group supervision may be split into no less  
26 than one continuous hour. A supervisor shall ensure that the amount  
27 and degree of supervision is appropriate for each ~~supervisee~~ *person*  
28 *in the group.*

29 (c) Direct supervisor contact shall occur within the same week  
30 as the hours claimed.

31 (d) Alternative supervision may be arranged during a  
32 supervisor’s vacation or sick leave if the alternative supervision  
33 meets the requirements of this chapter.

34 (e) Notwithstanding subdivision (b), a supervisee working in  
35 an exempt setting described in Section 4980.01 may obtain the  
36 required weekly direct supervisor contact via two-way, real-time  
37 videoconferencing. The supervisor shall be responsible for ensuring  
38 compliance with federal and state laws relating to confidentiality  
39 of patient health information.

1 (f) Notwithstanding any other law, once the required number  
 2 of experience hours are gained, associates and applicants for  
 3 licensure shall receive a minimum of one hour of direct supervisor  
 4 contact per week for each practice setting in which direct clinical  
 5 counseling is performed. Once the required number of experience  
 6 hours are gained, further supervision for nonclinical practice, as  
 7 defined in paragraph (10) of subdivision (c) of Section 4980.43,  
 8 shall be at the supervisor’s discretion.

9 (g) This section shall become operative on January 1, 2026.

10 ~~SEC. 4.~~

11 *SEC. 5.* Section 4980.43.4 of the Business and Professions  
 12 Code is amended to read:

13 4980.43.4. (a) A trainee, associate, or applicant for licensure  
 14 shall only perform mental health and related services at the places  
 15 where their employer permits business to be conducted.

16 (b) An associate who is employed by or is volunteering in a  
 17 private practice or a professional corporation shall be supervised  
 18 by an individual who is both of the following:

19 (1) Is employed by or contracted by the associate’s employer  
 20 or is an owner of the private practice or professional corporation.

21 (2) Either provides psychotherapeutic services to clients for the  
 22 associate’s employer, or meets both of the following:

23 (A) The supervisor and the associate’s employer have a written  
 24 contract providing the supervisor the same access to the associate’s  
 25 clinical records provided to employees of that employer.

26 (B) The associate’s clients authorize the release of their clinical  
 27 records to the supervisor.

28 (c) At any one time, supervisors in nonexempt settings shall not  
 29 serve as individual or triadic supervisors for more than a total of  
 30 ~~six individuals~~ *persons* who are not fully licensed at the highest level for independent clinical practice and  
 31 who are receiving supervision for providing  
 32 clinical mental health services in a nonexempt setting.

33 (d) A written oversight agreement, as specified by the board by  
 34 regulation, shall be executed between the supervisor and employer  
 35 when the supervisor is not employed by the supervisee’s employer  
 36 or is a volunteer. The supervisor shall evaluate the site or sites  
 37 where the supervisee will be gaining experience to determine that  
 the site or sites comply with the requirements of this chapter.

38 ~~SEC. 5.~~

39 *SEC. 6.* Section 4989.17 of the Business and Professions Code  
 40 is amended to read:

1 4989.17. (a) ~~On and after July 1, 2020, a~~ A licensee shall  
2 provide a client with a notice written in at least 12-point type prior  
3 to initiating psychological services, or as soon as practicably  
4 possible thereafter, that reads as follows:

5  
6 NOTICE TO CLIENTS

7 The Board of Behavioral Sciences receives and responds to  
8 complaints regarding services provided within the scope of practice  
9 of licensed educational psychologists. You may contact the board  
10 online at www.bbs.ca.gov, or by calling (916) 574-7830.

11  
12 (b) On and after July 1, 2025, upon initiation of psychological  
13 services with a client, the notice described in subdivision (a) shall  
14 also include the licensee’s full name as filed with the board, the  
15 license number, the type of license, and the license expiration date.

16 (c) Delivery of the notice required by this section to the client  
17 shall be documented.

