

BBS Board Update  
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#### **A. Budget**

The Board's budget for FY 2015/2016 is \$9,039,000. Expenditures as of December 31, 2015 total \$5,135,362 or 57% of the Board's budget.

The Board's Fund Condition report reflects 6.1 months in reserve. The state's 2016/2017 budget reflects a scheduled repayment of \$6.3 million dollars, which will bring the Board's reserves to 11.7 months. By law, the Board may only have 24 months in reserve.

#### **B. Operations/Personnel**

The Board will receive an additional 8.5 staff positions effective July 1, 2016.

These additional positions permanently establish the 5.5 limited term, temporary, and borrowed staff that have helped the Board improve its efficiency and reduce its processing times. The Board will receive 3 new staff to assist with the new workload due to the examination restructure (including processing the 60,000 new exam applications that will be mailed to the BBS by registrants taking the new law and ethics exam. At this time, there is no online option for applying for the exams.) The inclusion of these positions in the Governor's budget ensures that the Board will be able to maintain reasonable processing times. The Board is grateful that the Governor recognized the need for these position.

In the second quarter of 2015/2016, MFT Intern applications were processed in 12 days and MFT Exam Eligibility applications were processed in 51 days - 4 days longer than in the first quarter of 2015/2016, but still within two months). The increase in processing time was due to one staff being on maternity leave. Processing dates have been removed from the website because the dates were no longer reflective of actual exam eligibility. CAMFT voiced some concern about no public access to the processing times and encouraged the Board to post some information, even if general guidelines about timeframes. The Board will continue to report the processing times at its quarterly meeting.

The Board is conducting increased outreach, including attending many MFT Consortium meetings and the CAMFT Fall Symposium.

32% of renewals from July-December, 2015 were processed online through the BrEZe system, which reflects a steady trend towards online renewals.

The Board recognized long-term staff with certificates of appreciation.

The Board is beginning the search for new space to accommodate the growing staff.

Max Disposti was appointed by the Assembly for the vacant Board seat.

### **C. Sunset Report Update**

The Sunset Oversight Review process affords the legislature the opportunity to review Board operations and performance as well as discuss current issues facing the Board. The purpose of the Sunset Oversight Review is to determine if the Board should continue to license and regulate LCSWs, LMFTs, LEPs, LPCCs, ASWs, MFTIs, and PCIs and for how long (maximum 4 years).

On December 1, 2015, the Board submitted its Sunset Review Report to the Senate Committee on Business, Professions, and Economic Development and the Assembly Committee on Business and Professions. The Sunset Review Oversight Hearing is March 14. These hearings are public and any interested party may attend.

Upon conclusion of the hearing, the Board will have 30 days to submit a written response to all of the issues and recommendations raised by Committee staff in the Background Paper or during the hearing

### **D. Supervision Committee Update**

In November 2013, the Supervision Committee was appointed to conduct a holistic review of the current requirements for supervised work experience and requirements for supervisors. The Supervision Committee held its eighth meeting on October 23, 2015 in Sacramento. CAMFT's minutes from the meeting can be found [here](#).

Informal decisions made by the Committee may change or evolve. To date, the Committee has informally decided:

- Initial supervisor training – 15 hours for all professions
- Six (6) hours ongoing supervisor training for all professions every two years - may consist of professional development activities
- Require supervisors to notify the Board that they are supervising
- Require supervisors to perform a self-assessment of qualifications and provide a copy to the Board and to supervisees
- Auditing supervisors
- Make the definition of supervision consistent among the professions
- Require the supervisor to ensure that the amount of group supervision is appropriate to each supervisee's needs, considering eight (8) are allowed in the group

Allow triadic supervision (two supervisees, one supervisor) in place of individual supervision

- Allow one-half hour increments of supervision to be counted toward experience hours (beyond the minimum required)
- Require applicants who have completed their experience hours to continue receiving one hour of supervision per week, per work setting
- Define parameters for acceptable documentation when a supervisor is deceased and an Experience Verification form had not yet been signed.

Other issues that are indirectly related to Supervision will be addressed (ideally) by the Exempt Settings Committee and the Policy and Advocacy Committee. The next Supervision Committee meeting is April 29. The BBS strongly encouraged more people to attend and provide input. Upon completion of the Committee's work, formal decisions will be presented to the Board for consideration, and will require the passage of legislation and/or regulations in order to implement. The goal is to have language for the 2017 legislative session.

#### **E. Exam Restructure Update**

The exam restructure went into effect January 1, 2016. The biggest challenge has been transferring eligibility data to testing vendors. While this was done automatically via the BreEZe system prior to the exam restructure, the BreEZe system has different requirements for transferring data for the new exams. Thus, the process now has a manual component, which led to some delays in transferring the data. Permanent changes are required to the BreEZe system design and test of those changes those are tentatively scheduled for April. Once the testing is completed, the revisions will be incorporated into the BreEZe system through a scheduled release in May or June.

To date, the Board has transferred eligibility data for the approximately 2,500 candidates who were in the exam cycle as of November, 2015. The goal is to have new law and ethics exams processed within 2 weeks.

During the month of January, approximately 235 candidates took the California Law & Ethics exam and approximately 17 candidates took the LMFT Clinical exam. The ASWB has administered approximately 2 LCSW Clinical exams. The Board and the Office of Professional Examination Services, have completed the first analysis of the new exams. The Board will mail pending scores to examinees, within the next two weeks. Current examinees will begin to receive pass/fail results at the test site.

