



Board of
Behavioral
Sciences

Supervision Committee Minutes

February 5, 2016

1. Purpose of the Committee

The Supervision Committee was appointed in November 2013. The Committee is in the process of conducting a holistic review of the current requirements for supervised work experience and requirements for supervisors to determine if these requirements adequately prepare candidates to serve California's diverse population. The Committee, stakeholders, and interested parties will evaluate relevant data and information to establish standards for supervisors and supervision that ensures consumer protection and does not impede the licensure process.

Stakeholders and interested parties continue to have the opportunity to provide input, feedback, and express their concerns regarding supervision.

2. Issues discussed

During this Committee meeting, proposed legislation was introduced encapsulating portions of the Committee's work to date. The portions of the proposed legislation agreed upon by the Committee will be forwarded to the Board for further discussion.

Supervisor Qualifications: Proposed amendment to LMFT statute and regulations, allowing a licensee to supervise if he or she has been actively licensed in California, or any other state, for at least two years prior to commencing supervision. This language is already applicable to LCSW supervisors. Change would affect §4980.03(g)(1), CCR§ 1883.1(a)(1). The Committee concurred with the proposed recommendation.

Supervision Definition: Proposed amendment to definition of MFT supervision to include: "...responsibility for, and control of, the quality of services being provided." Such language exists in law applicable to LCSWs/LPCCs. Also, the Committee proposed additional language which requires supervisors to provide regular feedback to the intern/trainee. Proposed changes would affect §4980.43.1(b).

Concerns were raised about the specific language, "...control of the quality of services being provided," pointing out that such language could increase potential exposure to supervisors, particularly in group supervision, as it implies that the supervisor has the ability to control the quality of outcome in cases being presented by as many as eight supervisees. After considerable discussion, the Committee expressed that they were inclined to agree with a proposed change in the language being limited to: "...responsibility for the services being provided."

Client Contact Definition: Proposed change in §4980.43.2(a)(1)(2) intends to reduce confusion as to the meaning of "client contact." Proposed amendment changes "client contact" to "face to face psychotherapy" (which includes telehealth). The Committee concurred with the proposed recommendation.

Triadic Supervision: Proposed inclusion of "Triadic Supervision" (supervisor with two supervisees present) as equivalent to "one hour of direct supervisor contact." Change affects §4980.43.2(a)(3). The Committee concurred with the proposed recommendation.

Definition of "Week" within Supervision: Current law requires supervision to occur in the same week as hours claimed. The Committee proposed defining the meaning of "one week" to be "beginning on a Sunday and ending on the following Saturday." Section affected would be §4980.43.2(a)(4). There was some opposition to this proposal, because situations vary from setting to setting and the definition is overly restrictive for some. For example, in some agencies, the week is considered to begin on the day the supervisee sees his or her first client. The Committee agreed with the concerns raised and took no action.

52 Week Individual Supervision: Current amount of individual supervision required is 52 weeks, but this requirement is not stated in statute, only in regulations. The Committee agreed to amend section §4980.43.2(a)(5) to state the requirement of 52 weeks of individual supervision.

Composition of Supervision Group: The amount /adequacy of supervision via group was discussed. Current law allows up to 8 supervisees in a group. Proposed change to §4980.43.2(a)(6) would state that the supervisor must ensure that the amount of supervision is appropriate to a supervisee's needs to ensure client safety. The Committee concurred with the proposed recommendation.

Written Supervisor Agreement: CCR§1833(a)(4) currently requires a written agreement between a supervisor and the organization, prior to the commencement of supervision, if the supervisor is employed on a voluntary basis. The proposed amendment would simply clarify such language by stating that a written agreement is required when the setting is a non-private practice and the supervisor is not employed by the applicant's employer, or is a volunteer. The Committee concurred with the proposed recommendation.

Initial 15 Hour Supervisor Course: A new section was proposed, requiring all supervisors, who are commencing supervision for the first time, to complete a 15 hour supervision course covering specified content areas. The course requirement would be effective January 2019. This is already a requirement for supervisors of social work associates. In addition, any supervisor who has not supervised in 2 of the last 5 years would be required to re-take the 15 hour course prior to commencing supervision. The Committee wanted to define the content areas for the 15 hour course, but said that they were not interested in being extremely rigid as to how the instructor satisfied the content areas, when pressed on the issue. The Committee stressed that they would look to see if the course was adequate and reasonable on its face and would only take exception to a course if it seemed that the course content was markedly deficient or seriously departing from a reasonable interpretation of the content areas.

