



MEETING NOTICE & AGENDA
November 6-7, 2014
Sheraton San Diego Hotel and Marina
"Marina 2 Room"
1380 Harbor Island Drive
San Diego, CA 92101
916-263-2666

November 6, 2014 - 1:30 p.m.

Speech-Language Pathology Practice Committee

(Patti Solomon-Rice, Committee Chair, Speech-Language Pathologist; Debbie Snow- Public Member; Rodney Diaz-Otolaryngologist; Dee Parker- Speech Language Pathologist)

- I. Call to Order
- II. Introductions
- III. Approval of the August 20, 2014 Speech-Language Pathology Practice Committee Meeting Minutes
- IV. Update on the October 10, 2014 California Commission on Teacher Credentialing Meeting Held in Sacramento, CA.
- V. Discussion on How to Audit the Supervision of Speech-Language Pathology Assistants
- VI. Update on Licensing Delays and Process Changes
- VII. Discussion and Possible Recommendation for an Increase in the Number of Self-Study Hours for Continuing Education
 - A. ASHA's Letter and Documents to the Board about Self-Study
- VIII. Foreign Educated Speech-Language Pathology Licensure Applicants
 - A. Update on Revisions to Regulations

Upon conclusion of the Speech-Language Pathology Practice Committee Meeting:

The Hearing Aid Dispensers Committee

(Deane Manning-Committee Chair, Hearing Aid Dispenser; Amnon Shalev-Hearing Aid Dispenser; Alison Grimes-Dispensing Audiologist; Marcia Raggio- Dispensing Audiologist; Rodney Diaz-Otolaryngologist; Jaime Lee-Public Member)

- I. Call to Order
- II. Introductions
- III. Approval of August 20, 2014 Hearing Aid Dispensers Committee Meeting Minutes
- IV. Update on Exemption Request of the Federal Drug Administration on Mail Order and Catalog Sales of Hearing Aids.

Upon conclusion of the Hearing Aid Dispensers Committee Meeting:

The Audiology Practice Committee Meeting

(Alison Grimes-Committee Chair, Audiologist; Marcia Raggio- Audiologist; Rodney Diaz-Otolaryngologist; Jaime Lee- Public Member)

- I. Call to Order
- II. Introductions
- III. Approval of August 20, 2014 Audiology Practice Committee Meeting Minutes
- IV. Review/Discussion/Possible Recommendation on Informal Public Comments on the Proposed Regulatory Amendments for Audiology Aide Supervision Standards and Practice Limitations (16 CCR 1399.154-1399.154.4)
 - A. Legal Clarification of Practice of Audiology in Relation to Fitting and Selling of Hearing Aids, Taking of Ear Mold Impressions (Business and Professions Code 2538.11)
- V. Update on Discussion Regarding MediCal/CCS (California Children's Services)
- VI. Update on the Outreach Letters Regarding the Services Provided by Regional Centers to Children who are Deaf or Hard of Hearing
- VII. Discussion and Possible Recommendation for an Increase in the Number of Self-Study Hours for Continuing Education
 - A. ASHA's Letter and Documents to the Board about Self-Study

November 7, 2014 – 9:00 a.m.

Full Board Meeting of the Speech-Language Pathology & Audiology & Hearing Aid Dispensers Board

(Alison Grimes, Board Chair-Dispensing Audiologist; Rodney Diaz-Otolaryngologist ;Patti Solomon-Rice, Vice Chair-Speech-Language Pathologist; Dee Parker-Speech-Language Pathologist; Debbie Snow-Public Member; Jaime Lee-Public Member; Deane Manning-Hearing Aid Dispenser; Amnon Shalev-Hearing Aid Dispenser; Marcia Raggio-Dispensing Audiologist)

- I. Call to Order
- II. Introductions
- III. Disciplinary Process Overview
 - A. DAG Liaison – Megan O'Carroll
 - B. Role of Attorney General's Office in Representing Board
 - C. Future Board Enforcement Training
- IV. Review and Discuss for Possible Action on Mail Ballot Policy: Number of Votes Required to Hold a Proposed Action for Discussion

CLOSED SESSION

- V. Deliberations on Disciplinary cases - (pursuant to Government Code Section 11126 (c) (3))

RETURN TO OPEN SESSION

VI. Approval of the August 21, 2014 Board Meeting Minutes

VII. Executive Officer and Board Staff Reports

- A. Budget
- B. Administration/Personnel/Staffing
- C. Enforcement/Licensing/Examinations
- D. Update on Proposed Regulation Packages
- E. Update on Implementation of SB 1326 – Roth – Hearing Aid Warranty
- F. Update on Hearing Aid Dispensers Practical Examination
 - 1. Process Changes
 - 2. HAD Practical Exam Dates
 - i. Sacramento, November 8, 2014
 - ii. San Diego, November 22, 2014
- G. Update on BreZE

VIII. Legislation

- A. AB 2396 (Bonta) Convictions: Expungement: Licenses
- B. AB 2720 (Ting) State Agencies Meetings: Record of Action Taken
- C. SB 1326 (Roth) Hearing Aids: Warranty: Work Order or Receipt
- D. SB 1466 (SBP & EDC) Health Care Professionals

IX. Practice Committee Reports

- A. Speech-Language Pathology Practice Committee Report
- B. Hearing Aid Dispensers Committee Report
- C. Audiology Practice Committee Report

X. Discussion and Possible Action on Increasing the Number of Self-Study Hours for Speech-Language Pathology and Audiology

XI. Public Comment on Items Not on the Agenda

XII. Agenda Items and Future Board Meetings Dates

- A. Agenda Items for Next Meeting
- B. Board Meeting – February 5-6 or 19-20, 2015, Sacramento
- C. Board Meeting – May 14-15, 2014 (location to be determined)

XIII. Adjournment

MEETING AGENDAS AND MATERIALS CAN BE FOUND ON THE SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY AND HEARING AID DISPENSERS BOARD'S WEBSITE AT www.speechandhearing.ca.gov

A quorum of the Board may be present at the Committee meetings. Board members who are not on the Committee may observe, but may not participate or vote. Each Committee meeting will begin with voluntary introduction of attendees.

Public comments will be taken on agenda items at the time the specific item is raised. The Board may take action on any item listed on the agenda unless listed as information only. All times indicated and the order of business are approximate and subject to change. Items scheduled for a particular day may be moved to an earlier day to facilitate the Board's business.

The meeting facility is accessible to persons with a disability. Any person who needs a disability-related accommodation or modification in order to participate in the meeting may make a request by contacting the Board office at (916) 263-2666 or making a written request to Breanne Humphreys, Board Operations Manager: 2005 Evergreen Street, Suite 2100, Sacramento, California 95815. Providing your request at least five (5) business days before the meeting will help ensure availability of the requested accommodation.



MEETING MINUTES - DRAFT
SPEECH-LANGUAGE PATHOLOGY PRACTICE COMMITTEE

August 20, 2014
The Concourse Hotel
6225 W. Century Blvd
Los Angeles, CA 90045

I. Call to Order

Committee Chair Solomon-Rice called the meeting to order at 1:55 p.m. Members and guests introduced themselves and a quorum was established.

Committee Members Present

Patti Solomon-Rice, Chair, Speech-Language Pathologist
Dee Parker, Speech-Language Pathologist
Debbie Snow, Public Member

Committee Members Absent

Rodney Diaz, M.D.

Staff Present

Paul Sanchez, Executive Officer
Breanne Humphreys, Operations Manager
Sabina Knight, Legal Counsel

Guests Present

Becky Binge, Audiologist, California Academy of Audiology
Ellen Fagan, American Speech-Language-Hearing Association
Alison Grimes, Dispensing Audiologist, Board Member
Vanessa Kajina, KP Public Affairs for Hearing Healthcare Providers (HHP)
Deane Manning, Hearing Aid Dispenser, Board Member
Cynthia Peffers, Hearing Aid Dispenser, HHP
Amnon Shalev, Hearing Aid Dispenser, Board Member
Mitzi Shpak, Hearing Loss Association of America (HLAA), Los Angeles Advocacy
Naomi Smith, Audiologist, SELPA, Santa Clarita Valley
Grace Tiessen, HLAA, Los Angeles Advocacy

II. Introductions

III. Approval of the May 22, 2014 Speech-Language Pathology Practice Committee Meeting Minutes

Ms. Parker motioned to approve the minutes as written and Ms. Snow seconded the motion. The motion carried.

IV. Update on the June 19, 2014 California Commission on Teacher Credentialing (CTC) Meeting Regarding Speech-Language Pathology (SLP) Variable Term Waiver (VTW)

Committee Chair Solomon-Rice provided a brief background on the SLP VTW issue that was previously discussed by the Board and Committee.

Ms. Parker attended a CTC meeting on June 19, 2014, to answer questions about the SLP VTW. Ms. Parker reported that CTC members were unaware of the current requirements to be a VTW SLP and were concerned about the quality of services provided to students seen by a VTW SLP. CTC members were in unanimous agreement that the requirements for the VTW SLP needed to be made more vigorous, and they were interested in working collaboratively with the Board on this issue.

As a result of the July 19, 2014 CTC meeting, Ms. Clark submitted a concept paper to interested parties describing issues of concerns with VTW SLPs and solutions to these issues to be presented to the CTC, possibly at the October 2014 meeting. The concept paper proposed that criteria be strengthened for both initial issuance and reissuance of the VTW SLP to have a minimal level of knowledge and skills and to assure the VTW SLP was on the path becoming a fully certified SLP. The paper suggested:

- 1) A minimum of a Bachelor's degree in an allied degree area (to be defined) for the initial issuance of the SLP VTW.
- 2) Limiting the SLP VTW reissuance based on inability to enroll in a program only to those individuals that verify they meet the minimum criteria for entry but are unable to enroll due to lack of available program slots. Limit the total number of SLP VTW issuances to no more than five times.

Ms. Parker and Committee Chair Solomon-Rice will respond to the concept paper asking the CTC to include the additional items Ms. Clark presented at the May 22-23, 2014 meeting (items #2, #4 and #5).

V. Discussion on How to Audit the Supervision of the Speech-Language Assistant

During the discussion about proposed SLPA regulations at the February 2014 Board meeting, public comments included concerns about SLP supervision of SLPAs. As a result, the Board is exploring the possibility of auditing SLP/SLPA pairs to ensure adherence to supervisory regulations. Ms. Solomon-Rice contacted 27 other state licensing boards and received responses

from Texas and Louisiana. Both Texas and Louisiana audit SLP/SLPA pairs. Texas audits 10 percent and is a similar sized board as California.

Mr. Sanchez suggested that we gather information on how Texas' audits are conducted and determine its potential impact to the Board's workload. Ms. Parker asked whether the Board has determined a need for this type of audit process. It was determined that staff would work with committee members to gather information and discuss future steps.

VI. Update on Praxis Score Change – Effective September 1, 2014 from 600 to 162

Committee Chair Solomon-Rice updated the committee on Praxis Exam changes that go into effect on September 1, 2014. As a result of the exam revision, the entire scoring system has changed. The former passing score was 600, but the new passing score will be 162. The new exam is 3 hours in length, consisting of 132 questions, and is exclusively computer delivered using a selected response exam (multiple choice). One third of the questions will be on the foundations and professional practice, one third of the questions will be on screening assessment, evaluation or diagnosis, and one third of the questions will be on planning, implementation and evaluation of treatment. The Board's website will be updated to reflect the change in the passing score.

VII. Discussion and Possible Recommendation for an Increase in the Number of Self-Study Hours for Continuing Education (CE)

Committee Chair Solomon-Rice provided background information on the discussion to increase the number of self-study hours for CE. Currently, of the minimum 24 continuing professional development hours required for SLP license maintenance every 2 years, a maximum of 6 hours can be completed through self-study. During audits of SLPs who were renewing licenses in fall 2013, voluntary surveys were mailed addressing a variety of continuing professional development issues. One result of the survey indicated a preference for increasing the minimum number of self-study hours allowed for SLP licensure renewal.

Ellen Fagan, ASHA Director of Continuing Education, presented extensive information about self-study requirements by ASHA approved CE providers and statistics about limitations on self-study hours throughout the United States. The Committee discussed the need to define "self-study" in regulations and make changes to the application/agreement for CE providers to make the requirements more vigorous.

As a result of the recommendation, the Committee decided to make a recommendation to the Board to: 1) increase the number of self-study hours allowed for speech-language pathologists, 2) re-define self-study, and 3) review and change the agreement with board-approved CE providers to be more vigorous.

VIII. Update on the Revisions to the RPE Clinical Practicum Verification Form

Committee Chair Solomon-Rice updated the committee on Board staff's progress in revising the RPE Clinical Practicum Verification Form. Students graduating from SLP Master's programs provide the Board with clinical practicum information that is verified by the university program director when completing an RPE application. The two forms had not been updated to reflect changes in both the 2005 ASHA standards and the 2014 ASHA standards effective September 1, 2014. Both the Clinical Practicum Verification form and RPE Application form have been simplified to a yes/no format and the verification form no longer requires tracking of specific age groups, types of services and types of disorders. The verification form became effective July 16, 2014 and the RPE form became effective August 1, 2014.

Committee Chair Solomon-Rice adjourned the meeting at 3:35 p.m.



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August 13, 2014

Paul Sanchez
Executive Officer
Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board
2005 Evergreen Street, Suite 2100
Sacramento, CA 95815

Dear Mr. Sanchez:

In May 2014, we provided the attached letter for consideration by the California Speech-Language Pathology & Audiology & Hearing Aid Dispensers Board regarding their May 2014 agenda item "Discussion on Public Comment Concerning the Limited Number of Continuing Education Hours for Self-Study." I would like to provide you and the board members additional information to assist the board in their deliberations on the August agenda topic of "Discussion and Possible Recommendation for an Increase in the Number of Self-Study Hours for Continuing Education" which appears on each committee's agenda on August 20 and on the full board agenda on August 21. I would appreciate it if you would distribute the following items to the board related to these agenda items:

1. May 15, 2014 letter from Ellen Fagan to Breanne Humphreys (attached)
2. Four (4) data charts reflecting data on CA participants in CE group courses, self-study courses and blended courses (attached in one file)
3. Report by State of Self-Study CE Hours Allowed Toward Licensure Renewal (attached)

I hope this information is helpful in the board's discussions. If you need additional information or clarification, please let me know. I would be happy to provide any assistance. I do plan to attend the committee meetings on August 20, 2014 and the full board meeting on August 21, 2014 in Los Angeles. I look forward to hearing the board's deliberation on this topic and serving as a resource to the board if called upon.

Sincerely,

Ellen C. Fagan, Ed.D., CCC-SLP
Director, Continuing Education
American Speech-Language-Hearing Association
2200 Research Boulevard, #340
Rockville, MD 20850-3289
Direct line: 301-296-5739

ASHA CE Registry: Course Offering and Participants Summary 2012-2013

	Total number of courses offered	Total number of participants	Group course offerings	Total number of CA Group participants	Self- study course offerings	Total number of CA Self- study participants	Blended course offerings	Total number of CA Blended participants
2012	28,872	332,403	16,889	12625	11,812	8216	171	248
Speech-Language Content	12,804	202,654	7,561	7487	5,132	5354	111	152
Audiology Content	7,405	37,088	3,842	1561	3,556	565	7	53
Service Delivery	8,586	72,250	5,415	2516	3,118	2297	53	43
Other	77	20,411	71	1061	6			
2013	31,321	437,916	17,068	14681	14,142	12027	111	238
Speech-Language Content	14,119	267,866	7,266	8344	6,770	7899	83	168
Audiology Content	7,730	43,750	4,285	2118	3,444	677	1	52
Service Delivery	9,401	104,774	5,451	2790	3,923	3451	27	18
Other	71	21,526	66	1429	5	1429		
Grand Total	73,948	965,744	43,094	36596	30,533	23621	321	573

Data provided by ASHA CE staff August 2014

ASHA CE Registry: Group Course Offerings and CA Participants Summary 2012-2013

	Total number of courses offered	Group course offerings	Group participants	Audiology Group participants	Dually Certified Group participants	Other Group participants	Total number of Group participants
2012	28,872	16,889	10666	1469	82	408	12625
Speech-Language Content	12,804	7,561	7255	11	16	205	7487
Audiology Content	7,405	3,842	114	1319	51	77	1561
Service Delivery	8,586	5,415	2298	120	9	89	2516
Other	77	71	999	19	6	37	1061
2013	31,321	17,068	12537	1596	67	481	14681
Speech-Language Content	14,119	7,266	8032	8	17	287	8344
Audiology Content	7,730	4,285	568	1472	29	49	2118
Service Delivery	9,401	5,451	2599	96	13	82	2790
Other	71	66	1338	20	8	63	1429
Grand Total	73,948	43,094	31140	3984	214	1258	36596

Data provided by ASHA CE staff August 2014

ASHA CE Registry: Self-Study Course Offerings and CA Participants Summary 2012-2013

	Total number of courses offered	Self-study course offerings	SLP Self-study participants	Audiology Self-study participants	Dually Certified Self-study participants	Other Self-study participants	Total number of Self-study participants
2012	28,872	11,812	7432	488	45	251	8216
Speech-Language Content	12,804	5,132	5175	3	8	168	5354
Audiology Content	7,405	3,556	160	375	18	12	565
Service Delivery	8,586	3,118	2097	110	19	71	2297
Other	77	6					
2013	31,321	14,142	11161	513	42	311	12027
Speech-Language Content	14,119	6,770	7665	2	9	223	7899
Audiology Content	7,730	3,444	260	392	17	8	677
Service Delivery	9,401	3,923	3236	119	16	80	3451
Other	71	5					1429
Grand Total	73,948	30,533	21498	1301	118	704	23621

Data provided by ASHA CE staff August 2014

ASHA CE Registry: Blended Course Offerings and CA Participants Summary 2012-2013

	Total number of courses offered	Blended course offerings	SLP Blended participants	Audiology Blended participants	Dually Certified Blended participants	Other Blended participants	Total number of Blended participants
2012	28,872	171	216	30		2	248
Speech-Language Content	12,804	111	151			1	152
Audiology Content	7,405	7	23	29		1	53
Service Delivery	8,586	53	42	1			43
Other	77						
2013	31,321	111	213	19	2	4	238
Speech-Language Content	14,119	83	165			3	168
Audiology Content	7,730	1	32	19		1	52
Service Delivery	9,401	27	16		2		18
Other	71						
Grand Total	73,948	321	504	59	3	7	573

Data provided by ASHA CE staff August 2014



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Report by State of Self-Study CE Hours Allowed Toward Licensure Renewal

Compiled by ASHA State Advocacy Team (August 2014)

Alabama

Continuing Education Hours Required: 12 hours / 1 year

Limit on Self Study Hours: None

Reference: http://abespa.alabama.gov/files/Rules_Regs2013.pdf

Alaska

Continuing Education Hours Required: None

Limit on Self Study Hours: N/A

Reference: <http://commerce.alaska.gov/dnn/Portals/5/pub/AudiologistsStatutes.pdf>

Arizona

Continuing Education Hours Required: 10 hours / 1 year

Limit on Self Study Hours: None

Reference: http://www.azsos.gov/public_services/Title_09/9-16.htm#Article_2

Arkansas

Continuing Education Hours Required: 10 hours / 1 year

Limit on Self Study Hours: None

Reference: http://www.abespa.com/pdf/rules_regs061205.pdf

California

Continuing Education Hours Required: 24 hours / 2 years

Limit on Self Study Hours: 6 hours

Reference: http://www.speechandhearing.ca.gov/board_activity/lawsregs/regulations.shtml#Article11

Colorado

Continuing Education Hours Required: Currently developing requirements

Limit on Self Study Hours: N/A

Reference: N/A

Connecticut

Continuing Education Hours Required: 20 hours / 2 years

Limit on Self Study Hours: None

Reference: <http://www.cga.ct.gov/2011/pub/chap399.htm#Sec20-411a.htm>

Delaware

Continuing Education Hours Required: 30 hours / 2 years

Limit on Self Study Hours: None

Reference: <http://regulations.delaware.gov/AdminCode/title24/3700.shtml>

District of Columbia

Continuing Education Hours Required: 20 hours / 2 years

Limit on Self Study Hours: Not defined

Reference:
http://doh.dc.gov/sites/default/files/dc/sites/doh/publication/attachments/SLP_regulation_Oct_18_2013.pdf

Florida

Continuing Education Hours Required: 30 hours / 2 years

Limit on Self Study Hours: None

Reference: https://www.flrules.org/gateway/RuleNo.asp?title=CONTINUING_EDUCATION&ID=64B20-6.002

Georgia

Continuing Education Hours Required: 20 hours / 2 years

Limit on Self Study Hours: None

Reference: <http://rules.sos.state.ga.us/docs/609/7/01.pdf>

Hawaii

Continuing Education Hours Required: None

Limit on Self Study Hours: N/A

Reference: http://hawaii.gov/dcca/pvl/pvl/har/har_100-c.pdf

Idaho

Continuing Education Hours Required: 10 hours / 1 year

Limit on Self Study Hours: None

Reference: <http://adminrules.idaho.gov/rules/current/24/2301.pdf>

Illinois

Continuing Education Hours Required: 20 hours / 2 years

Limit on Self Study Hours: None

Reference: <http://www.ilga.gov/commission/jcar/admincode/068/068014650000850R.html>

