



Board of Behavioral Sciences

Memo

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To: Board Members

Date: September 3, 2021

From: Rosanne Helms
Legislative Manager

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Subject: Legislative Update

BOARD-SPONSORED LEGISLATION

The Board is pursuing of the following legislative proposals this year.

1. AB 690 (Arambula) Practice Setting Definitions

This bill proposal seeks to eliminate the confusion about where pre-licensees may work by providing specific definitions of private practice, professional corporation, and non-exempt settings.

Status: This bill is on third reading in the Senate.

2. SB 801 (Archuleta) Board Sunset Bill/LMFT Scope of Practice/Omnibus Bill

This bill proposes to extend the Board's sunset date to January 1, 2026. It also modernizes and clarifies the scope of practice for marriage and family therapists (LMFTs). The Board has a "support" position on those two provisions of the bill.

Additionally, the Board is also sponsoring the portion of the bill that makes several minor, technical, and non-substantive amendments to add clarity and consistency to its current licensing law.

Status: This bill is on third reading in the Assembly.

BOARD-SUPPORTED LEGISLATION

1. AB 462 (Carrillo) Licensed Professional Clinical Counselor Act

This bill would remove the following requirements for professional clinical counselor (LPCC) licensure:

- The requirement to gain at least 150 hours of clinical experience in a hospital or community mental health setting; and
- The requirement that LPCCs must complete additional education, supervised experience, and continuing education related to marriage and family therapy in order to treat couples or families.

The Board has a “support” position on this bill.

Status: This bill is on third reading in the Senate.

2. **AB 723 (Low) Marriage and Family Therapy: Scope of Practice**

This bill would modernize and clarify the scope of practice for marriage and family therapists.

At its March 2021 meeting, the Board took a “support” position on this bill.

In an effort to consolidate the number of bills running this year, the Legislature has moved the provisions of this bill into SB 801.

Status: The content of this bill has been moved into SB 801.

3. **AB 988 (Bauer-Kahan) Mental Health: 988 Crisis Hotline**

This bill takes steps to implement a statewide 988 mental health crisis hotline.

At its July 2021 meeting, the Board took a “support” position on this bill.

Status: This bill is currently in the Senate Committee on Energy, Utilities and Communications

BOARD-MONITORED LEGISLATION

1. **AB 29 (Cooper) State Bodies: Meetings**

This bill proposes a change to the Bagley-Keene Open Meeting Act to require that state bodies provide meeting writings or materials to the public on the same day they are provided to the state body’s members, or at least 72 hours before the meeting, whichever is earlier.

At its May 2021 meeting, the Board took an “oppose unless amended” position on this bill. The Board requested an amendment that would permit revision of board materials related to current legislation to reflect the most recent information

available. In addition, the Board requested an amendment specifying that closed session materials would remain confidential.

Status: This is a 2-year bill.

2. AB 107 (Salas) Licensure: Veterans and Military Spouses

This bill would require all boards under DCA, including this Board, to issue a temporary license to the spouse of an active duty military member if they meet specified requirements.

The Board took an “oppose unless amended” position on this bill, and asked to be removed from its provisions, due to the Board already having an established process to promote license portability.

Status: This bill is on third reading in the Senate.

3. AB 468 (Friedman) Emotional Support Animals

This bill would require a health care practitioner who provides documentation about an individual’s need for an emotional support dog to comply with certain specified criteria.

At its July 2021 meeting, the Board took an “oppose” position on this bill.

Status: This bill has gone back to the Assembly for concurrence.

4. AB 646 (Low) Department of Consumer Affairs: Boards: Expunged Convictions

This bill would require boards within DCA to update their required website postings for a person whose license was revoked because they were convicted of a crime, within 90 days upon receiving a certified copy of an expungement order for that offense pursuant to Penal Code section 1203.4. If the person reappplies for licensure or has been relicensed, the board must post notification of the expungement order and the date on the website. If the person is not currently licensed and does not reapply for a license, the board must remove the initial website posting that the person’s license was revoked, and information previously posted regarding arrests, charges, and convictions.

At its May 2021 meeting, the Board took a “support if amended” position on this bill. The Board requested an amendment BPC section 493.5(a)(2) in the bill.

Status: This is a 2-year bill.

Updated: September 1, 2021