The law would continue to require a 6 hour supervision course via continuing-education for current supervisors, during each renewal period.

The Committee concurred with the proposed recommendation.

Certification Substitute for CE Requirement: The Committee proposed opportunities for supervisors to demonstrate equivalent experience, in lieu of the 15 or 6 hour course.

They stated that they would accept an active "approved supervisor certification" from one of four entities, including AAMFT, CAMFT, American Board of Examiners in Clinical Social Work, and The Center for Credentialing and Education, or other entities, in lieu of the coursework required in the 15 hour and 6 hour courses.

Alternate Ways to Gain 6 Hour Supervision Training: It was also proposed that in lieu of the 6 hour requirement, that supervision could be gained in alternative manners to continuing education including: teaching a supervision course, authoring research pertaining to supervision, receiving mentoring of supervision from another licensee, or documented attendance at a supervision group.

The stakeholders questioned the Committee on the meaning of some of the alternatives. For example, what is "...receiving mentoring from another Board licensee who also qualifies as a supervisor?" It was suggested that such a category was an example of "supervision of supervision," and the Committee appeared to agree with such a description.

Also discussed was the meaning of "...authoring research pertaining to supervision that has been published professionally." When questioned as to what qualified as a professional publication, the Committee stated they would again have to apply a "reasonable" interpretation on a case by case basis, to see whether to accept a particular publication. After some debate, it was evident that there was not going to be a uniform definition of what constituted "research," and they did not want to rule out, or discourage, professionals from writing helpful articles about the topic of supervision.

The Committee concurred with the proposed recommendation.

Employment Settings: The issue of supervision and employment settings was discussed. In current law, supervisors in a private practice setting shall be employed by, and practice at, the same site as the supervisee's employer. The Committee clarified that "employed by" included a supervisor who may be contracted (1099), or a W-2 employee. When questioned whether the Committee had a definition for "practice at" (meaning number of hours at the private practice location), they did not wish to define a minimum number of hours in relation to the words, "practices at." No action was taken.

Audit of Supervision: The Committee stated that they would like to audit supervisor compliance with the required training, and wanted to look at various ways of gathering information about supervisor competency and compliance with training requirements, in order to make such information available to interns who were looking for a qualified supervisor.

The Committee discussed various ways of gathering such information but did not arrive at a specific solution at that time. In the future, they will be considering adding language to the renewal process where the applicant would have to indicate whether he or she has complied with the applicable supervisor requirements.

Incremental Periods of Supervision: The Committee considered whether it would be useful to allow a supervisee to count experience in smaller increments of time rather than one full hour. After discussion, they agreed that it would be helpful to be able to count experience in half-hour increments, so long as there were two half hour increments in the same week.

Direct Supervisor Contact: Stakeholders made an argument that an applicant who is finished gaining hours of experience simply needs to be under the supervision of a qualified supervisor, consistent with the requirements stated in §4980.43(b), and does not require additional supervision, as would be required if he or she were continuing to gain hours of experience.

The Committee reviewed the correspondence from CAMFT on this issue, and CAMFT reiterated that the law did not require an applicant in this situation to meet the same requirements that applied to someone who was gaining hours of experience. It was noted that a supervisor could easily ask a supervisee to have additional supervision, and, an applicant was free to seek additional supervision, especially if he or she wanted to continue to accrue hours of experience as "insurance" for the possibility that some of their hours may be denied by the Board. The Committee ultimately agreed and CAMFT will be following up to request that this interpretation be either codified or disseminated to the licensees.

NOTE: CAMFT strongly recommends any pre-licensure, supervisor, or academic interested in the supervisory process, requirements, or qualifications to attend these BBS Supervision Committee meetings. The Committee welcomes all public comment. While CAMFT attends all meetings, and is very vocal about each issue which is discussed, this is a great way to have any personal opinions heard. To date, there have been only a few members in attendance at each meeting.

The next meeting of this Committee is planned to be on April 29, 2016, in Sacramento. The following meeting is to be held on June 9, 2016, location to be determined.