Indiana

Continuing Education Hours Required: 36 hours / 2 years

Limit on Self Study Hours: 6 hours

Reference: http://www7.dleg.state.mi.us/orr/Files/AdminCode/1130_2012-121LR_AdminCode.pdf

Iowa

Continuing Education Hours Required: 30 hours / 2 years

Limit on Self Study Hours: 16 hours

Reference: <https://www.legis.iowa.gov/docs/ACO/chapter/645.303.pdf>

Kansas

Continuing Education Hours Required: 20 hours / 2 years

Limit on Self Study Hours: None

Reference: <http://www.kdheks.gov/bhfr/regs/28-61.pdf>

Kentucky

Continuing Education Hours Required: 30 hours / 2 years

Limit on Self Study Hours: Online coursework shall not exceed 10 hours per day

Reference:

<http://slp.ky.gov/Documents/Speech%20Language%20Pathology%20and%20Audiology%20laws%20and%20regulations%202013.pdf>

Louisiana

Continuing Education Hours Required: 10 hours / 1 year

Limit on Self Study Hours: 5 hours - audio or video tapes; reading of journal articles that contain self-examination questions at the end; Publication of diagnostic and/or therapeutic materials

Reference: http://www.lbespa.org/Speech_Rules_Regulations_and_Procedures_46v75.pdf

Maine

Continuing Education Hours Required: 10 hours / 1 year

Limit on Self Study Hours: 4 hours / 1 year

Reference: <http://www.maine.gov/sos/cec/rules/02/643/643-all-2011.doc>

Maryland

Continuing Education Hours Required: 30 hours / 2 years

Limit on Self Study Hours: None

Reference: http://dhmh.maryland.gov/boardsahs/Documents/COMAR_10_41_03_Licensure_and_CE.pdf

Massachusetts

Continuing Education Hours Required: 20 hours / 2 years

Limit on Self Study Hours: None

Reference: <http://www.mass.gov/ocabr/licensee/dpl-boards/sp/regulations/rules-and-regs/260-cmr-700.html>

Michigan

Continuing Education Hours Required: Aud – 20 hours / 2 years; SLP – none

Limit on Self Study Hours: None

Reference: http://www7.dleg.state.mi.us/orr/Files/AdminCode/1130_2012-121LR_AdminCode.pdf

Minnesota

Continuing Education Hours Required: ASHA requirements or 30 hours / 2 years

Limit on Self Study Hours: None

Reference: <http://www.health.state.mn.us/divs/hpsc/hop/slpa/slpreg2012.pdf>

Mississippi

Continuing Education Hours Required: 20 hours / 2 years

Limit on Self Study Hours: None

Reference: http://msdh.ms.gov/msdhsite/_static/resources/571.pdf

Missouri

Continuing Education Hours Required: 30 hours / 2 years

Limit on Self Study Hours: None

Reference: <http://www.sos.mo.gov/adrules/csr/current/20csr/20c2150-4.pdf>

Montana

Continuing Education Hours Required: 40 hours / 2 years

Limit on Self Study Hours: None

Reference: <http://mtrules.org/gateway/RuleNo.asp?RN=24%2E222%2E2102>

Nebraska

Continuing Education Hours Required: 20 hours / 2 years

Limit on Self Study Hours: 10 hours

Reference: [http://www.sos.ne.gov/rules-and-regs/regsearch/Rules/Health and Human Services System/Title-172/Chapter-023.pdf](http://www.sos.ne.gov/rules-and-regs/regsearch/Rules/Health%20and%20Human%20Services%20System/Title-172/Chapter-023.pdf)

Nevada

Continuing Education Hours Required: 15 hours / 1 year

Limit on Self Study Hours: None

Reference: <http://www.leg.state.nv.us/nac/NAC-637B.html#NAC637BSec410>

New Hampshire

Continuing Education Hours Required: 30 hours / 2 years

Limit on Self Study Hours: 50 %

Reference: http://www.gencourt.state.nh.us/rules/state_agencies/spe100-600.html

New Jersey

Continuing Education Hours Required: 20 hours / 2 years

Limit on Self Study Hours: self-assessment home study - up to 10 hours; Reading articles for which ASHA or AAA issue verification of completion – up to 6 hours

Reference:

http://www.njconsumeraffairs.gov/chapters/Chapter%2044C%20Audiology%20and%20Speech_Language%20Pathology%20Advisory%20Committee.pdf

New Mexico

Continuing Education Hours Required: 20 hours / 2 years

Limit on Self Study Hours: None

Reference:

<http://www.rld.state.nm.us/uploads/files/Rules%20Regulations%20and%20Practice%20Act%20effective%2006%2007%2010.pdf>

New York

Continuing Education Hours Required: 30 hours / 3 years

Limit on Self Study Hours: No more than two-thirds of the mandatory continuing competency requirement may be completed through self-study. No more than one-sixth of the mandatory continuing competency requirement may be completed through independent study.

Reference: <http://www.op.nysed.gov/prof/slpa/part75.htm#fiveeight>

North Carolina

Continuing Education Hours Required: 30 hours / 3 years

Limit on Self Study Hours: None

Reference: <http://www.ncboeslpa.org/LicensureStatute.pdf>

North Dakota

Continuing Education Hours Required: 10 hours / 1 year

Limit on Self Study Hours: None

Reference: <http://www.legis.nd.gov/information/acdata/pdf/11-02-01.pdf?20140724105018>

Ohio

Continuing Education Hours Required: 20 hours / 2 years

Limit on Self Study Hours: If proof of passing the post-test is obtained, there is no limit on the number of credit hours that may be earned through independent study activities. A maximum of ten hours may be obtained from internet programs approved as a continuing education experience under this section without a post-test.

Reference: <http://codes.ohio.gov/oac/4753-4>

Oklahoma

Continuing Education Hours Required: 20 hours / 2 years

Limit on Self Study Hours: None

Reference: <http://www.ok.gov/obespa/documents/OBESPA%20Code2011.pdf>

Oregon

Continuing Education Hours Required: 30 hours / 2 years

Limit on Self Study Hours: None

Reference: http://arcweb.sos.state.or.us/pages/rules/oars_300/oar_335/335_070.html

Pennsylvania

Continuing Education Hours Required: 20 hours / 2 years

Limit on Self Study Hours: None

Reference: <http://www.pacode.com/secure/data/049/chapter45/chap45toc.html>

Rhode Island

Continuing Education Hours Required: 20 hours / 2 years

Limit on Self Study Hours: None

Reference: <http://sos.ri.gov/documents/archives/regdocs/released/pdf/DOH/7043.pdf>

South Carolina

Continuing Education Hours Required: 16 hours / 1 year

Limit on Self Study Hours: ¼ (4 hours)

Reference: <http://www.scstatehouse.gov/coderegs/c115.php>

South Dakota

Continuing Education Hours Required: Aud – 12 hours / 1 year; SLP – 20 hours / 2 years

Limit on Self Study Hours: None

Reference: Aud - <http://legis.sd.gov/Rules/DisplayRule.aspx?Rule=20:72:01:02>; SLP - <http://legis.sd.gov/Rules/DisplayRule.aspx?Rule=20:79:02:05>

Tennessee

Continuing Education Hours Required: 10 hours / 1 year

Limit on Self Study Hours: 5 hours – multi-media

Reference: <http://www.state.tn.us/sos/rules/1370/1370-01.20101213.pdf>

Texas

Continuing Education Hours Required: 20 hours / 2 years

Limit on Self Study Hours: None

Reference: [http://info.sos.state.tx.us/pls/pub/readtac\\$ext.ViewTAC?tac_view=5&ti=22&pt=32&ch=741&sch=L&rl=Y](http://info.sos.state.tx.us/pls/pub/readtac$ext.ViewTAC?tac_view=5&ti=22&pt=32&ch=741&sch=L&rl=Y)

Utah

Continuing Education Hours Required: 20 hours / 2 years

Limit on Self Study Hours: None

Reference: <http://www.dopl.utah.gov/laws/R156-41.pdf>

Vermont

Continuing Education Hours Required: Maintenance of ASHA/ABA certification

Limit on Self Study Hours: None

Reference: http://education.vermont.gov/documents/educ_5100_licensing_regulations.pdf

Virginia

Continuing Education Hours Required: 30 hours / 2 years

Limit on Self Study Hours: None

Reference: http://www.dhp.virginia.gov/aud/aud_laws_regs.htm#law

Washington

Continuing Education Hours Required: 30 hours / 3 years

Limit on Self Study Hours: None

Reference: <http://apps.leg.wa.gov/WAC/default.aspx?cite=246-828-510>

West Virginia

Continuing Education Hours Required: 20 hours / 2 years

Limit on Self Study Hours: None

Reference: <http://www.wvspeechandaudiology.com/Home/LegislativeRules.aspx>

Wisconsin

Continuing Education Hours Required: 20 hours / 2 years

Limit on Self Study Hours: None

Reference:
<http://dsps.wi.gov/Documents/Board%20Services/Codebooks/36D%20POD%20Hearing%20Instrument%20Specialists%20Speech-Language%20Pathologist%20and%20Audiologist%20OCTOBER%202012.pdf>

Wyoming

Continuing Education Hours Required: 12 hours / 1 year

Limit on Self Study Hours: None

Reference: <http://plboards.state.wy.us/speech/PDF/RulesRegs/CurrentRules.pdf>

Summary of State Self-Study Data

No limits on self-study hours: 34 states and DC	Limits on self-study hours: 13 states	No CE requirements: 3 states
Alabama	California: 6 of 20	Alaska
Arizona	Indiana: 6 of 36	Colorado (being written now)
Arkansas	Iowa: 16 of 30	Hawaii
Connecticut	Kentucky: 10 hrs per day; no limit on contact hours for renewal period	
Delaware	Louisiana: 5 of 10	
District of Columbia	Maine: 4 of 10	
Florida	Nebraska: 10 of 20	
Georgia	New Hampshire: 15 of 30	
Idaho	New Jersey: 10 self-study & 6 reading articles of 20 total	
Illinois	New York: 20 self-study; 5 independent study of 30	
Kansas	Ohio: no limit if test passed; 10 w/out test of 20	
Maryland	South Carolina: 4 of 16	
Massachusetts	Tennessee: 5 of 10	
Michigan		
Minnesota		
Mississippi		
Missouri		
Montana		
Nevada		
New Mexico		
North Carolina		
North Dakota		
Oklahoma		
Oregon		
Pennsylvania		
Rhode Island		
South Dakota		
Texas		
Utah		
Vermont		
Virginia		
Washington		
West Virginia		
Wisconsin		
Wyoming		

Foreign-Educated Speech-Language Pathology Licensure Applicants
Proficiency in Speech-Language Pathology
Report to the SLPAHAD Board
August 2013

Patti Solomon-Rice
Marcia Raggio

Background

Relative to the licensing process for US-trained speech-language pathologists, the process for foreign-educated speech-language pathologists is much more complex. The coursework completed by the foreign-educated speech-language pathologist must initially be transcribed by an approved evaluation service if the individual has been trained in an English or non-English speaking country, and units/grades must be converted to US equivalencies. Next, the transcript is reviewed by an expert witness in speech-language pathology. The expert witness completes a Coursework Evaluation Report, which indicates whether the foreign-educated speech-language pathologist meets the minimum academic requirements and supervised clinical experience to apply for a temporary speech-language pathology license in California.

It is the responsibility of the expert witness to determine whether the coursework completed by the foreign-trained speech-language pathologist demonstrates “qualifications deemed equivalent by the board,” (Title 16, California Code of Regulations, Section 1399.152.1) These regulations further state that the academic requirements for foreign-educated speech-language pathologists include completion of an equivalent of at least 30 semester units acceptable toward a master’s degree, with at least 24 of the required semester units completed at a single educational institution in speech-language pathology (Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board, 2013a). Current regulations addressing speech-language pathology supervised clinical experience under Section 1399.152.2 state that the foreign-trained SLP is required to be supervised by a speech-language pathologist having qualifications deemed equivalent by the board. In addition, the student must complete a minimum of 275 clock hours in speech-language pathology on or before December 31, 1992, or 300 clock hours in three different settings after December 31, 1992, with a maximum of 25 clock hours completed in a minor field (Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board, 2013b).

Purpose of the Report

It has come to the attention of SLPAHADB that there are foreign-trained speech-language pathologists who are licensed and practicing in California, but who do not appear to demonstrate academic or clinical competency as speech-language pathologists. In addition, it is clear that there are a number of differences between units of credit awarded in the US versus those in foreign countries used to meet advanced degree requirements. The curriculum in some countries includes extensive training at the undergraduate level, but does not offer a master’s degree in speech-language pathology. For these reasons and others, SLPAHADB is reviewing and revising, as needed, the academic and supervised clinical experience requirements for foreign-trained speech-language pathologists applying for temporary licenses.

Academic and Supervised Clinical Experience Standards in the United States Effective September 1, 2014

The Council for Clinical Certification in Audiology and Speech-Language Pathology (CFCC), a semi-autonomous council affiliated with the American Speech-Language-Hearing Association, defines standards for clinical certification in speech-language pathology and applies the standards in granting certification to individuals. CFCC recently revised the national standards to practice as a speech-language pathologist, effective September 1, 2014 (Council for Clinical Certification in Audiology and Speech-Language Pathology of the American Speech-Language-Hearing Association, 2012). SLPAHADB has traditionally applied CFCC certification standards to speech-language pathologists applying for state licensure.

The CFCC 2014 academic standards require completion of a minimum of 36 semester units at the graduate level with competencies in general education knowledge; basic human communication processes; swallowing processes; and specific knowledge, as well as knowledge of prevention, assessment and intervention, in the big nine areas of speech-language pathology. These areas include: articulation, fluency, voice and resonance, receptive/expressive language in children, hearing, swallowing, cognitive aspects of communication, social aspects of communication, and communication modalities. These competencies can be obtained at both the undergraduate and graduate levels (Council for Clinical Certification in Audiology and Speech-Language Pathology of the American Speech-Language-Hearing Association, 2012).

The CFCC 2014 clinical standards for supervised clinical experience require completion of a minimum of 400 clinical clock hours, including a minimum of 25 observation hours, of which 325 clinical clock hours must be completed at the graduate level (Council for Clinical Certification in Audiology and Speech-Language Pathology of the American Speech-Language-Hearing Association, 2012).

Methodology

Participants

There are 16 universities in California offering undergraduate major/graduate programs or undergraduate certificate/graduate programs in speech-language pathology. Undergraduate certificate programs are intended for students who have majored in an area other than speech-language pathology when completing the bachelor's degree. Certificate programs allow students to complete required undergraduate academic coursework prior to enrolling in graduate level coursework in speech-language pathology. There are also two undergraduate only programs, one providing a major in speech-language pathology, and the other providing a certificate in speech-language pathology for students who majored in areas other than speech-language pathology.

Identification of Academic Competencies

A review of the CFCC September 1, 2014 standards was completed to identify specific academic and clinical competency requirements. A list of academic Knowledge And Skills Acquisition (KASA) competencies that must be demonstrated by speech-language pathology students graduating with a master's degree was created. These competencies were converted to specific course topics typically found in California undergraduate and graduate curriculum in speech-language pathology. *Appendix A* lists the course topics found in California undergraduate and

graduate curricula in speech-language pathology that align with CFCC academic KASA competencies.

Data Collection for Academic Competencies and Supervised Clinical Experience

A spreadsheet was created listing the 18 universities on one axis and listing the course topics plus several additional course topics required at some California universities on the other axis. The required undergraduate and graduate courses of the 16 universities in California offering undergraduate/master's degrees in speech-language pathology and the two universities offering undergraduate/undergraduate certificate only programs were matched with the course topics according to program course descriptions. *Appendix B* provides a description of the course topics and course descriptions. Data was also collected on the number of required units and required courses for the undergraduate major/certificate and the master's degree.

The completed spreadsheet listed all required academic courses offered at the undergraduate and graduate levels by topic content, plus a few other required academic courses offered by at least two university programs in California. As a result, some courses were listed several times on the spreadsheet as course descriptions covered several course topics.

Supervised clinical experience requirements were also reviewed across the 16 universities with graduate programs to identify requirements for completing clinical clock hours, types of settings and clinic instructor qualifications.

Results

Undergraduate and Graduate Required Units and Courses

The total number of undergraduate and graduate academic units required across universities with undergraduate or undergraduate certificate/master's programs, ranged from 69 to 116 (quarter units were converted to semester units). The total number of undergraduate courses required ranged from 7 to 25 while the total number of graduate academic courses required ranged from 19 to 31. The university offering the fewest number of combined undergraduate and graduate courses consisted of 23 courses and 69 units.

Academic Competencies

The number and percentage of universities offering courses in specific topic areas noted as KASA competencies is found in Table 1.

Table 1: Number and Percent of Universities Offering Courses in Specific Topics

Course Topic	Number of Universities (N = 18)	Percentage
Introduction to Communicative Disorders	14	78%
Anatomy and Physiology of Speech	18	100%
Anatomy and Physiology of Swallowing	18	100%
Anatomy and Physiology of Hearing	18	100%
Neuroanatomy	18	100%
Acoustics of Speech	18	100%

Psychological Aspects of Speech	14	78%
Psychoacoustics of Hearing	17	94%
Psychological Aspects of Hearing	14	78%
Speech Development	18	100%
Psychological Aspects of Language	14	78%
Neurological Aspects of Language	18	100%
Language Development	18	100%
Phonetics	17	94%
Articulation/Phonology	18	100%
Motor Speech Disorders	18	100%
Fluency	18	100%
Voice and Resonance	18	100%
Child Language: Receptive/Expressive Semantics/Syntax/Morphology/Phonology	18	100%
Adult Language: Receptive/Expressive (aphasia)	18	100%
Aural Rehabilitation	18	100%
Swallowing	18	100%
Cognitive Aspects of Communication (TBI)	15	83%
Social Aspects of Communication (ASD)	12	67%
Communication Modalities	17	94%
Clinical Methods	17	94%
Research Methods	15	83%
School-Based Issues	11	61%
Counseling	10	56%
Multi-Cultural Aspects	13	72%
Observation	9	50%
Oro-Facial Anomalies & Syndromes	6	33%
CAPD	7	39%
Audiology/Audiometry	18	100%

Table 1 results indicate the following topics were required by more than 90% of the California universities:

Anatomy and Physiology of Speech
Anatomy and Physiology of Swallowing
Anatomy and Physiology of Hearing
Neuroanatomy
Acoustics of Speech
Psychoacoustics of Hearing
Speech Development
Neurological Aspects of Language
Language Development
Phonetics
Articulation/Phonology

Motor Speech Disorders
Fluency
Voice and Resonance
Child Language: Receptive/Expressive Semantics/Syntax/Morphology/Phonology
Adult Language: Receptive/Expressive (aphasia/motor speech/TBI)
Aural Rehabilitation
Swallowing
Communication Modalities (AAC)
Clinical Methods
Audiology/Audiometry

Supervised Clinical Experience Competencies

Supervised clinical experiences were found to be nearly identical across California universities and all universities met the 2014 CFCC standards. All universities provided: a) several on-campus clinical practicum experiences, with the exception of one university in which practicum was offered in an out-patient medical center, b) one semester/quarter of supervised clinical practicum in a school setting, and c) one semester/quarter of supervised clinical practicum in a medical setting. All universities required a minimum of 400 clinical clock hours consisting of a minimum of 325 clock hours at the graduate level, 25 observations hours, and 375 direct contact hours. All speech-language pathology clinic instructors were required to be licensed as speech-language pathologists in California and certified as speech-language pathologists by ASHA.

Summary of the Results

Regarding academic requirements, the least number of academic courses offered at the undergraduate and graduate level was 23 courses for a total of 69 semester units.

The following course content was required in at least 90% of California universities:

Anatomy and Physiology of Speech
Anatomy and Physiology of Swallowing
Anatomy and Physiology of Hearing
Neuroanatomy
Acoustics of Speech
Psychoacoustics of Hearing
Speech Development
Neurological Aspects of Language
Language Development
Phonetics
Articulation/Phonology
Motor Speech Disorders
Fluency
Voice and Resonance
Child Language: Receptive/Expressive Semantics/Syntax/Morphology/Phonology
Adult Language: Receptive/Expressive (aphasia/TBI)
Aural Rehabilitation
Swallowing

Communication Modalities (AAC)
Clinical Methods
Audiology/Audiometry

Supervised clinical experiences were consistent across the universities. All universities required a minimum of 400 clinical clock hours consisting of a minimum of 25 observation hours and 375 direct contact hours. Of the 375 direct contact hours, at least 325 were completed at the graduate level. All supervisors held California licenses and ASHA certification in speech-language pathology.

Recommended Competencies for Foreign-Educated Speech-Language Pathologists

Demonstration of completion of the following academic coursework and supervised clinical experience are recommended as meeting the minimal competencies required of foreign-educated speech-language pathologists who wish to be licensed in California. It is further recommended that the individual obtain an equivalent grade of C- or better in each required course and an overall equivalent GPA of 3.00.