Based upon the volume of applications that have been received and the initial delay in sending eligibilities, these numbers are expected to greatly increase (more than 400 applications were received for law and ethics in February and 1300 exams have been issued since January). The goal is to have law and ethics exam down to 2 weeks' processing time.

#### **F. Customer Satisfaction Survey**

The Board is planning to initiate a new customer satisfaction survey. A link to the survey will be included on the Board's website as well as on all staff emails. Board staff is hopeful that distributing the survey in this manner will provide greater opportunity for increased responses.

CAMFT provided suggestions for questions and indicated that members often complain that they cannot reach a live person at the BBS.

#### **G. Proposed Omnibus Legislation**

Each year, the Board sponsors an omnibus bill, which makes minor, technical, or noncontroversial changes to Board licensing laws. Language to change the title of "MFT Intern" to "MFT Associate" may be included in this proposal. The Senate Business, Professions, and Economic Development Committee is in the process of considering that change. The bill is typically introduced in mid-March.

#### **H. Association of Marriage and Family Therapist Regulatory Board Examination (National MFT Exam)**

Currently, California is the only state that does not use the AMFTRB examination for licensure. (California now uses national exams for LCSW and LPCC.)

The AMFTRB examination is a four hour examination that is offered for one week each month. The examination is administered via computer using testing sites throughout the country. Candidates receive their results within 20 business days following the close of the testing period that month. A candidate may only attempt the examination three times per year. Annually, 4000 to 5000 candidates take the AMFTRB examination at a cost of \$350. The passing rate for the examination ranges from 60% to 64%. Additionally, AMFTRB is planning to conduct their next practice analysis in 2017. The practice analysis will serve as the foundation for future examinations.

Under the examination restructure, the BBS Clinical Written Examination is a four hour examination. The fee for this examination is \$100. The examination is administered via computer allowing candidates to schedule their examination at testing sites throughout

California or out-of-state. The examination is offered Monday through Saturday except on major holidays. A candidate may retake the examination every 90 days. Candidates will typically receive their results upon the conclusion of their examination. (Note: Results of each new version of the exam are held until the Office of Professional Examination Services (OPES) has completed its analysis of the examination's performance. This analysis may take 4-6 weeks.) In fiscal year 2014/2015 the Board administered over 4000 LMFT Standard Written Examinations. The pass rate for examinations administered July 1, 2014 to December 31, 2014 was 73%. The pass rate for examinations administered January 1, 2015 to June 30, 2015 was 65%.

The Board's last Occupational Analysis (practice analysis) for Marriage and Family Therapists was in 2012. The next Occupational Analysis is tentatively scheduled for 2017.

While portability would be a positive by-product of a national exam, the Board must determine if the national examination meets prevailing testing standards and will assess a candidate's competency for practice in California. To make this determination, the Board would seek the services of the Office of Professional Examination Services (OPES) or contract with an outside vendor with similar expertise.

The Board discussed the cost and noted that all the national exams are more costly than the California exams. It was noted that the frequency of testing could be expanded by the vendor, if the demand warrants an expansion. The Board also discussed concerns that the MFT profession is different in California than in the rest of the country and, thus, the national exam may not match the MFT practice in California. AAMFT noted that this could be an opportunity to expand the national exam to capture California practices and raise the bar. Even if approved, a national exam would need to be phased in as the California clinical exam gets phased out. The law and ethics exam would continue as is.

The Board voted to assess the AMFTRB examination as a licensure examination for California.

#### **I. Proposed Regulations: Additional Examination Time for English as a Second Language Applicants**

At its November 20, 2015 meeting, the Board approved regulatory language that would allow additional examination time to be granted to applicants who speak English as a second language (ESL), if they meet certain specified criteria. The Board directed staff to start the process of pursuing the regulatory proposal.

The proposal's 45-day public comment period ended on February 15, 2016, and the public hearing was conducted on February 16, 2016. The Board received three comments on the regulatory proposal.

The Board discussed the comments and voted to complete the regulatory process, as proposed.

#### **J. Uniform Standards and Templates for Reports and Evaluations Submitted to the Board Related to Disciplinary Matters**

The Board often reviews disciplinary cases that include psychological evaluations. The preparation and content of the psychological evaluation reports vary between the mental health professionals conducting the evaluation, so the Board Members expressed a strong desire for consistency in these evaluations. As a result, a Report Committee was established at the August 2015 Board meeting to review the Board's current process and to develop uniform standards and/or templates for future psychological/psychiatric evaluations.

After reviewing the current processes and relevant documentation and reviewing the Board of Psychology's Guidelines for a Psychological Evaluation, the Committee proposed: Guidelines for

Psychological/Psychiatric Evaluations, Letter to the Mental Health Professional, and Letter to the Probationer.

The Board provided input on the proposed documents and voted to implement the new Guidelines and letters.

#### **K. Legislative Update**

The Board has sponsored:

AB 1917 (Obernolte): Educational Requirements for Marriage and Family Therapists and Professional Clinical Counselor Applicants

This bill proposes modifications to the education required to become an LPCC or an LMFT as follows:

1. It amends the coursework and practicum required of LPCC applicants in order to ensure that the degree was designed to qualify the applicant to practice professional clinical counseling.
2. It amends the law to define education gained out-of-state based on the location of the school, instead of based on the residence of the applicant.

#### **L. Rulemaking Update**

##### *i. Implementation of Exam Restructure*

Proposed regulations went into effect January 1, 2016.

##### *ii. Requirements for Licensed Professional Clinical Counselors to Treat Couples or Families*

This proposal went into effect January 1, 2016.

##### *iii. Standards of Practice for Telehealth*

This proposal is currently under review by the Finance Department. It is expected to be final in July or October, 2016.