18 ~~(d) A licensee shall inform their clients of any change to the~~  
19 ~~active status of their license.~~

20 ~~SEC. 6. Section 4989.48 of the Business and Professions Code~~  
21 ~~is repealed.~~

22 *SEC. 7. Section 4989.48 of the Business and Professions Code*  
23 *is amended to read:*

24 4989.48. A licensee shall display ~~his or her~~ *their* license in a  
25 conspicuous place in the licensee’s primary place of ~~practice.~~  
26 *practice when seeing clients rendering professional services in person.*

27 ~~SEC. 7.~~

28 *SEC. 8. Section 4996.23.1 of the Business and Professions*  
29 *Code, as amended by Section 3 of Chapter 204 of the Statutes of*  
30 *2022, is amended to read:*

31 4996.23.1. (a) Except for experience gained by attending  
32 workshops, seminars, training sessions, or conferences, as  
33 described in paragraph (3) of subdivision (d) of Section 4996.23,  
34 direct supervisor contact shall occur as follows:

35 (1) Supervision shall include at least one hour of direct  
36 supervisor contact each week for which experience is credited in  
37 each work setting.

38 (2) An associate gaining experience who performs more than  
39 10 hours of direct clinical counseling in a week in any setting shall

1 receive at least one additional hour of direct supervisor contact for  
2 that setting.

3 (b) (1) For purposes of this chapter, “one hour of direct  
4 supervisor contact” means any of the following:

5 (A) Individual supervision, which means one hour of  
6 face-to-face contact between one supervisor and one person  
7 receiving supervision for providing clinical mental health services.

8 (B) Triadic supervision, which means one hour of face-to-face  
9 contact between one supervisor and two persons receiving  
10 supervision for providing clinical mental health services.

11 (C) Group supervision, which means two hours of face-to-face  
12 contact between one supervisor and no more than eight persons  
13 receiving supervision for providing clinical mental health services.  
14 Segments of group supervision may be split into no less than one  
15 continuous hour. A supervisor shall ensure that the amount and  
16 degree of supervision is appropriate for each person in the group.

17 (2) For purposes of this subdivision, “face-to-face contact”  
18 means in-person contact, contact via two-way, real-time  
19 videoconferencing, or some combination of these.

20 (c) The supervisor shall be responsible for ensuring compliance  
21 with federal and state laws relating to confidentiality of patient  
22 health information.

23 (d) (1) Within 60 days of the commencement of supervision,  
24 a supervisor shall conduct a meeting with the supervisee during  
25 which the supervisor shall assess the appropriateness of allowing  
26 the supervisee to receive supervision via two-way, real-time  
27 videoconferencing. This assessment of appropriateness shall  
28 include, but is not limited to, the abilities of the supervisee, the  
29 preferences of both the supervisee and supervisor, and the privacy  
30 of the locations of the supervisee and supervisor while supervision  
31 is conducted.

32 (2) The supervisor shall document the results of the assessment  
33 made pursuant to paragraph (1), and shall not utilize supervision  
34 via two-way, real-time videoconferencing if their assessment finds  
35 it is not appropriate.

36 (e) Direct supervisor contact shall occur within the same week  
37 as the hours claimed.

38 (f) Of the 104 weeks of required supervision, 52 weeks shall be  
39 individual supervision, triadic supervision, or a combination of  
40 both.

1 (g) Of the 52 weeks of required individual or triadic supervision,  
2 no less than 13 weeks shall be supervised by a licensed clinical  
3 social worker.

4 (h) Alternative supervision may be arranged during a  
5 supervisor’s vacation or sick leave if the alternative supervision  
6 meets the requirements of this chapter.

7 (i) Notwithstanding any other law, once the required number  
8 of experience hours are gained, an associate clinical social worker  
9 or applicant for licensure shall receive a minimum of one hour of  
10 direct supervisor contact per week for each practice setting in  
11 which direct clinical counseling is performed. Once the required  
12 number of experience hours are gained, further supervision for  
13 nonclinical practice, as described in paragraph (3) of subdivision  
14 (d) of Section 4996.23, shall be at the supervisor’s discretion.

15 (j) This section shall remain in effect only until January 1, 2026,  
16 and as of that date is repealed.

17 *SEC. 9. Section 4996.23.1 of the Business and Professions*  
18 *Code, as added by Section 4 of Chapter 204 of the Statutes of 2022,*  
19 *is amended to read:*

20 4996.23.1. (a) Except for experience gained by attending  
21 workshops, seminars, training sessions, or conferences, as  
22 described in paragraph (3) of subdivision (d) of Section 4996.23,  
23 direct supervisor contact shall occur as follows:

24 (1) Supervision shall include at least one hour of direct  
25 supervisor contact each week for which experience is credited in  
26 each work setting.