- 1) Biological science course
- 2) Physical science course
- 3) Social/behavioral science course
- 4) Statistics course
- 5) Minimum of 23 courses in speech-language pathology
- 6) Minimum of 69 units (converted to semester hours)
- 7) Course content must address those topics noted in the 90% of offered courses noted above.
- 8) Supervised clinical experience consisting of a minimum of 375 direct contact hours and 25 observation hours
- 9) Supervisors who are licensed and/or certified or have the equivalent to practice as speech-language pathologists in their home country.

References

- Council for Clinical Certification in Audiology and Speech-Language Pathology of the American Speech-Language-Hearing Association. (2012). 2014 Standards for the Certificate of Clinical Competence in Speech-Language Pathology. Retrieved [date] from <http://www.asha.org/Certification/2014-Speech-Language-Pathology-Certification-Standards/>.
- Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board (2013a). *Title 16 California Code of Regulations: Article 3.1399.152.1*. Retrieved from <http://www.speechandhearing.ca.gov>.
- Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board (2013b). *Title 16 California Code of Regulations: Article 3.1399.152.2*. Retrieved from <http://www.speechandhearing.ca.gov>.

Appendix A
California Speech-Language Pathology Course Topics
Aligned with CFCC Academic Competencies

- 1) Biological Science course
- 2) Physical Science course
- 3) Statistics course
- 4) Social/Behavioral Science course
- 5) Anatomy and physiology of speech and swallowing mechanism
- 6) Anatomy and physiology of hearing mechanism
- 7) Psychological and acoustic aspects of speech
- 8) Psychological and acoustic aspects of hearing
- 9) Psychological and neurological aspects of language
- 10) Speech and language development across the lifespan
- 11) Phonetics of American English
- 12) Articulation principles, prevention, assessment and intervention
- 13) Fluency principles, prevention, assessment and intervention
- 14) Voice and resonance principles, prevention, assessment and intervention
- 15) Receptive/expressive language principles, prevention, assessment and intervention (including phonology, morphology, syntax, semantics and pragmatics) for speaking, listening, reading, writing and manual modalities for children
- 16) Receptive/expressive language principles, prevention, assessment and intervention for speaking, listening, reading, writing and manual modalities for adults (aphasia and motor speech)
- 17) Hearing (aural rehabilitation) principles, prevention, assessment and intervention
- 18) Swallowing principles, prevention, assessment and intervention
- 19) Cognitive aspects of communication (TBI) principles, prevention, assessment and intervention
- 20) Social aspects of communication (autism) principles, prevention, assessment and intervention
- 21) Communication modalities (AAC) principles, prevention, assessment and intervention
- 22) Clinical methods in speech-language pathology
- 23) Research methods in speech-language pathology
- 24) School-based regulations, policies and service delivery in California and the US

Appendix B
Course Descriptions of
California Speech-Language Pathology Course Topics

Biological science: Biology, human anatomy and physiology, neuroanatomy and neurophysiology, human genetics or veterinary science

Physical science: Physics or chemistry

Statistics: Stand-alone statistics course

Social/behavioral science: Psychology, sociology, anthropology or public health

Anatomy and physiology of speech and swallowing mechanism: Anatomy and physiology of speech and swallowing including respiration, phonation, resonance, articulation and perception

Anatomy and physiology of hearing mechanism: Anatomy and physiology of the hearing mechanism including perception

Psychological and acoustic aspects of speech: Processes underlying the production, perception and acoustics of speech; normal psychological processes and principles of speech

Psychological and acoustic aspects of hearing: Processes underlying the acoustic aspects of sound and its' measurement; normal hearing processes and principles

Psychological and neurological aspects of language: Anatomy and physiology of the central and peripheral nervous system; psychological and neurological aspects of language

Speech and language development across the lifespan: Typical acquisition and development of speech and language including principles and theories

Phonetics of American English: Description, analysis and phonetic transcription of typically produced and disordered speech

Articulation and Phonology: Principles, prevention, assessment and intervention of articulation and phonological disorders

Fluency: Principles, prevention, assessment and intervention of fluency disorders across the lifespan

Voice and resonance: Principles, prevention, assessment and intervention of voice disorders across the life span

Receptive/expressive language in children: Principles, prevention, assessment and intervention (including phonology, morphology, syntax, semantics and pragmatics) for speaking, listening, reading, writing and manual modalities for children

Receptive/expressive language in adults: Principles, prevention, assessment and intervention for speaking, listening, reading, writing and manual modalities for adults with aphasia, dementia and motor speech disorders

Hearing: Aural rehabilitation principles, prevention, assessment and intervention for individuals with hearing impairment across the lifespan

Swallowing: Principles, prevention, assessment and intervention of swallowing disorders across the lifespan

Cognitive aspects of communication: Principles, prevention, assessment and intervention of TBI

Social aspects of communication: Principles, prevention, assessment and intervention of children with autism spectrum disorders

Communication modalities: Principles, prevention, assessment and intervention of individuals who benefit from augmentative and alternative communication across the lifespan

Clinical methods in speech-language pathology: Assessment procedures, intervention principles and report writing across the big nine disorders areas and across clinical settings

Research methods in speech-language pathology: Quantitative and qualitative methods for designing and conducting research in the field of speech-language pathology

School-based issues: State and federal laws regarding special education; state and federal school-based regulations and policies; service delivery in the schools related to speech-language pathology; the IEP/IFSP process

LAWS AND REGULATIONS OUTLINING ACADEMIC EQUIVALENCY

- Current provisions in the Board's laws and regulations do not specify that academic equivalency is intended only for internationally trained students. This may result in graduates from unaccredited U.S. programs petitioning for equivalency, which defeats the intent of the law.
- Terminology used in the laws and regulations is not consistent with international professional training. Terms such as "graduate courses" or "semester units" may not apply. However, transcript evaluation services provide for a conversion of credits awarded at foreign institutions into U.S. academic units.
- Work to define equivalency based on completion of specified content areas or a total number of units awarded within a professional degree program. *Should any undergraduate coursework be identified here?*

Business & Professions Code [Law] (Bold =emphasis added)

2532.2. Qualifications for Licensure

Except as required by Section 2532.25, to be eligible for licensure by the board as a speech-language pathologist or audiologist, the applicant shall possess all of the following qualifications:

(a) Possess at least a master's degree in speech-language pathology or audiology from an educational institution approved by the board **or qualifications deemed equivalent by the board.**

(b) **Submit transcripts from an educational institution ~~approved by the board~~ evidencing the successful completion of at least 60 semester units of courses related to anatomy and physiology of speech, swallowing, and hearing; neuroanatomy; acoustics of speech; psychoacoustics of hearing; speech and language development; neurological aspects of language; phonetics; articulation and phonology; motor speech disorders; fluency; voice and resonance; child language disorders; and adult language disorders; aural rehabilitation; swallowing; communication modalities; clinical methods; and audiology/audiometry. ~~Also, each applicant shall have completed general coursework in biological science, physical science, social and behavioral science, and a statistics course. the normal development, function, and use of speech, hearing, and language; and courses that provide information about, and training in, the management of speech, hearing, and language disorders. At least 24 of the required 60 semester units shall be related to disorders of speech, voice, or language for speech-language pathology applicants or to disorders of hearing and the modification of communication disorders involving speech and language resulting from hearing disorders for audiology applicants. These 60 units required courses~~ do not include credit for thesis, dissertation, or clinical practice.**

(c) Submit evidence of the satisfactory completion of supervised clinical practice with individuals representative of a wide spectrum of ages and communication disorders. The board shall establish by regulation the required number of clock hours, not to exceed 300 clock hours, of supervised clinical practice necessary for the applicant. The clinical practice shall be under the direction of an educational institution approved by the board.

(d) Submit evidence of no less than 36 weeks of satisfactorily completed supervised professional full-time experience or 72 weeks of professional part-time experience obtained under the supervision of a licensed speech-language pathologist or audiologist or a speech-language pathologist or audiologist having qualifications deemed equivalent by the board. This experience shall be evaluated and approved by the board. The required professional experience shall follow completion of the requirements listed in subdivisions (a), (b), and (c). Full time is defined as at least 36 weeks in a calendar year and a minimum of 30 hours per week. Part time is defined as a minimum of 72 weeks and a minimum of 15 hours per week.

(e) Pass an examination or examinations approved by the board. The board shall determine the subject matter and scope of the examinations and may waive the examination upon evidence that the applicant has successfully completed an examination approved by the board. Written examinations may be supplemented by oral examinations as the board shall determine. An applicant who fails his or her examination may be reexamined at a subsequent examination upon payment of the reexamination fee required by this chapter.

A speech-language pathologist or audiologist who holds a license from another state or territory of the United States or who holds equivalent qualifications as determined by the board and who has completed no less than one year of full-time continuous employment as a speech-language pathologist or audiologist within the past three years is exempt from the supervised professional experience in subdivision (d).

(f) As applied to licensure as an audiologist, this section shall apply to applicants who graduated from an approved educational institution on or before December 31, 2007.

California Code of Regulations

[Proposed changes are shown in underline and strikeout; Emphasis added to existing regulation language shown in bold]

1399.152. Approved Institutions.

(a) For the purposes of this Section, the term "institution" means the facility where a student attends and receives his or her primary academic and clinical preparation including the institution's satellite sites or campuses. The term "joint program" means a program wherein each of the member institutions is a separate degree-granting entity.

(b) An "institution approved by the board" as used in Section 2532.2 of the code is defined as:

(1) An educational institution (or in the case of a joint program, educational institutions) that is accredited by a regional or national accrediting body recognized by the United States Department of Education, and

(2) Has program accreditation in the area for which licensure is sought by an accrediting body recognized by the United States Department of Education or the Council on Higher Education Accreditation (CHEA) or its predecessor, the Council on

Postsecondary Accreditation (COPA), or a comparable accrediting body recognized by the Board.

(c) A graduate speech-language pathology or audiology program shall be accredited or shall be designated as a program in candidacy by the accrediting body authorized by the American Speech-Language-Hearing Association at the time of the applicant's graduation.

(d) A post-baccalaureate audiology doctoral program shall be accredited or shall be designated as a program in candidacy by the accrediting body authorized by the American Speech-Language-Hearing Association or shall be accredited or shall be designated as a program in candidacy by another accrediting body as specified in subsection (b) above.

(e) In its discretion the board may approve after its review any educational program, with academic and clinical requirements equivalent to an accredited graduate or doctoral training program as provided for above, but, which is not accredited under one of the above mentioned criteria and is not within the United States.

1399.152.1. Academic Requirements.

(a) As used in Section 2532.2, subd. (a) of the code, **"qualifications deemed equivalent by the board"** means in lieu of a master's degree an applicant may present evidence of completion of coursework equivalent to 69 semester units or credits at least 30 semester units acceptable towards a master's degree while registered as a graduate student in a degree program in speech-language pathology **and/or audiology** located outside the United States. At least 234 of the ~~required semester units~~ documented courses shall be in speech-language pathology and shall include the content of the topics listed in Section 2532.2(b), completed at a single educational institution and shall be in speech-language pathology or audiology.

(b) Credits for extension courses shall be accepted toward the unit requirements of Section 2532.2, subd. (b) of the code only if they are a part of the regular graduate curriculum and are accepted toward a graduate degree by the educational institution attended.

(c) The "successful completion" of a course as these terms are used in Section 2532.2, subd. (b) of the code means the student earned a grade of "C" or better or its equivalent.

(d) If the content of a course is not adequately depicted within its title, the board in its discretion may require additional course descriptions.

NOTE: Authority cited: Section 2531.95, Business and Professions Code. Reference: Section 2532.2, Business and Professions Code.



MEETING MINUTES - DRAFT
HEARING AID DISPENSERS COMMITTEE

August 20, 2014
The Concourse Hotel
6225 W. Century Blvd
Los Angeles, CA 90045

I. Call to Order

Committee Chair Manning called the meeting to order. Members and guests introduced themselves and a quorum was established.

Committee Members Present

Deane Manning, Chair, Hearing Aid Dispenser
Alison Grimes, Dispensing Audiologist
Jaime Lee, Public Member
Marcia Raggio, Dispensing Audiologist
Amnon Shalev, Hearing Aid Dispenser

Committee Members Absent

Rodney Diaz, M.D.

Staff Present

Paul Sanchez, Executive Officer
Breanne Humphreys, Operations Manager
Sabina Knight, Legal Counsel

Guests Present

Becky Bingea, Audiologist, California Academy of Audiology
Ellen Fagan, American Speech-Language-Hearing Association
Vanessa Kajina, KP Public Affairs for Hearing Healthcare Providers (HHP)
Dee Parker, Speech-Language Pathologist, Board Member
Cynthia Peffers, Hearing Aid Dispenser, HHP
Mitzi Shpak, Hearing Loss Association of America (HLAA), Los Angeles Advocacy
Naomi Smith, Audiologist, SELPA, Santa Clarita Valley
Debbie Snow, Public Board Member
Patti Solomon-Rice, Speech-Language Pathologist, Board Member
Grace Tiessen, HLAA, Los Angeles Advocacy

II. Introductions

III. Approval of Meeting Minutes

Mr. Shalev motioned to approve the minutes from the February 6, 2014 and May 22, 2014 meetings as written and Ms. Grimes seconded the motion. The motion carried.

IV. Discussion and Possible Action on the Development of Proposed Practice Guidelines for Hearing Aid Dispensing

Committee Chair Manning expressed concerns that thus far the document resembles an outline for the licensing test for dispensers of hearing aids. The original intent of the development of Practice Guidelines for Hearing Aid Dispensers was to give subject matter experts who review cases of negligence guidance and to have consistency on case reviews but it is unclear how this would be accomplished with this document. Ms. Grimes added that her understanding was to develop standards for experts reviewing cases. This document would provide guidelines by which to judge an act that may be considered outside the scope or improper practice.

Mr. Sanchez stated that typically someone who is an expert should already have an understanding of what the standard is because they do the job. He added that if we are going to use a document like this as a job aid, then it should contain citations of the law and regulations next to the items identified. Ms. Knight added that the document was to compile and organize all of the per se requirements for subject matter experts in one document. Committee Chair Manning expressed concern that we are creating another quasi legal document that experts would use as a guideline and may result in complications with legal cases. The Board already has Guidelines for subject matter experts that define the case review process and we should not be re-defining what job tasks are performed for dispensing hearing aids. Ms. Raggio shared that she didn't think the document was helpful for its intended purpose and incomplete.

After much discussion, Committee Chair Manning recommended to table the development of the document and suggested that Board staff determine if there is a need for this type of job aid or additional training.

Mr. Shalev motioned to accept Committee Chair Manning's recommendation and Ms. Grimes seconded the motion. The motion carried.

V. Discussion on Whether a Bone-Anchored Device, External Sound Processor, Requires a License to Dispense

Ms. Knight reported that the Federal Drug Administration (FDA) defines hearing aids very similar to the way we define it. However, the FDA does include bone conduction and air conduction in their definition and we do not. Ms. Knight's opinion is that a license is required to dispense a bone-anchored device/external sound processor based on the FDA's definition and our practice act.

VI. Update on Exemption Request of the Federal Drug Administration on Mail Order and Catalog Sales of Hearing Aids

Ms. Humphreys reported that our exemption request is still under review. It was filed on June 4, 2012.

Committee Chair Manning adjourned the meeting at 4:25pm.



MEETING MINUTES - DRAFT
AUDIOLOGY PRACTICE COMMITTEE

August 20, 2014
The Concourse Hotel
6225 W. Century Blvd
Los Angeles, CA 90045

I. Call to Order

Committee Chair Grimes called the meeting to order. Members and guests introduced themselves and a quorum was established.

Committee Members Present

Alison Grimes, Committee Chair, Dispensing Audiologist
Jamie Lee, Public, Board Member
Marcia Raggio, Dispensing Audiologist
Amnon Shalev, Hearing Aid Dispenser

Committee Members Absent

Rodney Diaz, M.D.

Staff Present

Paul Sanchez, Executive Officer
Breanne Humphreys, Operations Manager
Sabina Knight, Legal Counsel

Guests Present

Becky Bingea, Audiologist, California Academy of Audiology (CAA)
Vanessa Cajina, KP Public Affairs for Hearing Healthcare Providers (HHP)
Ellen Fagan, American Speech-Language-Hearing Association (ASHA)
Dee Parker, Speech Language Pathologist, Board Member
Cynthia Peffers, Hearing Aid Dispenser, HHPCA Member
Patti Solomon-Rice, Speech Language Pathologist, Board Member
Mitzi Shpak, Hearing Loss Association of America (HLAA), Los Angeles Advocacy
Naomi Smith, Audiologist, CAA
Debbie Snow, Public Board Member
Grace Tiessen, HLAA, LA Advocacy

II. Introductions

III. Approval of the February 6, 2014 and May 22, 2014 Audiology Practice Committee Meeting Minutes

Ms. Raggio motioned to approve the minutes for both meetings as written and Mr. Shalev seconded the motion. The motion carried.

IV. Review/Discussion/Possible Recommendation on Informal Public Comments on the Proposed Regulatory Amendments for Audiology Aide Supervision Standards and Practice Limitations (16 CCR 1399.154-1399.154.4)

Committee Chair Grimes provided an overview of the proposed amendments. Proposed regulations had been sent out for public review and comments; these responses as well as a letter from Hearing Healthcare Providers (HHP) were made available in the board meeting packet. Committee Chair Grimes opened up for discussion among committee members and guests.

Committee Chair Grimes explained that one of the biggest unanswered questions is the issue regarding whether or not a registered audiology aide can provide any service under supervision that, in other circumstances, would require a hearing aid dispenser's license or a trainee license without first obtaining one.

The letter authored by president of HHP, John Tucker, identified activities that lead up to the fitting and selling of a hearing aid, "taking ear impressions, adjusting or modifying a hearing aid or ear mold, among other things" requires a dispenser license or trainee license. HHP is requesting an edit to include the language "an audiology aide may not perform any of the following functions, any of the activities that would require either a hearing aid dispenser license or a trainee license, without first obtaining one."

Discussion ensued regarding what defines the actual "fitting" of a hearing aid. Committee Chair Grimes suggested that hearing aid trainees and audiology aides are both untrained individuals who are working under the supervision of either a licensed Hearing Aid Dispenser or Audiologist who is responsible for them. It was stated that there are more restrictions on a trainee than there are on an aide, based on deadlines for exams and applications required for trainees. Trainees are tested and must pass an exam before they are issued a license whereas there isn't any testing or assessment of aides before they are registered. Mr. Sanchez stated that the committee should make a determination based on both committee and public comments and bring it to the full board discussion.

Committee Chair Grimes recommended that legal counsel research legal definitions definitions of the practice of audiology in relation to the fitting and dispensing of hearing aids and taking of ear mold impressions and report back to the committee.

V. Discussion Regarding MediCal/CCS (California Children's Services)

Committee Chair Grimes stated that approximately 50% of children born in California are receiving services through MediCal/CCS. Due to systematic problems with CCS, there is a dire shortage in the amount of Audiologists participating in the program, which poses a consumer protection issue due to children not being able to obtain services. Audiologists are dropping out of the MediCal/CCS program due to difficulties with receiving reimbursement for services (being reimbursed for less than the cost of services) and inconsistencies with provider requirements as well as service timelines. Representatives from CCS have offered to call in to the full board meeting or attend the next meeting in Sacramento. There is hope that the California Academy of Audiology (CAA) will be able to identify a legislator who can see the issues through on a legislative perspective.

VI. Update on the Outreach Letters Regarding the Services Provided by Regional Centers to Children Who Are Deaf or Hard of Hearing

Ms. Humphreys stated that on February 11, 2014, letters were mailed to six legislative committees from both the Senate and Assembly on Education, Health, and Human Services and the Department of Developmental Services. To date, the Board has received no communication in response to the letters from any of the recipients. Mr. Sanchez will follow up on the letters.

VII. Discussion and Possible Recommendation for an Increase in the Number of Self-Study Hours for Continuing Education

Mr. Sanchez recommended that Board members read regulation 1399.160.3 and 1399.160.4 to understand how complicated and unclear the regulations read.

The committee agreed to make a recommendation to the full Board expressing their interest in discussing further, the possibility of adopting a similar regulation change for Audiologists as the changes being proposed for Speech-Language Pathologists.

Committee Chair Grimes adjourned the meeting at 5:47 p.m.

Legal Counsel to Provide Oral Report

INFORMAL COMMENTS ON THE AUDIOLOGY AIDE DRAFT REGULATIONS

- Likes that the aide shall wear a name tag at all times.
- The expanded definition of an audiology aide would include evaluation of vestibular function and/or treating individuals with balance disorders. Licensed dispensers do not test vestibular or balance issues and this raises a concern on consumer protection.
- Add the following language to your proposed language: Be physically present while the audiology aide is assisting with patients, unless an alternative treatment plan has been approved by the Board, and provide the appropriate level of supervision to the audiology aide when he or she is engaged in direct client or patient care or assisting with patients. This is consistent with standing regulations, included in the speech-language pathology aide supervision.
- “Fit or sell a hearing aid without possessing a valid hearing aid dispenser’s license or a valid hearing aid trainee license”. Need to elaborate and include:
 - May not take an ear impression
 - May not adjust or modify a hearing aid or an ear mold
- Need to add to the list of activities outside of the scope of responsibility:
Any activities that currently require either a hearing aid dispensing license or a trainee license without first obtaining one.
- Need more clarity in testing: specify that one must be licensed to perform bone conduction testing including masked bone conduction.
- I am currently training an audiology aide for a Hearing Aid license. This person informed me that he has taken impressions before.
- Audiology codes VNG, ABR, and OAE that have a technical and professional component can be performed alone in a room by a non-audiologist technician as long as the physician provides supervision. Medicare guidelines state the physician does not need to be in the room when this occurs as long as they are present in the office.

The following codes are listed as having a billable technical component when performed by a technician:

92541 Spontaneous nystagmus test, including gaze and fixation nystagmus, with recording

92542 Positional nystagmus test minimum of four positions with recording

92543 Caloric vestibular test, each irrigation (binaural, bithermal stimulation constitutes four tests) with recording

92544 Optokinetic nystagmus test, bidirectional, foveal or peripheral stimulation with recording

92545 Oscillating tracking test with recording

92546 Sinusoidal vertical axis rotational testing

92548 Computerized dynamic posturography

In addition to vestibular function tests (92541-92546 and 92548) with a technical component, and audiology tech may bill the technical portion of these services:

92585 Auditory evoked potentials for evoked response audiometry and/or testing of the central nervous system; comprehensive

92587 Evoked otoacoustic emissions; limited (single stimulus level, either transient or distortion products)

92588 Evoked otoacoustic emissions; comprehensive or diagnostic evaluation (comparison of transient and/or distortion product otoacoustic emissions at multiple levels and frequencies

- Excellent Job.



Hearing Healthcare Providers California
One Capitol Mall, Suite 320
Sacramento, CA 95814
Phone (916) 447-1975
Fax (916) 444-7462
www.hhpca.org

Friday, April 25, 2014

Ms. Breanne Humphreys
Interim Executive Officer, Speech-Language Pathology & Audiology & Hearing Aid Dispensers Board
2005 Evergreen Street, Suite 2100
Sacramento, CA 95815

**RE: Draft regulations
regarding Audiology Aids**

Dear Ms. Humphreys:

The Hearing Healthcare Providers California (*hereafter*; HHP) respectfully submits comments to the Speech-Language Pathology & Audiology & Hearing Aid Dispensers Board (*hereafter*; the Board) regarding your draft regulations that would make changes to an audiology aide's supervision and duties. We greatly appreciate the opportunity to comment on these important proposed changes. HHP is professional association representing the Hearing Instrument Specialists throughout California. Our members test hearing and select, fit, and dispense hearing instruments. Our mission is to enable effective treatment alternatives for hearing impaired Californians and enhance our professional development. In conjunction with our redline edits in the other attached document, the following points reflect our concerns as to the proposed regulations.

Section 1399.154. Definitions. Current language in the California Code of Regulations pertaining to definitions of audiology aides in Section (b) (1) reads: "assists or facilitates while an audiologist is evaluating the hearing of individuals and/or is treating individuals with hearing disorders..." Yet the draft regulations appear to expand that definition and were not redlined in the same manner as the rest of the proposed changes. It appears that this definition expands the explanation of duties performed by an audiologist that an aide can assist with or facilitate. This definition would now include evaluation of vestibular function and/or treating individuals with balance disorders.

Our members are concerned that although as hearing aid dispensers who do not test vestibular or balance issues, allowing an aide to assist in those activities raises consumer protection concerns. If the duty were allowed, it might be used as an example in the future to expand duties to include dispensing activities, to which our members would object. As such, we request clarification on this language as it is not in current regulation but was not included in the Board's redline edits.

Section 1399.154.25. Responsibilities of Audiology Aide's Supervisor. Our members request the addition in (c) of the phrase "Be physically present while the audiology aide is assisting with patients, unless an alternative treatment plan has been approved by the board, and provide..." This is consistent with standing regulations, included in the speech-language pathology aide supervision. It should be included here as well.

Section 1399.154.8. Activities, Duties, and Functions Outside the Scope of Responsibility of an Audiology Aide. Current item 10 should be more elaborately defined, and our addition of 11 addresses

our concern. A simple prohibition of fitting or selling hearing aids by an audiology aid does not go far enough. Per our membership, there are many more activities leading up to the fitting and selling of a hearing aid, like taking of ear impressions, adjusting or modifying a hearing aid or ear mold, among other things. Those activities require a dispenser license or dispenser trainee license as consumer protections, and these regulations should be modified to reflect these protections. We request that you include (11) as part of our redline edits in the regulations to read "An audiology aide may not perform any of the following functions: Any activities that require either a hearing aid dispensing license or a trainee license without first obtaining one." The other prohibited functions would then be subsequently renumbered.

Once again, thank you for the opportunity to comment on these proposed regulations. For any further questions, please contact HHP Legislative Advocates Bryce Docherty or Vanessa Cajina at KP Public Affairs at (916) 448-2162 or bdocherty@ka-pow.com or vcajina@ka-pow.com.

Sincerely,

A handwritten signature in black ink that reads "Don Tucker". The signature is written in a cursive, flowing style.

Don Tucker
President

Business and Professions Code:

Section 2530.2 (m) Audiology Aide:

(m) "Audiology aide" means any person meeting the minimum requirements established by the board. An audiology aide may not perform any function that constitutes the practice of audiology unless he or she is under the supervision of an audiologist. The board may by regulation exempt certain functions performed by an industrial audiology aide from supervision provided that his or her employer has established a set of procedures or protocols that the aide shall follow in performing these functions.

Title 16 Division 13.4

Article 5. Speech-Language Pathology & Audiology Aides

1399.154. Definitions.

As used in this article, the term:

- (a) "Speech-language pathology aide" means a person who
 - (1) assists or facilitates while a speech-language pathologist is evaluating the speech and/or language of individuals or is treating individuals with a speech-language and/or language disorder and
 - (2) is registered by the supervisor with the board and the registration is approved by the board.
- (b) "Audiology aide" means a person who
 - (1) assists or facilitates while an audiologist is evaluating the hearing or vestibular function of individuals and/or is treating individuals with hearing or balance disorders, and
 - (2) is registered by the supervisor with the board and the registration is approved by the board.
- (c) "Supervisor" means a licensed speech-language pathologist who supervises a speech-language pathology aide or a licensed audiologist who supervises an audiology aide.
- (d) "Industrial audiology aide" means an audiology aide who conducts pure tone air conduction threshold audiograms for the purpose of industrial hearing testing in addition to other acts and services as provided in these regulations.

1399.154.1. Registration of Aides.

Before allowing an aide to assist in the practice of speech-language pathology or audiology under his or her supervision, a supervisor shall register each aide with the board on a form provided by the board and pay the registration fee required in Section 1399.157. Regardless of their title or job classification, any support person who functions as a speech-language pathology or audiology aide and facilitates or assists a supervisor in evaluations or treatment shall be registered with the board. In the application for registration, the supervisor shall provide to the board his or her proposed plan for supervising and training the speech-language pathology or audiology aide. The proposed plan for training shall be in accordance with Section 1399.154.4 and shall include the supervisor's training methods, the necessary minimum competency level of the aide, the manner in which the aide's competency will be assessed, the persons responsible for training, a summary of any past education, training and experience the aide may have already undertaken, and the length of the training program and assessment of the aide's competency level. The board shall review the application for compliance with the requirements of this article and notify the supervisor of its disposition of the application for registration and whether further information is required in order to complete its review.

NOTE: Authority cited: Section 2531.25, Business and Professions Code. Reference: Sections 2530.2, 2530.6 and 2532.4, Business and Professions Code.

1399.154.1.1 Supervision of Audiology Aide.

For the purposes of the supervision of an audiology aide, the following supervision terms shall apply:

(a) "Direct supervision" means on-site observation and guidance by the audiology supervisor while the audiology aide is treating a patient or client. Direct supervision performed by the supervising audiologist may include, but is not limited to, the following: observation of a portion of the testing or treatment procedures performed by the audiology aide, coaching the audiology aide, and modeling for the aide.

(b) "Indirect supervision" means the supervising audiologist is not at the same facility or in close proximity to the audiology aide, but is available to provide supervision by telephonic or electronic means. Indirect supervision activities performed by the supervising audiologist may include, but are not limited to, demonstration, record review, review and evaluation of recorded sessions, interactive television, and supervisory conferences that may be conducted by telephone or electronic mail. Indirect supervision may be provided to an industrial audiology aide, if all of the following conditions are met:

(1) An alternative plan of supervision has been approved by the board.

(2) The supervisor includes the proposed plan with his or her application form.

(3) The only activity the industrial audiology aide performs outside the physical presence of the supervisor is pure tone air conduction threshold audiograms.

(4) Following the completion of any pure tone air conduction threshold audiograms, the supervisor reviews the patient histories and the audiograms and make any necessary referrals for evaluation and treatment.

(c) "Immediate supervision" means the supervising audiologist is physically present during services provided to the patient or client by the audiology aide.

NOTE: Authority cited: Section 2531.95, Business and Professions Code. Reference: Sections 2530.2 and 2530.6, Business and Professions Code.

1399.154.2. Responsibilities of Speech-Language Pathology Aide's Supervisor.

A supervisor of a speech-language pathology ~~or audiology~~ aide shall:

(a) Have legal responsibility for the health, safety and welfare of the patients.

(b) Have legal responsibility for the acts and services provided by the speech-language pathology ~~or audiology~~ aide, including compliance with the provisions of the Act and these regulations.

(c) Be physically present while the speech-language pathology ~~or audiology~~ aide is assisting with patients, unless an alternative plan of supervision has been approved by the board. ~~— A supervisor of industrial audiology aides shall include a proposed plan for alternative supervision with the application form. An industrial audiology aide may only be authorized to conduct puretone air conduction threshold audiograms when performing outside the physical presence of a supervisor. The supervisor shall review the patient histories and the audiograms and make any necessary referrals for evaluation and treatment.~~

(d) Evaluate, treat, manage and determine the future dispositions of patients.

(e) Appropriately train the speech-language pathology ~~or audiology~~ aide to perform duties to effectively assist in evaluation and/or treatment. A supervisor shall establish and complete a training program for a speech-language pathology ~~or audiology~~ aide in accordance with Section 1399.154.4 which is unique to the duties of the aide and the setting in which he or she will be assisting the supervisor.

(f) Define the services which may be provided by the speech-language pathology ~~or audiology~~ aide. Those services shall not exceed the competency of the aide as determined by his or her education, training and experience, and shall not include any treatment beyond the plan established by the supervisor for the patient.

NOTE: Authority cited: Section 2531.95, Business and Professions Code. Reference: Sections 2530.2 and 2530.6, Business and Professions Code.

1399.154.25. Responsibilities of Audiology Aide's Supervisor.

A supervisor of an audiology aide shall:

- (a) Have legal responsibility for the health, safety and welfare of the patients.
- (b) Have legal responsibility for the acts and services provided by the audiology aide, including compliance with the provisions of the Act and these regulations.
- (c) Provide the appropriate level of supervision to the audiology aide when he or she is engaged in direct client or patient care or assisting with patients.
- (d) Evaluate, treat, manage and determine the future dispositions of patients.
- (e) Appropriately train the audiology aide to perform duties to effectively assist in evaluation and/or treatment. A supervisor shall establish and complete a training program for the audiology aide in accordance with Section 1399.154.4 which is unique to the duties of the aide and the setting in which he or she will be assisting the supervisor.
- (f) Define the services that may be provided by the audiology aide in the supervision plan for the particular aide and setting, in keeping with Board requirements (Section 1399.154.1), and list those tasks that an aide will not conduct (Section 1399.154.8).
- (g) Ensure that the audiology aide is wearing a nametag, at all times while working, with their name and registration status displayed in at least 18-point type.

NOTE: Authority cited: Section 2531.95, Business and Professions Code. Reference: Sections 2530.2 and 2530.6, Business and Professions Code.

1399.154.3. Maximum Number of Aides.

A supervisor shall not supervise more than three (3) speech-language pathology or audiology aides. The board may authorize more than three supervisees if, in its discretion, the supervisor demonstrates that the public health and safety would not be jeopardized and that he or she can adequately supervise more than three aides.

1399.154.4. Training of Aides.

Before a speech-language pathologist or audiologist allows an aide to assist in the practice of speech-language pathology or audiology under his or her supervision, a speech-language pathology or audiology aide shall complete a training program established by the supervisor. The training program shall include, but is not limited to:

- (a) Instruction in the skills necessary to perform any acts or services which are the practice of speech-language pathology or audiology as defined in Section 2530.2 of the code. The supervisor is not required to repeat any training which may have already been received by the aide because of any prior education, training and experience.
- (b) A supervisor shall require a speech-language pathology or audiology aide to demonstrate his or her competence to perform any acts or provide any services which are the practice of speech-language pathology or audiology as defined in Section 2530.2 of the code which may be assigned to the aide or which the aide may provide to patients. A supervisor shall allow a speech-language pathology or audiology aide only to perform those acts or to provide those services for which he or she has been provided training and has demonstrated competency.
- (c) A supervisor shall instruct a speech-language pathology or audiology aide as to the limitations imposed upon his or her duties, acts or services by these regulations, by his or her training and skills and by the evaluation and treatment plan for any patient.
- (d) In addition to the requirements of this section, an industrial audiology aide shall be provided training in the use of an audiometer and in the necessary techniques for obtaining valid and reliable audiograms.

NOTE: Authority cited: Section 2531.95, Business and Professions Code. Reference: Sections 2530.2 and 2530.6, Business and Professions Code.

1399.154.5. Notice of Termination.

Within 30 days after the termination of the supervision of a speech-language pathology or audiology aide, the supervisor shall notify the board, in writing, of such termination and the date thereof.

NOTE: Authority cited: Section 2531.95, Business and Professions Code. Reference: Sections 2530.2 and 2530.6, Business and professions Code.

1399.154.6. Noncompliance With Article.

Failure of a supervising licensee to comply with the provisions of this article may result in a forfeiture of the privilege to supervise an aide.

NOTE: Authority cited: Section 2531.95, Business and Professions Code. Reference: Section 2530.6, Business and Professions Code.

1399.154.7. Aide Experience Not Applicable to Qualifications for Licensure.

Any experience obtained acting as a speech-language pathology or audiology aide shall not be creditable toward the supervised clinical experience required in Section 2532.2(c) of the code or the required professional experience required in Section 2532.2(d) of the code.

1399.154.8. Activities, Duties, and Functions Outside the Scope of Responsibility of an Audiology Aide

- (a) An audiology aide may not perform any of the following functions:
 - (1) Conduct diagnostic evaluations;
 - (2) Interpret diagnostic data;
 - (3) Alter treatment plans;
 - (4) Provide counseling or advice to a client or a client's parent or guardian which is beyond the scope of the client's treatment;
 - (5) Sign any documents in lieu of the supervising audiologist i.e., treatment plans, client reimbursement forms, or formal reports;
 - (6) Discharge clients from services;
 - (7) Make referrals for additional services outside the audiology practice;
 - (8) Unless required by law, disclose confidential information either orally or in writing to anyone not designated by the supervising audiologist;
 - (9) Represent himself or herself as an audiologist;
 - (10) Fit or sell a hearing aid without possessing a valid hearing aid dispensers license or a valid hearing aid trainee license;
 - (11) Independently adjust hearing aids or cochlear implant settings;
 - (12) Perform those procedures that require a high level of clinical acumen and technical skill, e.g., diagnostic VNG, ENG, ABR interpretation;
 - (13) Perform any task without the express knowledge and approval of a supervising audiologist, or
 - (14) Violate HIPPA regulations/laws/requirements



AMERICAN
SPEECH-LANGUAGE-
HEARING
ASSOCIATION

August 13, 2014

Paul Sanchez
Executive Officer
Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board
2005 Evergreen Street, Suite 2100
Sacramento, CA 95815

Dear Mr. Sanchez:

In May 2014, we provided the attached letter for consideration by the California Speech-Language Pathology & Audiology & Hearing Aid Dispensers Board regarding their May 2014 agenda item "Discussion on Public Comment Concerning the Limited Number of Continuing Education Hours for Self-Study." I would like to provide you and the board members additional information to assist the board in their deliberations on the August agenda topic of "Discussion and Possible Recommendation for an Increase in the Number of Self-Study Hours for Continuing Education" which appears on each committee's agenda on August 20 and on the full board agenda on August 21. I would appreciate it if you would distribute the following items to the board related to these agenda items:

1. May 15, 2014 letter from Ellen Fagan to Breanne Humphreys (attached)
2. Four (4) data charts reflecting data on CA participants in CE group courses, self-study courses and blended courses (attached in one file)
3. Report by State of Self-Study CE Hours Allowed Toward Licensure Renewal (attached)

I hope this information is helpful in the board's discussions. If you need additional information or clarification, please let me know. I would be happy to provide any assistance. I do plan to attend the committee meetings on August 20, 2014 and the full board meeting on August 21, 2014 in Los Angeles. I look forward to hearing the board's deliberation on this topic and serving as a resource to the board if called upon.

Sincerely,

Ellen C. Fagan, Ed.D., CCC-SLP
Director, Continuing Education
American Speech-Language-Hearing Association
2200 Research Boulevard, #340
Rockville, MD 20850-3289
Direct line: 301-296-5739

ASHA CE Registry: Course Offering and Participants Summary 2012-2013

	Total number of courses offered	Total number of participants	Group course offerings	Total number of CA Group participants	Self- study course offerings	Total number of CA Self- study participants	Blended course offerings	Total number of CA Blended participants
2012	28,872	332,403	16,889	12625	11,812	8216	171	248
Speech-Language Content	12,804	202,654	7,561	7487	5,132	5354	111	152
Audiology Content	7,405	37,088	3,842	1561	3,556	565	7	53
Service Delivery	8,586	72,250	5,415	2516	3,118	2297	53	43
Other	77	20,411	71	1061	6			
2013	31,321	437,916	17,068	14681	14,142	12027	111	238
Speech-Language Content	14,119	267,866	7,266	8344	6,770	7899	83	168
Audiology Content	7,730	43,750	4,285	2118	3,444	677	1	52
Service Delivery	9,401	104,774	5,451	2790	3,923	3451	27	18
Other	71	21,526	66	1429	5	1429		
Grand Total	73,948	965,744	43,094	36596	30,533	23621	321	573

Data provided by ASHA CE staff August 2014

ASHA CE Registry: Group Course Offerings and CA Participants Summary 2012-2013

	Total number of courses offered	Group course offerings	Group participants	Audiology Group participants	Dually Certified Group participants	Other Group participants	Total number of Group participants
2012	28,872	16,889	10666	1469	82	408	12625
Speech-Language Content	12,804	7,561	7255	11	16	205	7487
Audiology Content	7,405	3,842	114	1319	51	77	1561
Service Delivery	8,586	5,415	2298	120	9	89	2516
Other	77	71	999	19	6	37	1061
2013	31,321	17,068	12537	1596	67	481	14681
Speech-Language Content	14,119	7,266	8032	8	17	287	8344
Audiology Content	7,730	4,285	568	1472	29	49	2118
Service Delivery	9,401	5,451	2599	96	13	82	2790
Other	71	66	1338	20	8	63	1429
Grand Total	73,948	43,094	31140	3984	214	1258	36596

Data provided by ASHA CE staff August 2014

ASHA CE Registry: Self-Study Course Offerings and CA Participants Summary 2012-2013

	Total number of courses offered	Self-study course offerings	SLP Self-study participants	Audiology Self-study participants	Dually Certified Self-study participants	Other Self-study participants	Total number of Self-study participants
2012	28,872	11,812	7432	488	45	251	8216
Speech-Language Content	12,804	5,132	5175	3	8	168	5354
Audiology Content	7,405	3,556	160	375	18	12	565
Service Delivery	8,586	3,118	2097	110	19	71	2297
Other	77	6					
2013	31,321	14,142	11161	513	42	311	12027
Speech-Language Content	14,119	6,770	7665	2	9	223	7899
Audiology Content	7,730	3,444	260	392	17	8	677
Service Delivery	9,401	3,923	3236	119	16	80	3451
Other	71	5					1429
Grand Total	73,948	30,533	21498	1301	118	704	23621

Data provided by ASHA CE staff August 2014

ASHA CE Registry: Blended Course Offerings and CA Participants Summary 2012-2013

	Total number of courses offered	Blended course offerings	SLP Blended participants	Audiology Blended participants	Dually Certified Blended participants	Other Blended participants	Total number of Blended participants
2012	28,872	171	216	30		2	248
Speech-Language Content	12,804	111	151			1	152
Audiology Content	7,405	7	23	29		1	53
Service Delivery	8,586	53	42	1			43
Other	77						
2013	31,321	111	213	19	2	4	238
Speech-Language Content	14,119	83	165			3	168
Audiology Content	7,730	1	32	19		1	52
Service Delivery	9,401	27	16		2		18
Other	71						
Grand Total	73,948	321	504	59	3	7	573

Data provided by ASHA CE staff August 2014



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Report by State of Self-Study CE Hours Allowed Toward Licensure Renewal

Compiled by ASHA State Advocacy Team (August 2014)