27 (2) An associate gaining experience who performs more than  
28 10 hours of direct clinical counseling in a week in any setting shall  
29 receive at least one additional hour of direct supervisor contact for  
30 that setting.

31 (b) For purposes of this chapter, “one hour of direct supervisor  
32 contact” means any of the following:

33 (1) Individual supervision, which means one hour of face-to-face  
34 contact between one supervisor and one ~~supervisee~~ *person*  
35 *receiving supervision for providing clinical mental health services.*

36 (2) Triadic supervision, which means one hour of face-to-face  
37 contact between one supervisor and two ~~supervisees~~ *persons*  
38 *receiving supervision for providing clinical mental health services.*

39 (3) Group supervision, which means two hours of face-to-face  
40 contact between one supervisor and no more than eight ~~supervisees~~.

1 *persons receiving supervision for providing clinical mental health*  
2 *services.* Segments of group supervision may be split into no less  
3 than one continuous hour. A supervisor shall ensure that the amount  
4 and degree of supervision is appropriate for each ~~supervisee~~ *person*  
5 *in the group.*

6 (c) Direct supervisor contact shall occur within the same week  
7 as the hours claimed.

8 (d) Of the 104 weeks of required supervision, 52 weeks shall  
9 be individual supervision, triadic supervision, or a combination of  
10 both.

11 (e) Of the 52 weeks of required individual or triadic supervision,  
12 no less than 13 weeks shall be supervised by a licensed clinical  
13 social worker.

14 (f) Alternative supervision may be arranged during a  
15 supervisor’s vacation or sick leave if the alternative supervision  
16 meets the requirements of this chapter.

17 (g) Notwithstanding subdivision (b), a supervisee working in  
18 an exempt setting described in Section 4996.14 may obtain the  
19 required weekly direct supervisor contact via two-way, real-time  
20 videoconferencing. The supervisor shall be responsible for ensuring  
21 compliance with state and federal laws relating to confidentiality  
22 of patient health information.

23 (h) Notwithstanding any other law, once the required number  
24 of experience hours are gained, an associate clinical social worker  
25 or applicant for licensure shall receive a minimum of one hour of  
26 direct supervisor contact per week for each practice setting in  
27 which direct clinical counseling is performed. Once the required  
28 number of experience hours are gained, further supervision for  
29 nonclinical practice, as described in paragraph (3) of subdivision  
30 (d) of Section 4996.23, shall be at the supervisor’s discretion.

31 (i) This section shall become operative on January 1, 2026.

32 ~~SEC. 8.~~

33 *SEC. 10.* Section 4996.23.3 of the Business and Professions  
34 Code is amended to read:

35 4996.23.3. (a) An associate clinical social worker or an  
36 applicant for licensure shall only perform mental health and related  
37 services at the places where their employer permits business to be  
38 conducted.

1 (b) An associate who is employed by, or volunteering in, a  
 2 private practice or a professional corporation shall be supervised  
 3 by an individual who is both of the following:

4 (1) Is employed by or contracted by the associate’s employer  
 5 or is an owner of the private practice or professional corporation.

6 (2) Either provides psychotherapeutic services to clients for the  
 7 associate’s employer, or meets both of the following:

8 (A) The supervisor and the associate’s employer have a written  
 9 contract providing the supervisor the same access to the associate’s  
 10 clinical records provided to employees of that employer.

11 (B) The associate’s clients authorize the release of their clinical  
 12 records to the supervisor.

13 (c) At any one time, supervisors in nonexempt settings shall not  
 14 serve as individual or triadic supervisors for more than a total of  
 15 ~~six individuals~~ *persons* who are not fully licensed at the highest level for independent clinical practice and  
 16 who are receiving supervision for providing  
 17 clinical mental health services in a nonexempt setting.

18 (d) A written oversight agreement, as specified by the board by  
 19 regulation, shall be executed between the supervisor and employer  
 20 when the supervisor is not employed by the supervisee’s employer  
 21 or is a volunteer. The supervisor shall evaluate the site or sites  
 22 where the supervisee will be gaining experience to determine that  
 23 the site or sites comply with the requirements of this chapter.