Alabama

Continuing Education Hours Required: 12 hours / 1 year

Limit on Self Study Hours: None

Reference: http://abespa.alabama.gov/files/Rules_Regs2013.pdf

Alaska

Continuing Education Hours Required: None

Limit on Self Study Hours: N/A

Reference: <http://commerce.alaska.gov/dnn/Portals/5/pub/AudiologistsStatutes.pdf>

Arizona

Continuing Education Hours Required: 10 hours / 1 year

Limit on Self Study Hours: None

Reference: http://www.azsos.gov/public_services/Title_09/9-16.htm#Article_2

Arkansas

Continuing Education Hours Required: 10 hours / 1 year

Limit on Self Study Hours: None

Reference: http://www.abespa.com/pdf/rules_regs061205.pdf

California

Continuing Education Hours Required: 24 hours / 2 years

Limit on Self Study Hours: 6 hours

Reference: http://www.speechandhearing.ca.gov/board_activity/lawsregs/regulations.shtml#Article11

Colorado

Continuing Education Hours Required: Currently developing requirements

Limit on Self Study Hours: N/A

Reference: N/A

Connecticut

Continuing Education Hours Required: 20 hours / 2 years

Limit on Self Study Hours: None

Reference: <http://www.cga.ct.gov/2011/pub/chap399.htm#Sec20-411a.htm>

Delaware

Continuing Education Hours Required: 30 hours / 2 years

Limit on Self Study Hours: None

Reference: <http://regulations.delaware.gov/AdminCode/title24/3700.shtml>

District of Columbia

Continuing Education Hours Required: 20 hours / 2 years

Limit on Self Study Hours: Not defined

Reference:
http://doh.dc.gov/sites/default/files/dc/sites/doh/publication/attachments/SLP_regulation_Oct_18_2013.pdf

Florida

Continuing Education Hours Required: 30 hours / 2 years

Limit on Self Study Hours: None

Reference: https://www.flrules.org/gateway/RuleNo.asp?title=CONTINUING_EDUCATION&ID=64B20-6.002

Georgia

Continuing Education Hours Required: 20 hours / 2 years

Limit on Self Study Hours: None

Reference: <http://rules.sos.state.ga.us/docs/609/7/01.pdf>

Hawaii

Continuing Education Hours Required: None

Limit on Self Study Hours: N/A

Reference: http://hawaii.gov/dcca/pvl/pvl/har/har_100-c.pdf

Idaho

Continuing Education Hours Required: 10 hours / 1 year

Limit on Self Study Hours: None

Reference: <http://adminrules.idaho.gov/rules/current/24/2301.pdf>

Illinois

Continuing Education Hours Required: 20 hours / 2 years

Limit on Self Study Hours: None

Reference: <http://www.ilga.gov/commission/jcar/admincode/068/068014650000850R.html>

Indiana

Continuing Education Hours Required: 36 hours / 2 years

Limit on Self Study Hours: 6 hours

Reference: http://www7.dleg.state.mi.us/orr/Files/AdminCode/1130_2012-121LR_AdminCode.pdf

Iowa

Continuing Education Hours Required: 30 hours / 2 years

Limit on Self Study Hours: 16 hours

Reference: <https://www.legis.iowa.gov/docs/ACO/chapter/645.303.pdf>

Kansas

Continuing Education Hours Required: 20 hours / 2 years

Limit on Self Study Hours: None

Reference: <http://www.kdheks.gov/bhfr/regs/28-61.pdf>

Kentucky

Continuing Education Hours Required: 30 hours / 2 years

Limit on Self Study Hours: Online coursework shall not exceed 10 hours per day

Reference:

<http://slp.ky.gov/Documents/Speech%20Language%20Pathology%20and%20Audiology%20laws%20and%20regulations%202013.pdf>

Louisiana

Continuing Education Hours Required: 10 hours / 1 year

Limit on Self Study Hours: 5 hours - audio or video tapes; reading of journal articles that contain self-examination questions at the end; Publication of diagnostic and/or therapeutic materials

Reference: http://www.lbespa.org/Speech_Rules_Regulations_and_Procedures_46v75.pdf

Maine

Continuing Education Hours Required: 10 hours / 1 year

Limit on Self Study Hours: 4 hours / 1 year

Reference: <http://www.maine.gov/sos/cec/rules/02/643/643-all-2011.doc>

Maryland

Continuing Education Hours Required: 30 hours / 2 years

Limit on Self Study Hours: None

Reference: http://dhmh.maryland.gov/boardsahs/Documents/COMAR_10_41_03_Licensure_and_CE.pdf

Massachusetts

Continuing Education Hours Required: 20 hours / 2 years

Limit on Self Study Hours: None

Reference: <http://www.mass.gov/ocabr/licensee/dpl-boards/sp/regulations/rules-and-regs/260-cmr-700.html>

Michigan

Continuing Education Hours Required: Aud – 20 hours / 2 years; SLP – none

Limit on Self Study Hours: None

Reference: http://www7.dleg.state.mi.us/orr/Files/AdminCode/1130_2012-121LR_AdminCode.pdf

Minnesota

Continuing Education Hours Required: ASHA requirements or 30 hours / 2 years

Limit on Self Study Hours: None

Reference: <http://www.health.state.mn.us/divs/hpsc/hop/slpa/slpreg2012.pdf>

Mississippi

Continuing Education Hours Required: 20 hours / 2 years

Limit on Self Study Hours: None

Reference: http://msdh.ms.gov/msdhsite/_static/resources/571.pdf

Missouri

Continuing Education Hours Required: 30 hours / 2 years

Limit on Self Study Hours: None

Reference: <http://www.sos.mo.gov/adrules/csr/current/20csr/20c2150-4.pdf>

Montana

Continuing Education Hours Required: 40 hours / 2 years

Limit on Self Study Hours: None

Reference: <http://mtrules.org/gateway/RuleNo.asp?RN=24%2E222%2E2102>

Nebraska

Continuing Education Hours Required: 20 hours / 2 years

Limit on Self Study Hours: 10 hours

Reference: [http://www.sos.ne.gov/rules-and-regs/regsearch/Rules/Health and Human Services System/Title-172/Chapter-023.pdf](http://www.sos.ne.gov/rules-and-regs/regsearch/Rules/Health%20and%20Human%20Services%20System/Title-172/Chapter-023.pdf)

Nevada

Continuing Education Hours Required: 15 hours / 1 year

Limit on Self Study Hours: None

Reference: <http://www.leg.state.nv.us/nac/NAC-637B.html#NAC637BSec410>

New Hampshire

Continuing Education Hours Required: 30 hours / 2 years

Limit on Self Study Hours: 50 %

Reference: http://www.gencourt.state.nh.us/rules/state_agencies/spe100-600.html

New Jersey

Continuing Education Hours Required: 20 hours / 2 years

Limit on Self Study Hours: self-assessment home study - up to 10 hours; Reading articles for which ASHA or AAA issue verification of completion – up to 6 hours

Reference:

http://www.njconsumeraffairs.gov/chapters/Chapter%2044C%20Audiology%20and%20Speech_Language%20Pathology%20Advisory%20Committee.pdf

New Mexico

Continuing Education Hours Required: 20 hours / 2 years

Limit on Self Study Hours: None

Reference:

<http://www.rld.state.nm.us/uploads/files/Rules%20Regulations%20and%20Practice%20Act%20effective%2006%2007%2010.pdf>

New York

Continuing Education Hours Required: 30 hours / 3 years

Limit on Self Study Hours: No more than two-thirds of the mandatory continuing competency requirement may be completed through self-study. No more than one-sixth of the mandatory continuing competency requirement may be completed through independent study.

Reference: <http://www.op.nysed.gov/prof/slpa/part75.htm#fiveeight>

North Carolina

Continuing Education Hours Required: 30 hours / 3 years

Limit on Self Study Hours: None

Reference: <http://www.ncboeslpa.org/LicensureStatute.pdf>

North Dakota

Continuing Education Hours Required: 10 hours / 1 year

Limit on Self Study Hours: None

Reference: <http://www.legis.nd.gov/information/acdata/pdf/11-02-01.pdf?20140724105018>

Ohio

Continuing Education Hours Required: 20 hours / 2 years

Limit on Self Study Hours: If proof of passing the post-test is obtained, there is no limit on the number of credit hours that may be earned through independent study activities. A maximum of ten hours may be obtained from internet programs approved as a continuing education experience under this section without a post-test.

Reference: <http://codes.ohio.gov/oac/4753-4>

Oklahoma

Continuing Education Hours Required: 20 hours / 2 years

Limit on Self Study Hours: None

Reference: <http://www.ok.gov/obespa/documents/OBESPA%20Code2011.pdf>

Oregon

Continuing Education Hours Required: 30 hours / 2 years

Limit on Self Study Hours: None

Reference: http://arcweb.sos.state.or.us/pages/rules/oars_300/oar_335/335_070.html

Pennsylvania

Continuing Education Hours Required: 20 hours / 2 years

Limit on Self Study Hours: None

Reference: <http://www.pacode.com/secure/data/049/chapter45/chap45toc.html>

Rhode Island

Continuing Education Hours Required: 20 hours / 2 years

Limit on Self Study Hours: None

Reference: <http://sos.ri.gov/documents/archives/regdocs/released/pdf/DOH/7043.pdf>

South Carolina

Continuing Education Hours Required: 16 hours / 1 year

Limit on Self Study Hours: ¼ (4 hours)

Reference: <http://www.scstatehouse.gov/coderegs/c115.php>

South Dakota

Continuing Education Hours Required: Aud – 12 hours / 1 year; SLP – 20 hours / 2 years

Limit on Self Study Hours: None

Reference: Aud - <http://legis.sd.gov/Rules/DisplayRule.aspx?Rule=20:72:01:02>; SLP - <http://legis.sd.gov/Rules/DisplayRule.aspx?Rule=20:79:02:05>

Tennessee

Continuing Education Hours Required: 10 hours / 1 year

Limit on Self Study Hours: 5 hours – multi-media

Reference: <http://www.state.tn.us/sos/rules/1370/1370-01.20101213.pdf>

Texas

Continuing Education Hours Required: 20 hours / 2 years

Limit on Self Study Hours: None

Reference: [http://info.sos.state.tx.us/pls/pub/readtac\\$ext.ViewTAC?tac_view=5&ti=22&pt=32&ch=741&sch=L&rl=Y](http://info.sos.state.tx.us/pls/pub/readtac$ext.ViewTAC?tac_view=5&ti=22&pt=32&ch=741&sch=L&rl=Y)

Utah

Continuing Education Hours Required: 20 hours / 2 years

Limit on Self Study Hours: None

Reference: <http://www.dopl.utah.gov/laws/R156-41.pdf>

Vermont

Continuing Education Hours Required: Maintenance of ASHA/ABA certification

Limit on Self Study Hours: None

Reference: http://education.vermont.gov/documents/educ_5100_licensing_regulations.pdf

Virginia

Continuing Education Hours Required: 30 hours / 2 years

Limit on Self Study Hours: None

Reference: http://www.dhp.virginia.gov/aud/aud_laws_regs.htm#law

Washington

Continuing Education Hours Required: 30 hours / 3 years

Limit on Self Study Hours: None

Reference: <http://apps.leg.wa.gov/WAC/default.aspx?cite=246-828-510>

West Virginia

Continuing Education Hours Required: 20 hours / 2 years

Limit on Self Study Hours: None

Reference: <http://www.wvspeechandaudiology.com/Home/LegislativeRules.aspx>

Wisconsin

Continuing Education Hours Required: 20 hours / 2 years

Limit on Self Study Hours: None

Reference:
<http://dsps.wi.gov/Documents/Board%20Services/Codebooks/36D%20POD%20Hearing%20Instrument%20Specialists%20Speech-Language%20Pathologist%20and%20Audiologist%20OCTOBER%202012.pdf>

Wyoming

Continuing Education Hours Required: 12 hours / 1 year

Limit on Self Study Hours: None

Reference: <http://plboards.state.wy.us/speech/PDF/RulesRegs/CurrentRules.pdf>

Summary of State Self-Study Data

No limits on self-study hours: 34 states and DC	Limits on self-study hours: 13 states	No CE requirements: 3 states
Alabama	California: 6 of 20	Alaska
Arizona	Indiana: 6 of 36	Colorado (being written now)
Arkansas	Iowa: 16 of 30	Hawaii
Connecticut	Kentucky: 10 hrs per day; no limit on contact hours for renewal period	
Delaware	Louisiana: 5 of 10	
District of Columbia	Maine: 4 of 10	
Florida	Nebraska: 10 of 20	
Georgia	New Hampshire: 15 of 30	
Idaho	New Jersey: 10 self-study & 6 reading articles of 20 total	
Illinois	New York: 20 self-study; 5 independent study of 30	
Kansas	Ohio: no limit if test passed; 10 w/out test of 20	
Maryland	South Carolina: 4 of 16	
Massachusetts	Tennessee: 5 of 10	
Michigan		
Minnesota		
Mississippi		
Missouri		
Montana		
Nevada		
New Mexico		
North Carolina		
North Dakota		
Oklahoma		
Oregon		
Pennsylvania		
Rhode Island		
South Dakota		
Texas		
Utah		
Vermont		
Virginia		
Washington		
West Virginia		
Wisconsin		
Wyoming		



MEETING MINUTES - DRAFT
SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY AND HEARING AID
DISPENSERS BOARD

August 21, 2014
The Concourse Hotel
6225 W. Century Blvd
Los Angeles, CA 90045

I. Call to Order

Chairperson Grimes called the meeting to order and took roll. Eight board members were present and thus a quorum was established. Guests and members of the public introduced themselves.

Board Members Present

Alison Grimes, Chair, Dispensing Audiologist
Patti Solomon-Rice, Vice Chair, Speech-Language Pathologist
Jaime Lee, Public Member
Deane Manning, Hearing Aid Dispenser
Dee Parker, Speech-Language Pathologist
Marcia Raggio, Dispensing Audiologist
Amnon Shalev, Hearing Aid Dispenser
Debbie Snow, Public Member

Board Members Absent

Rodney Diaz, M.D.

Staff Present

Paul Sanchez, Executive Officer
Breanne Humphreys, Operations Manager
Sabina Knight, Legal Counsel

Guests Present

J. Kiely Ball, Hearing Aid Dispenser
Becky Bingea, Audiologist, California Academy of Audiology (CAA)
Cindy Crawford, Hearing Aid Dispenser, Hearing Healthcare Providers (HHP)
Ellen Fagan, American Speech-Language-Hearing Association (ASHA)
Cindy Crawford, Hearing Aid Dispenser, HHP
Heidi Lincer-Hill, Office of Professional Examination Services (OPES)
Lindsay Johnson, Representing J. Kiely Ball
Michael W. Valentine, Deputy Attorney General
Vanessa Cajina, KP Public Affairs for HHP
Amy Yurky, Administrative Law Judge

II. Introductions

III. Hearing on Petition for Penalty Relief – Termination of Probation – J. Kiely Ball

Prior to beginning the hearing on the Ball Matter, Amy Yurky, the administrative law judge gave preliminary information and information regarding the case.

CLOSED SESSION

The Board met in closed session pursuant to Government Code Section 11126 (c)(3) to discuss and vote on this matter.

RETURN TO OPEN SESSION – 12:24pm

Chairperson Grimes reordered the agenda to discuss item numbers VII, VIII, and IX.

VII. Office of Professional Examination Services Presentation on the 2014 Speech-Language Pathology Occupational Analysis (OA)

Ms. Lincer-Hill, Chief of OPES gave an overview of the functions OPES performs. Ms. Lincer-Hill explained that Raul Villanueva performed the board's occupational analysis, but was unable to attend the meeting. Regulatory boards are statutorily required to conduct an OA every five to seven years and submit a report of the findings. The goal of the exam is to link test content with exam content, making sure the exam is up to date with current standards and practices. Focus should be on critical competencies required for protecting the consumer. Subject matter experts are used to review and analyze the collected data. The analysis was started in January 2014. Several surveys were sent out to licensees in sample areas for input on the importance on different tasks. The last time an OA was done for Speech Language Pathologists was in 2001.

The total number of SLPs surveyed in 2001 was 2,029 with a response rate of 15 percent compared to the current amount surveyed 3,595 with a response rate of 13 percent. Ms. Lincer-Hill then gave the following breakdown of the survey participants:

- 39 % of the responses were from those licensed 0-5 years,
- 21 % were those licensed 6-10 years,
- 19 % were those licensed 11-20 years,
- 9 % were those licensed 21-29 years and
- 3 % were those licensed 30+ years.
- 59% of those surveyed were working in a public school setting and private practice.

Ms. Lincer-Hill continued with an overview of the OA which included discussion of the process involved in developing the OA, data analysis of the study, and content areas outlined of Speech-Language Pathology. The next step of the OA will be to conduct a linkage study of the national Praxis exam to make sure it meets licensure standards.

VIII. Practice Committee Reports

A. Speech-Language Pathology Practice Committee Report

Committee Chair, Patti Solomon-Rice discussed the variable term waiver requirements issue amongst speech-language pathologists pointing out that the requirements for speech-language pathologists were far less stringent than that of speech language pathology services credential in a school setting. As a result, Commission on Teacher Credentialing (CTC) created a concept document to make requirements more stringent. The committee would like to request that the CTC consider some additional suggestions discussed in the February meeting.

Feedback to a survey send out showed some concern with adequate supervision of Speech-Language Pathology Assistants (SLPA's) by Speech-Language Pathologists. Research was conducted and it was discovered that both Texas and Louisiana audit their SLPA's. Ms. Solomon-Rice will contact the state of Texas to enquire about their process for auditing SLPAs. Mr. Sanchez, Ms. Humphreys, Ms. Parker and Ms. Solomon-Rice will meet by telephone conference to discuss the need to audit the supervisory process of SLPAs and devise a method on how to proceed.

Increasing continuing education self-study hours was also discussed and the committee will recommend to the Board increasing the amount of self-study hours allowed during the discussion on this issue in Item IX of the Board meeting.

The committee is pleased with the modified clinical practicum form.

Ms. Parker motioned to accept the Speech-Language Pathology Practice Committee Report and Ms. Lee seconded the motion. The motion carried 8-0.

B. Hearing Aid Dispensers Committee Report

Committee Chair, Deane Manning reported that the committee decided to table the discussion on the development on the proposed practice guidelines for hearing aid dispensing.

It was reported that the committee concluded that a license is required when programming bone anchored devices external sound processors, however the item was tabled due to pending legislation regarding this issue.

Update on exemption request of FDA on mail order and catalog sales, no further information to report.

Mr. Shalev motioned to accept the Hearing Aid Dispensers Committee Report and Mr. Manning seconded the motion. The motion carried 8-0.

C. Audiology Practice Committee Report

Committee Chair, Alison Grimes reported on the discussion about proposed regulatory amendments to audiology aide supervision standards and practice limitations. Draft language as well as informal comments in response to draft language was reviewed, including a letter from the president of Hearing Healthcare Providers (HHP). Confusion was reported on what the laws and regulation stipulate on how the fitting of a hearing aid is currently defined in the practice act, laws and regulations. The committee asked legal counsel to investigate legally what an audiologist versus a hearing aid dispenser can do in relation to the fitting of hearing aids. Ms. Knight will report back on her findings. No further progress was made on draft regulations.

The consumer protection issue regarding inadequate number of providers available to service children with MediCal under the California Children Services Program (CCS) was discussed. The committee intends to solicit legislature assistance with further investigations. The committee hopes to have CCS and MediCal representation at future board meetings for additional discussion.

The lack of response from the Developmental Department of Service in regards to the regional center concerns was discussed. The committee intends to keep this item on the radar for future discussions.

A brief discussion was held on changing the amount of self-study hours allowed for audiologists.

Chairperson Grimes informed the Board that she was removing Mr. Shalev from the Audiology Practice Committee to meet legal recommendation on the amount of committee members and thanked Mr. Shalev for his participation.

Mr. Manning motioned to approve the AU practice committee report and Ms. Raggio seconded the motion. The motion carried 8-0.

IX. Discussion and Possible Action on Increasing the Number of Self-Study Hours for Speech-Language Pathology and Audiology

Ms. Solomon- Rice reported that the SLP Committee would like to recommend an increase the amount of self-study hours allowed for Speech-Language Pathologists. The committee would also like to redefine what is considered self-study and what is not as well as obtain feedback from some of the continuing professional development providers on the subject.

Mr. Sanchez recommended continuing research on both sides to determine a standard amount and possibly become more unified on the requirements for both professions. He also recommended contacting ASHA to assist in defining a self-study course.

Chairperson Grimes discussed the need for more information on the requirements and limitations in other states and recommendation is made for staff to research this topic and possibly to contact National Council of State Board of Examiners as a resource for information. Ms. Solomon-Rice pointed out that the SLP committee already has the information on their side of the discussion and is ready to move forward. Ms. Solomon-Rice also pointed out that the requirements do not have to be the same since the needs of the profession are different.

Mr. Sanchez suggested that it may be beneficial to further research the issue on both sides and make regulatory changes for both professions at one time rather than separately. Since there is already a backlog of regulation packages, there is time and submitting this as one regulation package may be more efficient.

The Audiology Practice Committee recommended the board to further research the issues pertaining to audiology self-study.

Ms. Lee motioned that the Board gather more information about the implications and suggested changes to self-study hours for audiologists and dispensing audiologists and Ms. Raggio seconded the motion. The motion carried 8-0.

The Speech-Language Pathology Practice Committee recommended that the Board increase the number of self-study hours for speech-language pathologists within a licensing cycle, redefine “self study,” and incorporate the changes into our agreement with continuing education providers.

Ms. Parker motioned to accept the committee’s recommendations and Ms. Solomon-Rice seconded the motion. The motioned, carried 8-0.

Mr. Manning expressed concerns about the Board trying to make continuing education easier for the licensees and reminded the Board that its mission is to protect the consumers first by focusing on what is best for ensuring continued professional development.

Chairperson Grimes recommended that Board staff research the number and proportion of self-study hours and definitions of self-study in other states for speech-language pathology, audiology, dispensing audiology and hearing aid dispensers and develop proposed regulatory language for the Board to review.

Ms. Parker motioned to accept Chairperson Grimes’ recommendation and Mr. Shalev seconded the motion. The motioned carried 8-0.

The meeting resumed to its original order and Items IV., V., and VI.

IV. Approval of the May 23, 2014 Board Meeting Minutes

Ms. Parker motioned that Board approve the minutes as written and Ms. Solomon-Rice seconded the motion. The motion carried 8-0.

V. Executive Officer and Board Staff Reports

Mr. Sanchez expressed his appreciation to Ms. Humphreys for her service to the Board as Interim Executive Officer and for assisting him with his transition to the Board office.

Mr. Sanchez reported that at the end of the budget year, we have reverted \$318,000 to the contingency fund, which amounts to about 17 percent of the Board's budget. Much of this is due to vacancies within the board.

The board has recently hired Anita Joseph from the Department of Fair Employment and Housing to fill the special investigator position. There is currently one vacancy in Enforcement to fill behind Patty Rodriguez who recently accepted a position with another board.

Three of the Board's senior staff members are looking to retire by December. This poses additional challenges for the board as over 50 years of experience and institutional knowledge will be leaving. Staff is already being cross-trained to help ease the transition process. The retirements will also have a significant impact on the Board's budget due to vacation payouts.

The board has seen an increase in the amount of complaints received this year. Licensing staff is working overtime to push through the peak time and get licenses issued in a timely manner. Current processing time for applications is at seven weeks.

The Hearing Aid Dispensers practical examination was held on July 26, 2014. Debbie Newcomer, the Board Examinations Analyst and Ms. Humphreys have been working with OPES to make process changes to the examination. Another examination is planned for Southern California later in the year and Board staff is looking to address accessibility issues and shorten the time applicants wait for to take the examination. Chairperson Grimes asked whether it would be possible to designate a certain amount of examinees for hearing aid, audiology and physicians rather than leaving it first come, first serve as it is currently. Mr. Sanchez suggested there may be legal issues with implementing such a process. Chairperson Grimes would like to figure out a way to track how many applicants are turned away or not able to take the exam because of the limited space in order to determine the magnitude of the problem. Board staff are looking at options to increase the number of examination opportunities and will look at ways to track this information.

The board has completed the majority of the continuing education audit started last year. Out of the 157 licensees that were audited, 126 passed, 26 are still in progress and 5 citations are pending to be issued.

Other items in process are end of the year annual reports and publishing the Boards Practice Act. There are four regulatory packages that have been adopted and need to be filed with the Office of Administrative Law. The Board has been unable to finish the work of filing the regulations due to being understaffed and is seeking help from DCA's Legislative Office.

VI. Legislation

A. AB 1758 – Patterson – Prorating of Initial Licensing Fees – This bill been held in senate appropriations and does not affect the Board because of our fee structure and processes.

B. SB 1326– Roth – Hearing Aids: Warranty Work Order or Receipt – This bill is enrolled and waiting for the Governor’s signature. Mr. Shalev discussed the need to inform Hearing Aid Dispensers of the changes covered in this bill. It was decided that the Board would work with HHP and CAA on the development of a notification and fact sheet on the changes in law due to SB 1326.

X. Public Comment on Items Not on the Agenda

No public comments.

XI. Agenda Items and Future Board Meetings Dates

A. Agenda Items for Next Meeting

1. SLP Practice Committee Meeting Items

- Update on CTC meeting in August 2014, if SLP Variable term waiver is an agenda item for that meeting
- Update on auditing supervision of SLPs
- Update on recommendation to increase self-study hours for SLP’s

2. Mail Ballot Policy

3. SB 1326 Implementation

B. November Board Meeting – San Diego

Mr. Sanchez discussed a proposal to change the next Board meeting to November 5-6, 2014 to accommodate Dr. Diaz’ schedule so that he may attend. Several board members could not commit to attending on the proposed dates so the meetings was set for November 6-7, 2014 in San Diego.

Future board meeting is tentatively scheduled in Sacramento for February 5-6, 2015.

Ms. Parker motioned that the Board meeting be adjourned and Ms. Snow seconded the motion. The motion carried and Chairperson Grimes adjourned the meeting.

Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board - 0376
BUDGET REPORT
FY 2014-15 EXPENDITURE PROJECTION

FISCAL MONTH 3

OBJECT DESCRIPTION	FY 2013-14		FY 2014-15				
	ACTUAL EXPENDITURES (MONTH 13)	PRIOR YEAR EXPENDITURES 9/30/2013	BUDGET STONE 2014-15	CURRENT YEAR EXPENDITURES 9/30/2014	PERCENT SPENT	PROJECTIONS TO YEAR END	UNENCUMBERED BALANCE
PERSONNEL SERVICES							
Salary & Wages (Staff)	350,858	96,492	432,132	83,400	19%	416,783	15,349
Statutory Exempt (EO)	79,405	21,045	81,732	20,280	25%	81,120	612
Temp Help Reg (Seasonals)	3,316		1,000	3,026	303%	68,104	(67,104)
Temp Help (Exam Proctors)	475	289					0
Board Member Per Diem			5,854		0%		5,854
Committee Members (DEC)	5,100			1,400		5,000	(5,000)
Overtime	12,235	3,411	5,000	4,126		16,000	(11,000)
Staff Benefits	182,185	49,994	223,320	48,360	22%	194,296	29,024
TOTALS, PERSONNEL SVC	633,574	171,231	749,038	160,592	21%	781,303	(32,265)
OPERATING EXPENSE AND EQUIPMENT							
General Expense	11,356	1,978	42,541	6,631	16%	15,000	27,541
Fingerprint Reports	13,696	3,357	28,439	5,665	20%	14,500	13,939
Minor Equipment	8,234		3,050	457		3,050	0
Printing	8,653	1,323	24,393	1,795	7%	9,000	15,393
Communication	5,043	607	17,027	224	1%	5,200	11,827
Postage	24,062	4,691	23,340	4,492	19%	24,000	(660)
Insurance			144		0%		144
Travel In State	16,196	412	24,162	1,855	8%	15,000	9,162
Travel, Out-of-State			0				0
Training			5,802		0%	750	5,052
Facilities Operations	60,083	63,652	77,569	62,303	80%	64,303	13,266
Utilities			0				0
C & P Services - Interdept.			23,890		0%		23,890
C & P Services - External	363		0				0
DEPARTMENTAL SERVICES:							
Departmental Pro Rata	171,051	47,297	179,737	44,934	25%	179,737	0
Admin/Exec	87,432	21,619	94,578	23,645	25%	94,578	0
Interagency Services - OPES			29,093		0%	29,000	93
IA w/ OPES	67,996		60,000			60,000	0
DOI-ProRata Internal	2,780	689	2,961	740	25%	2,961	0
Public Affairs Office	3,241	978	2,888	722	25%	2,888	0
CCED	35,893	9,344	3,160	790	25%	3,160	0
INTERAGENCY SERVICES:							
Consolidated Data Center	193	83	8,932	34	0%	500	8,432
DP Maintenance & Supply	3,902	2,258	17,077	2,886	17%	4,000	13,077
Central Admin Svc-ProRata	59,269	14,817	79,026	19,757	25%	79,026	0
EXAM EXPENSES:							
Exam Supplies							0
Exam Freight							0
Exam Site Rental	2,232		7,663			2,250	5,413
C/P Svcs-External Expert Administrative	9,995	8,870	23,455	8,870		10,000	13,455
C/P Svcs-External Expert Examiners			40,000				40,000
C/P Svcs-External Subject Matter	40,079	6,426		8,570		40,000	(40,000)
ENFORCEMENT:							
Attorney General	84,005	13,208	90,567	28,225	31%	119,670	(29,103)
Office Admin. Hearings	16,021		21,749	7,084	33%	30,000	(8,251)
Court Reporters	1,202	310		529		1,500	(1,500)
Evidence/Witness Fees	19,153		7,428		0%	15,000	(7,572)
DOI - Investigations	214,031	52,501	281,291	70,323	25%	281,291	0
Major Equipment							0
Other - Clothing & Pers Supp							0
Special Items of Expense							0
Other (Vehicle Operations)			0				0
TOTALS, OE&E	966,161	254,420	1,219,962	300,531	25%	1,106,364	113,598
TOTAL EXPENSE	1,599,735	425,651	1,969,000	461,123	46%	1,887,667	81,333
Sched. Reimb. - Fingerprints	(16,635)	(3,675)	(31,000)	(4,312)	14%	(31,000)	0
Sched. Reimb. - Other	(5,415)	(940)	(2,000)	(1,175)	59%	(2,000)	0
Distributed							0
Unsched. Reimb. - Other	(32,613)	(2,998)		(1,198)			0
NET APPROPRIATION	1,545,072	418,038	1,936,000	454,438	23%	1,854,667	81,333
SURPLUS/(DEFICIT):							4.2%

Speech-Language Pathology and Audiology

Month:

Sep

Month Number:

3

Revenue Projection

Mos. Remaining:

9

2014-15

Input in Blue Shaded Cells Only

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		FY 12-13		FY 13-14		FY 14-15			Projection Formulas	
		9/30/12 YTD	Month 13	9/30/13 YTD	Month 13	Budgeted	9/30/14 YTD	Projection	PY Ratio	SL Projection
Speech Reimbursements:										
991937		\$ 4,463	\$ 24,245	\$ 4,517	\$ 21,585	\$ 33,000	\$ 5,242	\$ 25,154	\$ 25,154	\$ 20,968
991937 01	Scheduled Reimbursements/Fingerprints	\$ 3,523	\$ 15,920	\$ 3,577	\$ 16,170		\$ 4,067	\$ 18,385	\$ 18,385	\$ 16,268
991937 02	Scheduled Reimbursements/External	\$ 940	\$ 8,325	\$ 940	\$ 5,415		\$ 1,175	\$ 6,769	\$ 6,769	\$ 4,700
995988		\$ 2,462	\$ 11,474	\$ 2,998	\$ 32,613	\$ -	\$ 1,198	\$ 13,032	\$ 13,032	\$ 4,792
995988 00	Unsch - External/Other	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
995988 01	Unsch - Investigative Cost Recovery	\$ 2,462	\$ 11,474	\$ 2,998	\$ 32,613	\$ -	\$ 1,198	\$ 13,032	\$ 13,032	\$ 4,792
		\$ 6,925	\$ 35,719	\$ 7,515	\$ 54,198	\$ -	\$ 6,440	\$ 38,186	\$ 38,186	\$ 25,760
Total Reimbursements:										
Speech Revenue:										
125600		\$ 3,250	\$ 19,714	\$ 3,155	\$ 13,665	\$ 25,000	\$ 3,370	\$ 14,531	\$ 14,531	\$ 13,480
125600 SD	*Letter of Good Standing	\$ 1,300	\$ 5,389	\$ 1,130	\$ 5,440	\$ -	\$ 1,120	\$ 5,392	\$ 5,392	\$ 4,480
125600 5H	Citation and Fine	\$ 200	\$ 7,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
125600 5T	Duplicate Renewal License	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
125600 5W	Duplicate License	\$ 1,750	\$ 7,325	\$ 2,025	\$ 8,225	\$ -	\$ 2,250	\$ 9,139	\$ 9,139	\$ 9,000
125700		\$ 30,377	\$ 94,286	\$ 28,357	\$ 97,219	\$ 311,000	\$ 35,660	\$ 128,772	\$ 128,772	\$ 142,640
125700 D8	Cont. Prof. Develop Provider	\$ 800	\$ 2,000	\$ 2,000	\$ 4,400		\$ 800	\$ 1,760	\$ 1,760	\$ 3,200
125700 H2	Temporary License- SP	\$ -	\$ -	\$ -	\$ -		\$ -	\$ -	\$ -	\$ -
125700 H3	Temporary License- AU	\$ 120	\$ 120	\$ -	\$ -		\$ 30	\$ -	\$ -	\$ 120
125700 N1	**Speech Assistant App. Fee	\$ 6,450	\$ 20,600	\$ 4,400	\$ 19,500		\$ 8,100	\$ 35,898	\$ 35,898	\$ 32,400
125700 01	Refunded Reimbursements	\$ -	\$ -	\$ -	\$ -		\$ -	\$ -	\$ -	\$ -
125700 5S	Application Fee - Speech	\$ 12,880	\$ 38,605	\$ 12,530	\$ 39,585		\$ 14,875	\$ 46,993	\$ 46,993	\$ 59,500
125700 5T	Initial License Fee - Speech	\$ 9,785	\$ 28,510	\$ 8,800	\$ 27,725		\$ 10,450	\$ 32,923	\$ 32,923	\$ 41,800
125700 5U	Aide Registration	\$ 90	\$ 630	\$ 120	\$ 510		\$ 200	\$ 850	\$ 850	\$ 800
125700 5V	Application Fee - Audiology	\$ 350	\$ 2,590	\$ 420	\$ 3,325		\$ 770	\$ 6,096	\$ 6,096	\$ 3,080
125700 5W	Initial License Fee - Audiology	\$ 400	\$ 2,000	\$ 300	\$ 2,375		\$ 550	\$ 4,354	\$ 4,354	\$ 2,200
125700 8V	App Fee - Dispensing Audiologist \$2	\$ -	\$ -	\$ -	\$ -		\$ -	\$ -	\$ -	\$ -
125700 90	Over/Short Fees	\$ 27	\$ 61	\$ 5	\$ 17		\$ 5	\$ 17	\$ 17	\$ 20
125700 91	Suspended Revenue	\$ -	\$ 75	\$ -	\$ -		\$ -	\$ -	\$ -	\$ -
125700 92	Prior Year Revenue Adjustment	\$ (525)	\$ (905)	\$ (218)	\$ (218)		\$ (120)	\$ (120)	\$ (120)	\$ (480)
125800		\$ 294,497	\$ 750,072	\$ 275,730	\$ 780,195	\$ 1,325,000	\$ 262,440	\$ 869,700	\$ 678,896	\$ 967,560
125800 A2	Temp Lic Renewal - SP	\$ -	\$ -	\$ -	\$ -		\$ -	\$ -	\$ -	\$ -
125800 A3	Renewal-Temporary License AU	\$ -	\$ -	\$ -	\$ -		\$ -	\$ -	\$ -	\$ -
125800 A6	SPA Assistant Renewal	\$ 15,750	\$ 54,300	\$ 18,075	\$ 56,025		\$ 20,550	\$ 82,200	\$ 63,696	\$ 82,200
125800 BJ	Biennial Renewal Fee - SP	\$ 211,050	\$ 616,610	\$ 240,450	\$ 681,795		\$ 194,175	\$ 650,000	\$ 550,582	\$ 776,700
125800 BK	Biennial Renewal Fee - AU	\$ 50,830	\$ 67,550	\$ 10,560	\$ 29,370		\$ 42,240	\$ 117,480	\$ 117,480	\$ 168,960
125800 RM	Continuing Prof. Devel. Renew	\$ 4,600	\$ 11,600	\$ 6,000	\$ 13,000		\$ 5,000	\$ 20,000	\$ 10,833	\$ 20,000
125800 8V	Biennial Renewal - DAU	\$ -	\$ -	\$ -	\$ -		\$ -	\$ -	\$ -	\$ -
125800 8W	Ann Ren-Dispensing Audiologist	\$ 11,760	\$ -	\$ -	\$ -		\$ -	\$ -	\$ -	\$ -
125800 90	Over/Short Fees	\$ 12	\$ 12	\$ -	\$ 5		\$ 5	\$ 20	\$ -	\$ 20
125800 C1	Automated Revenue Refund Claim	\$ 495	\$ -	\$ 645	\$ -		\$ 470	\$ -	\$ -	\$ 1,880

125900		\$ 3,175	\$ 15,250	\$ 3,625	\$ 14,325	\$ 19,000	\$ 3,600	\$ 14,400	\$ 14,723	\$ 14,400
125900 DE	Delinq. Renewal - SPA	\$ 675	\$ 2,725	\$ 350	\$ 1,675		\$ 825	\$ 3,300	\$ 3,948	\$ 3,300
125900 5U	Delinq. Renewal - SP	\$ 2,375	\$ 11,875	\$ 3,100	\$ 12,100		\$ 2,700	\$ 10,800	\$ 10,539	\$ 10,800
125900 5V	Delinq. Renewal - AU	\$ 125	\$ 650	\$ 175	\$ 550		\$ 75	\$ 300	\$ 236	\$ 300
125900 8V	Delinq. Renewal - DAU	\$ -	\$ -	\$ -	\$ -		\$ -	\$ -	\$ -	\$ -
142500		\$ -	\$ 15	\$ -	\$ 626	\$ -	\$ -	\$ 250	\$ -	\$ -
142500	Misc. Services to the Public	\$ -	\$ 15	\$ -	\$ 626		\$ -	\$ 250	\$ -	\$ -
150300		\$ -	\$ 2,823	\$ -	\$ 2,374	\$ 3,000	\$ -	\$ 2,000	\$ -	\$ -
150300 00	Income from Surplus Money Invest.	\$ -	\$ 2,823	\$ -	\$ 2,374		\$ -	\$ 2,000	\$ -	\$ -
161000		\$ 270	\$ 1,230	\$ -	\$ 704	\$ 1,000	\$ 110	\$ 440	\$ -	\$ 440
161000 02	Revenue Cancelled Warrants	\$ 270	\$ 1,230	\$ -	\$ 704		\$ 110	\$ 440	\$ -	\$ 440
161400		\$ 50	\$ 525	\$ 200	\$ 682	\$ 1,000	\$ 105	\$ 420	\$ 274	\$ 420
161400 91	Dishonored Check Fee	\$ 50	\$ 525	\$ 200	\$ 547		\$ 100	\$ 400	\$ 274	\$ 400
161400 FT	Misc Revenue FTB Collection	\$ -	\$ -	\$ -	\$ 135		\$ 5	\$ 20	\$ -	\$ 20
Total Revenue:		\$ 331,619	\$ 883,915	\$ 311,067	\$ 909,790	\$ 1,685,000	\$ 305,285	\$ 1,030,512	\$ 837,194	\$ 1,138,940
Total:		\$ 338,544	\$ 919,634	\$ 318,582	\$ 963,989	\$ 1,685,000	\$ 311,725	\$ 1,068,698	\$ 875,380	\$ 1,164,700

*SB 2021, Statutes of 2002, Effective January 1, 2003 provided the Board the authority to collect fees for issuing Letters of Good Standing. The fee was established by regulation CCR Section 1399.157(e) in the amount

**Significant spike in speech assistant applications in 02/03 due to expiration of grandfathering clause as of June 1, 2003. Number of applications drastically decreased in FY 03/04 and will level off in future years.