24 ~~SEC. 9. Section 4996.7 of the Business and Professions Code~~  
~~is repealed.~~

25 *SEC. 11. Section 4996.7 of the Business and Professions Code*  
 26 *is amended to read:*

27 4996.7. A licensee shall display ~~his or her~~ *their* license in a  
 28 conspicuous place in the licensee’s primary place of ~~practice.~~  
 29 *practice when seeing clients rendering professional services in person.*

30 ~~SEC. 10.~~

31 *SEC. 12. Section 4996.75 of the Business and Professions Code*  
 32 *is amended to read:*

33 4996.75. (a) ~~On and after July 1, 2020, a~~ *A* licensee or  
 34 registrant shall provide a client with a notice written in at least  
 35 12-point type prior to initiating psychotherapy services, or as soon  
 36 as practicably possible thereafter, that reads as follows:

37

38 NOTICE TO CLIENTS

39 The Board of Behavioral Sciences receives and responds to  
 40 complaints regarding services provided within the scope of practice



1 of clinical social workers. You may contact the board online at  
2 www.bbs.ca.gov, or by calling (916) 574-7830.

3  
4 (b) On and after July 1, 2025, upon initiation of psychotherapy  
5 services with a client, the notice described in subdivision (a) shall  
6 also include the licensee’s or registrant’s full name as filed with  
7 the board, the license or registration number, the type of license  
8 or registration, and the license or registration expiration date.

9 (c) Delivery of the notice required by this section to the client  
10 shall be documented.

11 ~~(d) A licensee or registrant shall inform their clients of any~~  
12 ~~change to the active status of their license or registration.~~

13 ~~SEC. 11.~~

14 *SEC. 13.* Section 4996.8 of the Business and Professions Code  
15 is repealed.

16 ~~SEC. 12.~~

17 *SEC. 14.* Section 4999.46.2 of the Business and Professions  
18 Code, as amended by Section 5 of Chapter 204 of the Statutes of  
19 2022, is amended to read:

20 4999.46.2. (a) Except for experience gained by attending  
21 workshops, seminars, training sessions, or conferences, as  
22 described in paragraph (4) of subdivision (c) of Section 4999.46,  
23 direct supervisor contact shall occur as follows:

24 (1) Supervision shall include at least one hour of direct  
25 supervisor contact in each week for which experience is credited  
26 in each work setting.

27 (2) A trainee shall receive an average of at least one hour of  
28 direct supervisor contact for every five hours of direct clinical  
29 counseling performed each week in each setting. For experience  
30 gained after January 1, 2009, no more than six hours of supervision,  
31 whether individual, triadic, or group, shall be credited during any  
32 single week.

33 (3) An associate gaining experience who performs more than  
34 10 hours of direct clinical counseling in a week in any setting shall  
35 receive at least one additional hour of direct supervisor contact for  
36 that setting. For experience gained after January 1, 2009, no more  
37 than six hours of supervision, whether individual supervision,  
38 triadic supervision, or group supervision, shall be credited during  
39 any single week.

1 (4) Of the 104 weeks of required supervision, 52 weeks shall  
2 be individual supervision, triadic supervision, or a combination of  
3 both.

4 (b) (1) For purposes of this chapter, “one hour of direct  
5 supervisor contact” means any of the following:

6 (A) Individual supervision, which means one hour of  
7 face-to-face contact between one supervisor and one person  
8 receiving supervision for providing clinical mental health services.

9 (B) Triadic supervision, which means one hour of face-to-face  
10 contact between one supervisor and two persons receiving  
11 supervision for providing clinical mental health services.

12 (C) Group supervision, which means two hours of face-to-face  
13 contact between one supervisor and no more than eight persons  
14 receiving supervision for providing clinical mental health services.  
15 Segments of group supervision may be split into no less than one  
16 continuous hour. The supervisor shall ensure that the amount and  
17 degree of supervision is appropriate for each person in the group.

18 (2) For purposes of this subdivision, “face-to-face contact”  
19 means in-person contact, contact via two-way, real-time  
20 videoconferencing, or some combination of these.

21 (c) The supervisor shall be responsible for ensuring compliance  
22 with federal and state laws relating to confidentiality of patient  
23 health information.