Hearing Aid Dispensers

Month:

Sep

Month Number:

3

Revenue Projection

Mos. Remaining:

9

2014-15

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Revenue Code:	FY 12/13		FY 13/14		FY 14/15			Projection Formulas	
	9/30/12 YTD	Month 13	9/30/13 YTD	Month 13	Budgeted	9/30/14 YTD	Projection	PY Ratio	SL Projection
HADB Reimbursements:									
991913	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
991913 00 Scheduled Interdepartmental	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
991937	\$ -	\$ 147	\$ 98	\$ 465	\$ -	\$ 245	\$ 980	\$ -	\$ -
991937 01 Fingerprint Reports	\$ -	\$ 147	\$ 98	\$ 465	\$ -	\$ 245	\$ 980	\$ 1,163	\$ 980
991937 02 Scheduled Reimbursements/External	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
995988	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
995988 01 Unsch - Investigative Cost Recovery	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Reimbursements:	\$ -	\$ 147	\$ 98	\$ 465	\$ -	\$ 245	\$ 980	\$ -	\$ -
HADB Revenue:									
125600	\$ 3,792	\$ 10,887	\$ 3,098	\$ 10,470	\$ -	\$ 4,305	\$ 17,220	\$ 14,245	\$ 17,220
125600 00 Other Regulatory Fees	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
125600 3M Replacement Lic \$25	\$ 100	\$ 575	\$ 150	\$ 850	\$ -	\$ 100	\$ 400	\$ 567	\$ 400
125600 3N Official Lic cert \$15	\$ 45	\$ 465	\$ 150	\$ 675	\$ -	\$ 180	\$ 720	\$ 810	\$ 720
125600 3R License Confirmation Letter \$10	\$ -	\$ 10	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
125600 5X Cite and Fine	\$ 3,647	\$ 9,837	\$ 2,798	\$ 8,945	\$ -	\$ 4,025	\$ 16,100	\$ 12,868	\$ 16,100
125600 92 Prior Year Adj	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
125700	\$ 40,715	\$ 202,815	\$ 46,810	\$ 194,060	\$ -	\$ 67,450	\$ 268,585	\$ 320,659	\$ 269,800
125700 00 Other Fees	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
125700 F2 HAD Acct-Written Exam Fee \$225	\$ 11,750	\$ 65,300	\$ 13,500	\$ 79,650	\$ -	\$ 17,325	\$ 69,300	\$ 102,218	\$ 69,300
125700 F3 HAD Acct-Practical Exam Fee \$500	\$ 19,500	\$ 60,275	\$ 20,000	\$ 36,000	\$ -	\$ 27,500	\$ 110,000	\$ 49,500	\$ 110,000
125700 3N Initial App Fee - \$75	\$ 2,100	\$ 11,250	\$ 2,850	\$ 17,700	\$ -	\$ 4,650	\$ 18,600	\$ 28,879	\$ 18,600
125700 3P Initial License - \$280	\$ 840	\$ 23,520	\$ 560	\$ 6,440	\$ -	\$ 6,720	\$ 26,880	\$ 77,280	\$ 26,880
125700 3S CE Provider App - \$50	\$ 3,550	\$ 27,340	\$ 6,100	\$ 25,500	\$ -	\$ 4,400	\$ 17,600	\$ 18,393	\$ 17,600
125700 38 Initial Temp Lic \$100	\$ 200	\$ 1,000	\$ 300	\$ 900	\$ -	\$ 700	\$ 2,800	\$ 2,100	\$ 2,800
125700 39 Initial Branch Lic \$25	\$ 975	\$ 4,375	\$ 1,200	\$ 7,100	\$ -	\$ 1,725	\$ 6,900	\$ 10,206	\$ 6,900
125700 42 Initial Trainee License - Hearing Aid Disp	\$ 1,900	\$ 10,100	\$ 2,300	\$ 15,700	\$ -	\$ 4,700	\$ 18,800	\$ 32,083	\$ 18,800
125700 56 Practical Exam - HAD \$285	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
125700 59 Written Exam - HAD \$100	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
125700 8V App Fee-Dispensing Audiologist \$2	\$ -	\$ -	\$ -	\$ 4,760	\$ -	\$ -	\$ -	\$ -	\$ -
125700 90 Over/Short Fees	\$ -	\$ 5	\$ -	\$ 5	\$ -	\$ -	\$ -	\$ -	\$ -
125700 91 Suspended Revenue	\$ -	\$ -	\$ -	\$ 305	\$ -	\$ 405	\$ 405	\$ -	\$ 1,620
125700 92 Prior Year Adj	\$ (100)	\$ (350)	\$ -	\$ -	\$ -	\$ (675)	\$ (2,700)	\$ -	\$ (2,700)
125800	\$ 128,735	\$ 487,989	\$ 196,160	\$ 551,788	\$ -	\$ 190,285	\$ 685,997	\$ 789,758	\$ 761,140
125800 00 Renewal Fees	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
125800 3M Temp Lic Renewal - \$100	\$ 2,400	\$ 10,425	\$ 3,800	\$ 12,200	\$ -	\$ 5,200	\$ 22,588	\$ 22,588	\$ 20,800
125800 3P Annual Renewal - HAD \$280	\$ 78,375	\$ 245,255	\$ 87,080	\$ 254,040	\$ -	\$ 82,320	\$ 257,600	\$ 257,600	\$ 329,280
125800 3T Branch Lic Renewal - \$25	\$ 4,325	\$ 12,875	\$ 4,800	\$ 12,950	\$ -	\$ 5,000	\$ 14,884	\$ 14,884	\$ 20,000
125800 3Y Bien Ren - P&S - One Time Credit	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
125800 8V Bien Ren - Dispensing Audiologist	\$ 7,280	\$ 36,314	\$ 10,870	\$ 50,800	\$ -	\$ 8,960	\$ 35,840	\$ 44,694	\$ 35,840
125800 8V Ann Ren-Dispensing Audiologist	\$ 36,120	\$ 183,120	\$ 89,430	\$ 221,798	\$ -	\$ 88,760	\$ 355,040	\$ 449,993	\$ 355,040
125800 90 Over/Short Fees	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
125800 C1 Automated Revenue Refund Claim	\$ 235	\$ -	\$ 180	\$ -	\$ -	\$ 45	\$ 45	\$ -	\$ 180
125900	\$ 825	\$ 4,125	\$ 950	\$ 3,725	\$ -	\$ 700	\$ 2,800	\$ 2,919	\$ 2,800

125900 00	Deliq. Fees	\$ -	\$ -	\$ -	\$ -		\$ -	\$ -	\$ -	\$ -
125900 3J	Delq. Ren - HAD \$25	\$ 550	\$ 2,175	\$ 450	\$ 1,775		\$ 350	\$ 1,400	\$ 1,381	\$ 1,400
125900 3K	Delq. Ren - Temp Lic HAD \$25	\$ -	\$ 350	\$ 75	\$ 350		\$ 50	\$ 200	\$ 233	\$ 200
125900 3L	Delq. Ren - Branch Lic \$25	\$ 100	\$ 575	\$ 225	\$ 625		\$ 75	\$ 300	\$ 208	\$ 300
125900 8V	Delq. Ren - Dispensing Audiologist	\$ 175	\$ 1,025	\$ 200	\$ 975		\$ 225	\$ 900	\$ 1,097	\$ 900
142500		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
142500 90	Misc Services to the Public	\$ -	\$ -	\$ -	\$ -		\$ -	\$ -	\$ -	\$ -
150300		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
150300 00	Income from Surplus Invest.	\$ -	\$ -	\$ -	\$ -		\$ -	\$ -	\$ -	\$ -
160400		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
160400 00	Sale of Fixed Assets	\$ -	\$ -	\$ -	\$ -		\$ -	\$ -	\$ -	\$ -
161000		\$ 25	\$ 125	\$ 460	\$ 610	\$ -	\$ -	\$ -	\$ -	\$ -
161000 02	Revenue Canceled Warrants	\$ 25	\$ 125	\$ 460	\$ 610		\$ -	\$ -	\$ -	\$ -
161400		\$ 10	\$ 187	\$ 25	\$ 110	\$ -	\$ 25	\$ 100	\$ 100	\$ 100
161400 FT	Misc Revenue FTB Collection	\$ -	\$ -	\$ -	\$ -		\$ -	\$ -	\$ -	\$ -
161400 TB	Misc Revenue FTB	\$ -	\$ -	\$ -	\$ -		\$ -	\$ -	\$ -	\$ -
161400 00	Misc Revenue	\$ -	\$ -	\$ -	\$ -		\$ -	\$ -	\$ -	\$ -
161400 90	Misc Income	\$ -	\$ 27	\$ -	\$ 10		\$ -	\$ -	\$ -	\$ -
161400 91	Dishonored Check Fee	\$ 10	\$ 160	\$ 25	\$ 100		\$ 25	\$ 100	\$ 100	\$ 100
302080		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
302080 00	Tr From Hearing Aid Dispensers'	\$ -	\$ -	\$ -	\$ -		\$ -	\$ -	\$ -	\$ -
Totals Revenue:		\$ 174,102	\$ 706,128	\$ 247,503	\$ 760,763	\$ -	\$ 262,765	\$ 974,702	\$ 1,127,681	\$ 1,051,060
Total:		\$ 174,102	\$ 706,275	\$ 247,601	\$ 761,228	\$ -	\$ 263,010	\$ 975,682	\$ 1,127,681	\$ 1,051,060

0376 - Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board Analysis of Fund Condition

Prepared 10/7/2014

NOTE: \$850K General Fund Repayment Outstanding

FM 13 ACTUALS

w/Workload Revenue

	ACTUAL 2013-14	CY 2014-15	Gov Budget BY 2015-16	BY+1 2016-17
BEGINNING BALANCE	\$ 780	\$ 1,215	\$ 1,365	\$ 1,587
Prior Year Adjustment	\$ 16	\$ -	\$ -	\$ -
Adjusted Beginning Balance	\$ 796	\$ 1,215	\$ 1,365	\$ 1,587
REVENUES AND TRANSFERS				
Revenues:				
125600 Other regulatory fees	\$ 25	\$ 25	\$ 25	\$ 25
125700 Other regulatory licenses and permits	\$ 291	\$ 311	\$ 312	\$ 312
125800 Renewal fees	\$ 1,332	\$ 1,325	\$ 1,383	\$ 1,383
125900 Delinquent fees	\$ 18	\$ 19	\$ 19	\$ 19
141200 Sales of documents	\$ 1	\$ -	\$ -	\$ -
142500 Miscellaneous services to the public	\$ -	\$ -	\$ -	\$ -
150300 Income from surplus money investments	\$ 2	\$ 3	\$ 3	\$ 4
150500 Interest income from interfund loans	\$ 3	\$ 3	\$ 3	\$ -
160400 Sale of fixed assets	\$ -	\$ -	\$ -	\$ -
161000 Escheat of unclaimed checks and warrants	\$ 1	\$ 1	\$ 1	\$ 1
161400 Miscellaneous revenues	\$ 1	\$ 1	\$ 1	\$ 1
164300 Penalty Assessments	\$ -	\$ -	\$ -	\$ -
Totals, Revenues	\$ 1,674	\$ 1,688	\$ 1,747	\$ 1,745
Transfers from Other Funds				
Proposed FY 11-12 GF Loan Repay	\$ 300	\$ 400	\$ 450	\$ -
Transfer from Hearing Aid Dispensers				
Transfers to Other Funds				
GF loan per item 1110-011-0376 BA of 2011				
Totals, Revenues and Transfers	\$ 1,974	\$ 2,088	\$ 2,197	\$ 1,745
Totals, Resources	\$ 2,770	\$ 3,303	\$ 3,562	\$ 3,332
EXPENDITURES				
Disbursements:				
8880 Financial Information System for CA (State Operations)	\$ 9	\$ 2		
0840 State Controller (State Operations)	\$ -	\$ -		
1110 Program Expenditures (State Operations) -	\$ 1,546	\$ 1,936	\$ 1,975	\$ 2,015
1111 Program Expenditures (State Operations) -				
Total Disbursements	\$ 1,555	\$ 1,938	\$ 1,975	\$ 2,015
FUND BALANCE				
Reserve for economic uncertainties	\$ 1,215	\$ 1,365	\$ 1,587	\$ 1,317
Months in Reserve	7.5	8.3	9.5	7.7

Speech-Language Pathology Audiology Hearing Aid Dispensers Board

ENFORCEMENT STATISTICS

	FISCAL YEAR 2012 - 2013		FISCAL YEAR 2013 - 2014		FISCAL YEAR 14-15 QTR 1	
COMPLAINTS AND CONVICTIONS	HAD	SP/AU	HAD	SP/AU	HAD	SP/AU
Complaints Received	71	28	86	41	11	14
Convictions Received	7	41	6	29	3	5
Average Days to Intake	1	2	2	2	5	31
Closed	103	87	104	69	11	9
Pending	111	29	100	30	102	44

Average Days to Intake - Average cycle time from complaint received, to the date the complaint was assigned to an investigator.

	FISCAL YEAR 2012 - 2013		FISCAL YEAR 2013 - 2014		FISCAL YEAR 14-15 QTR 1	
INVESTIGATIONS Desk	HAD	SP/AU	HAD	SP/AU	HAD	SP/AU
Assigned	98	69	91	68	15	21
Closed	91	80	84	63	9	9
Average Days to Complete	360	220	458	128	266	195
Pending	84	27	80	28	84	41

Average Days to Complete Desk Investigations - Average cycle time from complaint receipt to closure of the investigation process.

	FISCAL YEAR 2012 - 2013		FISCAL YEAR 2013 - 2014		FISCAL YEAR 14-15 QTR 1	
INVESTIGATIONS Non Sworn	HAD	SP/AU	HAD	SP/AU	HAD	SP/AU
Assigned	0	0	0	0	0	0
Closed	6	1	0	1	0	0
Average Days to Complete	604	1166	0	905	0	0
Pending	0	1	0	0	0	0

Average Days to Complete Non-Sworn Investigations - Average cycle time from complaint receipt to closure of the investigation process.

	FISCAL YEAR 2012 - 2013		FISCAL YEAR 2013 - 2014		FISCAL YEAR 14-15 QTR 1	
INVESTIGATIONS Sworn	HAD	SP/AU	HAD	SP/AU	HAD	SP/AU
Assigned	25	0	12	5	1	0
Closed	6	6	20	5	2	0
Average Days to Complete	758	697	451	503	676	0
Pending	27	1	19	2	18	2

Average Days to Complete Sworn Investigations - Average cycle time from complaint receipt to closure of the investigation process.

Speech-Language Pathology Audiology Hearing Aid Dispensers Board

ENFORCEMENT STATISTICS

	FISCAL YEAR 2012 - 2013		FISCAL YEAR 2013 - 2014		FISCAL YEAR 14-15 QTR 1	
ALL TYPES OF INVESTIGATIONS	HAD	SP/AU	HAD	SP/AU	HAD	SP/AU
Closed Without Discipline	94	77	93	60	6	7
Cycle Time - No Discipline	383	243	470	152	209	9

	FISCAL YEAR 2012 - 2013		FISCAL YEAR 2013 - 2014		FISCAL YEAR 14-15 QTR 1	
CITATIONS/Cease&Desist	HAD	SP/AU	HAD	SP/AU	HAD	SP/AU
Issued	6	3	7	3	0	5
Avg Days to Complete Cite	654	794	358	453	0	NA
Cease & Desist Letter	26	0	9	0	0	0

Average Days to Issue a Citation - Average cycle time from complaint receipt to the effective date of the citation.

	FISCAL YEAR 2012 - 2013		FISCAL YEAR 2013 - 2014		FISCAL YEAR 14-15 QTR 1	
ATTORNEY GENERAL CASES	HAD	SP/AU	HAD	SP/AU	HAD	SP/AU
Initiated / Referred to the AG	4	9	6	9	4	2
Pending at the AG	12	12	9	13	13	14
Statement of Issues Filed	1	2	0	1	0	0
Accusations Filed	1	3	3	6	1	2
SOI Withdrawn, Dismissed, Declined	0	0	0	0	0	0
Acc Withdrawn, Dismissed, Declined	0	4	2	1	0	0
Closed Without Discipline	1	4	5	5	0	1
Average Days to Discipline	606	1013	703	617	0	1281

	FISCAL YEAR 2012 - 2013		FISCAL YEAR 2013 - 2014		FISCAL YEAR 14-15 QTR 1	
ATTORNEY GENERAL TYPE OF PENALTIES	HAD	SP/AU	HAD	SP/AU	HAD	SP/AU
Probation		4	4			
Surrender of License		1	1	1		
Conditional License			1	3		
License Denied (SOI)	1					
Revocation-No Stay of Order				1		1
Petition for Modification of Probation				1		
Petition for Reinstatement Denied			1			

Average Days to Close a Discipline Case - Average cycle time from complaint receipt to the effective date of the disciplinary order.

Speech-Language Pathology Audiology Hearing Aid Dispensers Board

ENFORCEMENT STATISTICS

	FISCAL YEAR 2012 - 2013		FISCAL YEAR 2013 - 2014		FISCAL YEAR 14-15 QTR 1	
PROBATION	HAD	SP/AU	HAD	SP/AU	HAD	SP/AU
New Probation Cases	0	4	5	3	0	0
Probation Completed	0	2	0	2	0	0
Active Cases	2	14	7	15	7	16
Tolled	1	9	1	9	1	7

Speech-Language Pathology & Audiology & Hearing Aid Dispensers Board

As of September 30, 2014

Licenses Issued

LICENSES ISSUED	FY10/11	FY11/12	FY12/13	FY13/14	FY14/15 Jul - Sep
AU	57	55	76	57	37
AUT	2	1	1	0	0
DAU	78	20	19	UA	UA
SLP	734	911	1056	974	307
SPT	1	0	0	0	0
SLPA	312	346	407	325	169
RPE'S	513	667	727	702	361
AIDES	52	44	51	40	10
CPD PROVIDERS	15	16	9	15	5
HAD Permanant	50	91	84	49	24
HAD Trainees	77	94	95	139	52
HAD Licensed in Another State	12	6	7	5	0
HAD Branch Office	205	192	132	282	80
TOTAL LICENSES ISSUED	2108	2443	2664	2588	1045

Licensing Population

POPULATION	FY10/11	FY11/12	FY12/13	FY13/14	FY14/15 As of 9/30
AU	622	595	609	UA	UA
DAU	911	930	942	UA	UA
Both License Types	1,533	1,525	1,551	1,555	1,569
AUT	0	0	0	0	0
SLP	11,349	12,020	12,696	13,285	13,382
SPT	0	0	0	0	0
SLPA	1,304	1,529	1,771	1,969	2,065
RPE'S	608	665	682	768	867
AIDES	215	181	120	119	117
HAD	932	938	946	913	907
HAD Trainees	83	97	95	145	149
HAD Licensed in Another State	12	6	9	8	11
HAD Branch Office	601	627	653	710	722
TOTAL LICENSEES	18,170	19,113	20,074	19,472	19,789

Speech-Language Pathology & Audiology & Hearing Aid
Dispensers Board

Hearing Aid Dispensers Practical Examination

July 26, 2014

Candidate Type		Passed	Percentages	Failed	Percentages
Applicants	12	9	75%	3	25%
HT	24	11	46%	13	54%
AU	24	10	42%	4	17%
Program	4	1	25%	3	75%
Aide	0				
M.D.	0				
TOTAL	64	31	48%	23	36%



California

LEGISLATIVE INFORMATION

AB-2396 Convictions: expungement: licenses. (2013-2014)

Senate: 1st Cmt 2nd 3rd 2nd 3rd Pass Chp
 Assembly: Int 1st Cmt 2nd 3rd Pass Pass

Bill Status	
Measure:	AB-2396
Lead Authors:	Bonta (A)
Principal Coauthors:	-
Coauthors:	Skinner (A)
Topic:	Convictions: expungement: licenses.
31st Day in Print:	03/25/14
Title:	An act to amend Section 480 of the Business and Professions Code, relating to expungement.
House Location:	Secretary of State
Chaptered Date:	09/28/14
Last Amended Date:	08/19/14

Type of Measure	
Inactive Bill - Chaptered	
Majority Vote Required	
Non-Appropriation	
Fiscal Committee	
Non-State-Mandated Local Program	
Non-Urgency	
Non-Tax Levy	

Last 5 History Actions	
Date	Action
09/28/14	Chaptered by Secretary of State - Chapter 737, Statutes of 2014.
09/28/14	Approved by the Governor.
09/08/14	Enrolled and presented to the Governor at 3:30 p.m.
08/26/14	Senate amendments concurred in. To Engrossing and Enrolling. (Ayes 62. Nays 15. Page 6445.)
08/21/14	In Assembly. Concurrence in Senate amendments pending. May be considered on or after August 23 pursuant to Assembly Rule 77.

*California*
LEGISLATIVE INFORMATION

AB-2396 Convictions: expungement: licenses. (2013-2014)

Assembly Bill No. 2396

CHAPTER 737

An act to amend Section 480 of the Business and Professions Code, relating to expungement.

[Approved by Governor September 28, 2014. Filed with Secretary of State
September 28, 2014.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2396, Bonta. Convictions: expungement: licenses.

Existing law provides for the licensure and regulation of various professions and vocations by boards within the Department of Consumer Affairs. Existing law authorizes a board to deny, suspend, or revoke a license on various grounds, including, but not limited to, conviction of a crime if the crime is substantially related to the qualifications, functions, or duties of the business or profession for which the license was issued. Existing law prohibits a board from denying a license on the ground that the applicant has committed a crime if the applicant shows that he or she obtained a certificate of rehabilitation in the case of a felony, or that he or she has met all applicable requirements of the criteria of rehabilitation developed by the board, as specified, in the case of a misdemeanor.

Existing law permits a defendant to withdraw his or her plea of guilty or plea of nolo contendere and enter a plea of not guilty in any case in which a defendant has fulfilled the conditions of probation for the entire period of probation, or has been discharged prior to the termination of the period of probation, or has been convicted of a misdemeanor and not granted probation and has fully complied with and performed the sentence of the court, or has been sentenced to a county jail for a felony, or in any other case in which a court, in its discretion and the interests of justice, determines that a defendant should be granted this or other specified relief and requires the defendant to be released from all penalties and disabilities resulting from the offense of which he or she has been convicted.

This bill would prohibit a board within the Department of Consumer Affairs from denying a license based solely on a conviction that has been dismissed pursuant to the above provisions. The bill would require an applicant who has a conviction that has been dismissed pursuant to the above provisions to provide proof of the dismissal.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 480 of the Business and Professions Code is amended to read:

480. (a) A board may deny a license regulated by this code on the grounds that the applicant has one of the following:

(1) Been convicted of a crime. A conviction within the meaning of this section means a plea or verdict of guilty or a conviction following a plea of nolo contendere. Any action that a board is permitted to take following the establishment of a conviction may be taken when the time for appeal has elapsed, or the judgment of conviction has been affirmed on appeal, or when an order granting probation is made suspending the imposition

of sentence, irrespective of a subsequent order under the provisions of Section 1203.4, 1203.4a, or 1203.41 of the Penal Code.