24 (d) (1) Within 60 days of the commencement of supervision,  
25 a supervisor shall conduct a meeting with the supervisee during  
26 which the supervisor shall assess the appropriateness of allowing  
27 the supervisee to receive supervision via two-way, real-time  
28 videoconferencing. This assessment of appropriateness shall  
29 include, but is not limited to, the abilities of the supervisee, the  
30 preferences of both the supervisee and supervisor, and the privacy  
31 of the locations of the supervisee and supervisor while supervision  
32 is conducted.

33 (2) The supervisor shall document the results of the assessment  
34 made pursuant to paragraph (1), and shall not utilize supervision  
35 via two-way, real-time videoconferencing if their assessment finds  
36 it is not appropriate.

37 (e) Direct supervisor contact shall occur within the same week  
38 as the hours claimed.

1 (f) Alternative supervision may be arranged during a  
2 supervisor’s vacation or sick leave if the alternative supervision  
3 meets the requirements in this chapter.

4 (g) Notwithstanding any other law, once the required number  
5 of experience hours are gained, associates and applicants for  
6 licensure shall receive a minimum of one hour of direct supervisor  
7 contact per week for each practice setting in which direct clinical  
8 counseling is performed. Once the required number of experience  
9 hours are gained, further supervision for nonclinical practice, as  
10 defined in paragraph (4) of subdivision (c) of Section 4999.46,  
11 shall be at the supervisor’s discretion.

12 (h) This section shall remain in effect only until January 1,  
13 2026, and as of that date is repealed.

14 *SEC. 15. Section 4999.46.2 of the Business and Professions*  
15 *Code, as added by Section 6 of Chapter 204 of the Statutes of 2022,*  
16 *is amended to read:*

17 4999.46.2. (a) Except for experience gained by attending  
18 workshops, seminars, training sessions, or conferences, as  
19 described in paragraph (4) of subdivision (c) of Section 4999.46,  
20 direct supervisor contact shall occur as follows:

21 (1) Supervision shall include at least one hour of direct  
22 supervisor contact in each week for which experience is credited  
23 in each work setting.

24 (2) A trainee shall receive an average of at least one hour of  
25 direct supervisor contact for every five hours of direct clinical  
26 counseling performed each week in each setting. For experience  
27 gained after January 1, 2009, no more than six hours of supervision,  
28 whether individual, triadic, or group, shall be credited during any  
29 single week.

30 (3) An associate gaining experience who performs more than  
31 10 hours of direct clinical counseling in a week in any setting shall  
32 receive at least one additional hour of direct supervisor contact for  
33 that setting. For experience gained after January 1, 2009, no more  
34 than six hours of supervision, whether individual supervision,  
35 triadic supervision, or group supervision, shall be credited during  
36 any single week.

37 (4) Of the 104 weeks of required supervision, 52 weeks shall  
38 be individual supervision, triadic supervision, or a combination of  
39 both.

- 1 (b) For purposes of this chapter, “one hour of direct supervisor  
 2 contact” means any of the following:
- 3 (1) Individual supervision, which means one hour of face-to-face  
 4 contact between one supervisor and one ~~supervisee~~. *person*  
 5 *receiving supervision for providing clinical mental health services.*
- 6 (2) Triadic supervision, which means one hour of face-to-face  
 7 contact between one supervisor and two ~~supervisees~~. *persons*  
 8 *receiving supervision for providing clinical mental health services.*
- 9 (3) Group supervision, which means two hours of face-to-face  
 10 contact between one supervisor and no more than eight ~~supervisees~~.  
 11 *persons receiving supervision for providing clinical mental health*  
 12 *services.* Segments of group supervision may be split into no less  
 13 than one continuous hour. The supervisor shall ensure that the  
 14 amount and degree of supervision is appropriate for each  
 15 ~~supervisee~~. *person in the group.*
- 16 (c) Direct supervisor contact shall occur within the same week  
 17 as the hours claimed.
- 18 (d) Alternative supervision may be arranged during a  
 19 supervisor’s vacation or sick leave if the alternative supervision  
 20 meets the requirements in this chapter.
- 21 (e) Notwithstanding subdivision (b), a supervisee working in  
 22 an exempt setting described in Section 4999.22 may obtain the  
 23 required weekly direct supervisor contact via two-way, real-time  
 24 videoconferencing. The supervisor shall be responsible for ensuring  
 25 compliance with federal and state laws relating to confidentiality  
 26 of patient health information.
- 27 (f) Notwithstanding any other law, once the required number  
 28 of experience hours are gained, associates and applicants for  
 29 licensure shall receive a minimum of one hour of direct supervisor  
 30 contact per week for each practice setting in which direct clinical  
 31 counseling is performed. Once the required number of experience  
 32 hours are gained, further supervision for nonclinical practice, as  
 33 defined in paragraph (4) of subdivision (c) of Section 4999.46,  
 34 shall be at the supervisor’s discretion.
- 35 (g) This section shall become operative on January 1, 2026.  
 36 ~~SEC. 13.~~
- 37 *SEC. 16.* Section 4999.46.4 of the Business and Professions  
 38 Code is amended to read:
- 39 4999.46.4. (a) A clinical counselor trainee, associate, or  
 40 applicant for licensure shall only perform mental health and related

1 services at the places where their employer permits business to be  
2 conducted.

3 (b) An associate who is employed by or volunteering in a private  
4 practice or a professional corporation shall be supervised by an  
5 individual who is both of the following:

6 (1) Is employed by or contracted by the associate’s employer  
7 or is an owner of the private practice or professional corporation.

8 (2) Either provides psychotherapeutic services to clients for the  
9 associate’s employer, or meets both of the following:

10 (A) The supervisor and the associate’s employer have a written  
11 contract providing the supervisor the same access to the associate’s  
12 clinical records provided to employees of that employer.

13 (B) The associate’s clients authorize the release of their clinical  
14 records to the supervisor.

15 (c) At any one time, supervisors in nonexempt settings shall not  
16 serve as individual or triadic supervisors for more than a total of  
17 ~~six individuals~~ *persons* who are not fully licensed at the highest level for independent clinical practice and  
who are receiving supervision for providing  
18 clinical mental health services in a nonexempt setting.

19 (d) A written oversight agreement, as specified by the board by  
20 regulation, shall be executed between the supervisor and employer  
21 when the supervisor is not employed by the supervisee’s employer  
22 or is a volunteer. The supervisor shall evaluate the site or sites  
23 where the supervisee will be gaining experience to determine that  
24 the site or sites comply with the requirements of this chapter.

25 ~~SEC. 14. Section 4999.70 of the Business and Professions~~  
26 ~~Code is repealed.~~

27 *SEC. 17. Section 4999.70 of the Business and Professions Code*  
28 *is amended to read:*

29 4999.70. A licensee shall display ~~his or her~~ *their* license in a  
30 conspicuous place in ~~his or her~~ *the licensee’s* primary place of  
31 ~~practice.~~ *practice when seeing clients rendering professional services in person.*

32 ~~SEC. 15.~~

33 *SEC. 18. Section 4999.71 of the Business and Professions Code*  
34 *is amended to read:*

35 4999.71. (a) ~~On and after July 1, 2020,~~ *a* licensee or  
36 registrant shall provide a client with a notice written in at least  
37 12-point type prior to initiating psychotherapy services, or as soon  
38 as practicably possible thereafter, that reads as follows:

39  
40 NOTICE TO CLIENTS

1 The Board of Behavioral Sciences receives and responds to  
2 complaints regarding services provided within the scope of practice  
3 of professional clinical counselors. You may contact the board  
4 online at [www.bbs.ca.gov](http://www.bbs.ca.gov), or by calling (916) 574-7830.

5  
6 (b) On and after July 1, 2025, upon initiation of psychotherapy  
7 services with a client, the notice described in subdivision (a) shall  
8 also include the licensee’s or registrant’s full name as filed with  
9 the board, the license or registration number, the type of license  
10 or registration, and the license or registration expiration date.

11 (c) Delivery of the notice required by this section to the client  
12 shall be documented.

13 ~~(d) A licensee or registrant shall inform their clients of any~~  
14 ~~change to the active status of their license or registration.~~

15 ~~SEC. 16.~~

16 *SEC. 19.* No reimbursement is required by this act pursuant to  
17 Section 6 of Article XIII B of the California Constitution because  
18 the only costs that may be incurred by a local agency or school  
19 district will be incurred because this act creates a new crime or  
20 infraction, eliminates a crime or infraction, or changes the penalty  
21 for a crime or infraction, within the meaning of Section 17556 of  
22 the Government Code, or changes the definition of a crime within  
23 the meaning of Section 6 of Article XIII B of the California  
24 Constitution.

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