(2) Done any act involving dishonesty, fraud, or deceit with the intent to substantially benefit himself or herself or another, or substantially injure another.

(3) (A) Done any act that if done by a licensee of the business or profession in question, would be grounds for suspension or revocation of license.

(B) The board may deny a license pursuant to this subdivision only if the crime or act is substantially related to the qualifications, functions, or duties of the business or profession for which application is made.

(b) Notwithstanding any other provision of this code, a person shall not be denied a license solely on the basis that he or she has been convicted of a felony if he or she has obtained a certificate of rehabilitation under Chapter 3.5 (commencing with Section 4852.01) of Title 6 of Part 3 of the Penal Code or that he or she has been convicted of a misdemeanor if he or she has met all applicable requirements of the criteria of rehabilitation developed by the board to evaluate the rehabilitation of a person when considering the denial of a license under subdivision (a) of Section 482.

(c) Notwithstanding any other provisions of this code, a person shall not be denied a license solely on the basis of a conviction that has been dismissed pursuant to Section 1203.4, 1203.4a, or 1203.41 of the Penal Code. An applicant who has a conviction that has been dismissed pursuant to Section 1203.4, 1203.4a, or 1203.41 of the Penal Code shall provide proof of the dismissal.

(d) A board may deny a license regulated by this code on the ground that the applicant knowingly made a false statement of fact that is required to be revealed in the application for the license.



California

LEGISLATIVE INFORMATION

AB-2720 State agencies: meetings: record of action taken. (2013-2014)

Senate: 1st Cmt 2nd Pass 3rd 2nd 3rd Pass Chp
 Assembly: Int 1st Cmt 2nd Pass Pass Pass

Bill Status	
Measure:	AB-2720
Lead Author:	Ting (A)
Principal Coauthors:	-
Coauthors:	-
Topic:	State agencies: meetings: record of action taken.
31st Day In Print:	03/25/14
Title:	An act to amend Section 11123 of the Government Code, relating to public meetings.
House Location:	Secretary of State
Chaptered Date:	09/20/14
Last Amended Date:	08/07/14

Type of Measure
Inactive Bill - Chaptered
Majority Vote Required
Non-Appropriation
Non-Fiscal Committee
Non-State-Mandated Local Program
Non-Urgency
Non-Tax levy

Last 5 History Actions	
Date	Action
09/20/14	Chaptered by Secretary of State - Chapter 510, Statutes of 2014.
09/20/14	Approved by the Governor.
09/05/14	Enrolled and presented to the Governor at 3:30 p.m.
08/25/14	Senate amendments concurred in. To Engrossing and Enrolling. (Ayes 79, Noes 0, Page 6380.).
08/14/14	In Assembly. Concurrence in Senate amendments pending. May be considered on or after August 16 pursuant to Assembly Rule 77.



California
LEGISLATIVE INFORMATION

AB-2720 State agencies: meetings: record of action taken. (2013-2014)

Assembly Bill No. 2720

CHAPTER 510

An act to amend Section 11123 of the Government Code, relating to public meetings.

[Approved by Governor September 20, 2014. Filed with Secretary of State
September 20, 2014.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2720, Ting, State agencies: meetings: record of action taken.

The Bagley-Keene Open Meeting Act requires, with specified exceptions, that all meetings of a state body, as defined, be open and public and all persons be permitted to attend any meeting of a state body. The act defines various terms for its purposes, including "action taken," which means a collective decision made by the members of a state body, a collective commitment or promise by the members of the state body to make a positive or negative decision, or an actual vote by the members of a state body when sitting as a body or entity upon a motion, proposal, resolution, order, or similar action.

This bill would require a state body to publicly report any action taken and the vote or abstention on that action of each member present for the action.

Vote: majority Appropriation: no Fiscal Committee: no Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 11123 of the Government Code is amended to read:

11123. (a) All meetings of a state body shall be open and public and all persons shall be permitted to attend any meeting of a state body except as otherwise provided in this article.

(b) (1) This article does not prohibit a state body from holding an open or closed meeting by teleconference for the benefit of the public and state body. The meeting or proceeding held by teleconference shall otherwise comply with all applicable requirements or laws relating to a specific type of meeting or proceeding, including the following:

(A) The teleconferencing meeting shall comply with all requirements of this article applicable to other meetings.

(B) The portion of the teleconferenced meeting that is required to be open to the public shall be audible to the public at the location specified in the notice of the meeting.

(C) If the state body elects to conduct a meeting or proceeding by teleconference, it shall post agendas at all teleconference locations and conduct teleconference meetings in a manner that protects the rights of any party or member of the public appearing before the state body. Each teleconference location shall be identified in the notice and agenda of the meeting or proceeding, and each teleconference location shall be accessible to the public. The agenda shall provide an opportunity for members of the public to address the state body directly pursuant to Section 11125.7 at each teleconference location.

(D) All votes taken during a teleconferenced meeting shall be by rollcall.

(E) The portion of the teleconferenced meeting that is closed to the public may not include the consideration of any agenda item being heard pursuant to Section 11125.5.

(F) At least one member of the state body shall be physically present at the location specified in the notice of the meeting.

(2) For the purposes of this subdivision, "teleconference" means a meeting of a state body, the members of which are at different locations, connected by electronic means, through either audio or both audio and video. This section does not prohibit a state body from providing members of the public with additional locations in which the public may observe or address the state body by electronic means, through either audio or both audio and video.

(c) The state body shall publicly report any action taken and the vote or abstention on that action of each member present for the action.



California

LEGISLATIVE INFORMATION

SB-1326 Hearing aids: warranty: work order or receipt. (2013-2014)

Senate: Int 1st Cmt 2nd 3rd Pass Pass Chp
 Assembly: 1st Cmt 2nd 3rd Pass

Bill Status	
Measure:	SB-1326
Lead Authors:	Roth (S)
Principal Coauthors:	-
Coauthors:	-
Topic:	Hearing aids: warranty: work order or receipt.
31st Day In Print:	03/25/14
Title:	An act to amend Sections 1793.02 and 1795.5 of the Civil Code, relating to hearing aids.
House Location:	Secretary of State
Chaptered Date:	08/21/14
Last Amended Date:	06/18/14

Type of Measure	
Inactive Bill - Chaptered	
Majority Vote Required	
Non-Appropriation	
Non-Fiscal Committee	
Non-State-Mandated Local Program	
Non-Urgency	
Non-Tax Levy	

Last 5 History Actions	
Date	Action
08/21/14	Chaptered by Secretary of State. Chapter 226, Statutes of 2014.
08/21/14	Approved by the Governor.
08/13/14	Enrolled and presented to the Governor at 2 p.m.
08/11/14	Assembly amendments concurred in. (Ayes 35. Noes 0. Page 4403.) Ordered to engrossing and enrolling.
08/07/14	In Senate. Concurrence in Assembly amendments pending.



California
LEGISLATIVE INFORMATION

SB-1326 Hearing aids: warranty: work order or receipt. (2013-2014)

Senate Bill No. 1326

CHAPTER 226

An act to amend Sections 1793.02 and 1795.6 of the Civil Code, relating to hearing aids.

[Approved by Governor August 21, 2014. Filed with Secretary of State
August 21, 2014.]

LEGISLATIVE COUNSEL'S DIGEST

SB 1326, Roth. Hearing aids: warranty: work order or receipt.

Existing law requires all new and used assistive devices sold at retail in this state to be accompanied by the retail seller's written warranty which is required to contain specified language including, among other things, that the assistive device may be returned to the seller within 30 days of the date of the actual receipt by the buyer or completion of fitting by the seller, whichever occurs later.

This bill would, with respect to hearing aids, require all new and used hearing aids sold in this state to be accompanied by the retail seller's written warranty which is required to contain specified language including, among other things, that if the device is not initially fit for the buyer's particular needs, it may be returned to the seller within 45 days of the initial date of delivery to the buyer.

Existing law requires the warranty period relating to an implied or express warranty accompanying a sale or consignment for sale of consumer goods selling for \$50 or more to automatically be tolled from the date upon which the buyer takes certain actions.

This bill would, with respect to hearing aids, require the warranty period to resume on the date upon which the repaired or serviced hearing aid is delivered to the buyer or 5 days after the buyer is notified that the hearing aid is repaired or serviced and is available for the buyer's possession, whichever is earlier.

Existing law requires every manufacturer or seller of consumer goods selling for \$50 or more to provide a receipt to the buyer showing the date of purchase. Existing law requires every manufacturer or seller performing warranty repairs or service on the goods to provide to the buyer a work order or receipt with the date of return and either the date the buyer was notified that the goods were repaired or serviced, as specified.

This bill would, with respect to hearing aids, require the seller, after receiving the hearing aid for warranty repairs or service, to provide at the time of delivery to the buyer a work order or receipt with the date the warranty period resumes and the revised expiration date of the warranty, as adjusted to reflect the suspension of the warranty period provided pursuant to these provisions.

Vote: majority Appropriation: no Fiscal Committee: no Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 1793.02 of the Civil Code is amended to read:

1793.02. (a) (1) Except as provided in paragraph (2), all new and used assistive devices sold at retail in this state shall be accompanied by the retail seller's written warranty which shall contain the following language:

"This assistive device is warranted to be specifically fit for the particular needs of you, the buyer. If the device is not specifically fit for your particular needs, it may be returned to the seller within 30 days of the date of actual receipt by you or completion of fitting by the seller, whichever occurs later. If you return the device, the seller will either adjust or replace the device or promptly refund the total amount paid. This warranty does not affect the protections and remedies you have under other laws." In lieu of the words "30 days" the retail seller may specify any longer period.

(2) (A) All new and used hearing aids sold in this state shall be accompanied by the retail seller's written warranty and shall contain the following language: "This hearing aid is warranted to be specifically fit for the particular needs of you, the buyer. If the hearing aid is not initially fit for your particular needs, it may be returned to the seller within 45 days of the initial date of delivery to you. If you return the hearing aid, the seller will either adjust or replace the hearing aid or promptly refund the total amount paid. This warranty does not affect the protections and remedies you have under other laws."

(B) In lieu of the words "45 days" the retail seller may specify any longer period.

(C) On the initial date of delivery, the retail seller shall revise the written warranty to include the initial date of delivery to the buyer of the hearing aid and expiration date of the warranty.

(b) The language prescribed in subdivision (a) shall appear on the first page of the warranty in at least 10-point bold type. The warranty shall be delivered to the buyer at the time of the sale of the device.

(c) If the buyer returns the device within the period specified in the written warranty, the seller shall, without charge and within a reasonable time, adjust the device or, if appropriate, replace it with a device that is specifically fit for the particular needs of the buyer. If the seller does not adjust or replace the device so that it is specifically fit for the particular needs of the buyer, the seller shall promptly refund to the buyer the total amount paid, the transaction shall be deemed rescinded, and the seller shall promptly return to the buyer all payments and any assistive device or other consideration exchanged as part of the transaction and shall promptly cancel or cause to be canceled all contracts, instruments, and security agreements executed by the buyer in connection with the sale. When a sale is rescinded under this section, no charge, penalty, or other fee may be imposed in connection with the purchase, fitting, financing, or return of the device.

(d) With respect to the retail sale of an assistive device to an individual, organization, or agency known by the seller to be purchasing for the ultimate user of the device, this section and subdivision (b) of Section 1792.2 shall be construed to require that the device be specifically fit for the particular needs of the ultimate user.

(e) This section and subdivision (b) of Section 1792.2 shall not apply to any of the following sales of assistive devices:

(1) A catalog or similar sale, as defined in subdivision (q) of Section 1791, except a sale of a hearing aid.

(2) A sale which involves a retail sale price of less than fifteen dollars (\$15).

(3) A surgical implant performed by a physician and surgeon, or a restoration or dental prosthesis provided by a dentist.

(f) The rights and remedies of the buyer under this section and subdivision (b) of Section 1792.2 are not subject to waiver under Section 1792.3. The rights and remedies of the buyer under this section and subdivision (b) of Section 1792.2 are cumulative, and shall not be construed to affect the obligations of the retail seller or any other party or to supplant the rights or remedies of the buyer under any other section of this chapter or under any other law or instrument.

(g) Section 1795.5 shall not apply to a sale of used assistive devices, and for the purposes of the Song-Beverly Consumer Warranty Act the buyer of a used assistive device shall have the same rights and remedies as the buyer of a new assistive device.

(h) The language in subdivision (a) shall not constitute an express warranty for purposes of Sections 1793.2 and 1793.3.

SEC. 2. Section 1795.6 of the Civil Code is amended to read:

1795.6. (a) (1) Except as provided in paragraph (2) warranty period relating to an implied or express warranty accompanying a sale or consignment for sale of consumer goods selling for fifty dollars (\$50) or more shall automatically be tolled for the period from the date upon which the buyer either (1) delivers nonconforming goods to the manufacturer or seller for warranty repairs or service or (2), pursuant to subdivision (c) of Section

1793.2 or Section 1793.22, notifies the manufacturer or seller of the nonconformity of the goods up to, and including, the date upon which (1) the repaired or serviced goods are delivered to the buyer, (2) the buyer is notified the goods are repaired or serviced and are available for the buyer's possession or (3) the buyer is notified that repairs or service is completed, if repairs or service is made at the buyer's residence.

(2) With respect to hearing aids, the warranty period shall resume on the date upon which (1) the repaired or serviced hearing aid is delivered to the buyer or (2) five days after the buyer is notified the hearing aid is repaired or serviced and is available for the buyer's possession, whichever is earlier.

(b) Notwithstanding the date or conditions set for the expiration of the warranty period, such warranty period shall not be deemed expired if either or both of the following situations occur: (1) after the buyer has satisfied the requirements of subdivision (a), the warranty repairs or service has not been performed due to delays caused by circumstances beyond the control of the buyer or (2) the warranty repairs or service performed upon the nonconforming goods did not remedy the nonconformity for which such repairs or service was performed and the buyer notified the manufacturer or seller of this failure within 60 days after the repairs or service was completed. When the warranty repairs or service has been performed so as to remedy the nonconformity, the warranty period shall expire in accordance with its terms, including any extension to the warranty period for warranty repairs or service.

(c) For purposes of this section only, "manufacturer" includes the manufacturer's service or repair facility.

(d) (1) Except as provided in paragraph (2), every manufacturer or seller of consumer goods selling for fifty dollars (\$50) or more shall provide a receipt to the buyer showing the date of purchase. Every manufacturer or seller performing warranty repairs or service on the goods shall provide to the buyer a work order or receipt with the date of return and either the date the buyer was notified that the goods were repaired or serviced or, where applicable, the date the goods were shipped or delivered to the buyer.

(2) With respect to hearing aids, the seller, after receiving the hearing aid for warranty repairs or service, shall also provide at the time of delivery to the buyer a work order or receipt with the following: (1) the date the warranty period resumes and (2) the revised expiration date of the warranty, as adjusted to reflect the suspension of the warranty period provided under this section.



California

LEGISLATIVE INFORMATION

SB-1466 Health care professionals. (2013-2014)

Senate: 1st Cmt 2nd Pass Pass Chp
 Assembly: 1st Cmt 2nd Cmt 2nd 3rd Pass

Bill Status	
Measure:	SB-1466
Lead Authors:	Committee on Business, Professions and Economic Development (S) - (Senators Lieu (Chair), Berryhill, Block, Corbett, Galgiani, Hernandez, Hill, Padilla, and Wyland)
Principal Coauthors:	-
Coauthors:	-
Topic:	Health care professionals.
31st Day in Print:	04/25/14
Title:	An act to amend Sections 27, 655.2, 2023.5, 2039.5, 2240, 2530.5, 2532.2, 2532.7, 2936, 4021.5, 4053, 4980, 4980.36, 4980.37, 4980.399, 4980.41, 4980.43, 4980.55, 4980.72, 4980.78, 4987.5, 4989.16, 4989.22, 4992.09, 4996.17, 4996.23, 4998, 4999.55, 4999.58, 4999.59, 4999.60, and 4999.123 of, to amend the heading of Chapter 13 (commencing with Section 4980) of Division 2 of, and to repeal Sections 2930.5 and 2987.3 of, the Business and Professions Code, and to amend Section 14132.55 of the Welfare and Institutions Code, relating to health care professionals.
House Location:	Secretary of State
Chaptered Date:	09/09/14
Last Amended Date:	08/18/14

Type of Measure
Inactive Bill - Chaptered
Majority Vote Required
Non-Appropriation
Fiscal Committee
State-Mandated Local Program
Non-Urgency
Non-Tax levy

Last 5 History Actions	
Date	Action
09/09/14	Chaptered by Secretary of State. Chapter 316, Statutes of 2014.
09/09/14	Approved by the Governor.
08/28/14	Enrolled and presented to the Governor at 3 p.m.
08/21/14	Assembly amendments concurred in. (Ayes 35. Noes 0. Page 4689.) Ordered to engrossing and enrolling.
08/20/14	In Senate. Concurrence in Assembly amendments pending.

*California*
LEGISLATIVE INFORMATION

SB-1466 Health care professionals. (2013-2014)

Senate Bill No. 1466

CHAPTER 316

An act to amend Sections 27, 655.2, 2023.5, 2089.5, 2240, 2530.5, 2532.2, 2532.7, 2936, 4021.5, 4053, 4980, 4980.36, 4980.37, 4980.399, 4980.41, 4980.43, 4980.55, 4980.72, 4980.78, 4987.5, 4989.16, 4989.22, 4992.09, 4996.17, 4996.23, 4998, 4999.55, 4999.58, 4999.59, 4999.60, and 4999.123 of, to amend the heading of Chapter 13 (commencing with Section 4980) of Division 2 of, and to repeal Sections 2930.5 and 2987.3 of, the Business and Professions Code, and to amend Section 14132.55 of the Welfare and Institutions Code, relating to health care professionals.

[Approved by Governor September 09, 2014. Filed with Secretary of State
September 09, 2014.]

LEGISLATIVE COUNSEL'S DIGEST

SB 1466, Committee on Business, Professions and Economic Development. Health care professionals.

(1) Existing law prohibits a physician and surgeon, licensed medical corporation, or any audiologist who is not a licensed hearing aid dispenser from employing a licensed hearing aid dispenser for the purpose of fitting or selling hearing aids.

This bill would prohibit a licensed hearing aid dispenser from employing a physician and surgeon or any audiologist who is not a licensed dispensing audiologist or hearing aid dispenser, or contracting with a licensed medical corporation, for the purpose of fitting or selling hearing aids.

(2) Existing law, the Medical Practice Act, provides for the licensure and regulation of physicians and surgeons by the Medical Board of California. Existing law requires the Medical Board of California to review issues and problems surrounding the use of laser or intense light pulse devices for elective cosmetic procedures, in conjunction with the Board of Registered Nursing and in consultation with other specified groups. Existing law requires the board and the Board of Registered Nursing to adopt regulations, by January 1, 2009, with regard to the use of laser or intense pulse light devices for elective cosmetic procedures, as specified. Existing law requires the board to adopt regulations, by January 1, 2013, regarding the appropriate level of physician availability needed within clinics or other settings using laser or intense pulse light devices for elective cosmetic procedures.

This bill would delete the provisions that require the board to adopt regulations by January 1, 2009, and January 1, 2013.

(3) Existing law requires a physician and surgeon who performs a scheduled medical procedure outside of a general acute care hospital that results in the death of any patient on whom that medical treatment was performed by the physician and surgeon, or by a person acting under the physician and surgeon's orders or supervision, to report, in writing on a form prescribed by the board, that occurrence to the board within 15 days after the occurrence. A person who violates this requirement is guilty of a misdemeanor.

This bill would make that provision applicable without regard to whether the procedure was scheduled. By expanding the scope of a crime, the bill would impose a state-mandated local program.

(4) Existing law provides for the licensing and regulation of persons who are engaged in the practice of speech-language pathology or audiology, as specified, and vests the enforcement of these provisions in the Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board. Among other requirements, an applicant for licensure as a speech-language pathologist or audiologist is required to submit transcripts from an educational institution approved by the board evidencing completion of specified coursework, and submit evidence of the satisfactory completion of supervised clinical practice with individuals representative of a wide spectrum of ages and communication disorders. Existing law requires the board to establish by regulation the required number of clock hours, not to exceed 300 clock hours, of supervised clinical practice necessary for the applicant.

This bill would delete the requirement that the applicant submit transcripts from an educational institution approved by the board evidencing completion of specified coursework and would increase the maximum number of clock hours that the board may establish by regulation to 375.

(5) Existing law, the Psychology Licensing Law, provides for the licensure and regulation of psychologists by the Board of Psychology. Under certain circumstances, existing law authorizes the board to issue a fictitious-name permit to a psychologist, as specified.

This bill would repeal the provision that authorizes the issuance of a fictitious-name permit, and would make conforming changes with regard to that repeal. The bill would make other changes to update a provision related to consumer notices, as specified.

(6) Existing law, the Pharmacy Law, governs the regulation of the practice of pharmacy and establishes the California State Board of Pharmacy to administer and enforce these provisions. The law authorizes the board to issue a license to an individual to serve as a designated representative to provide sufficient and qualified supervision in a wholesaler or veterinary food-animal drug retailer, as specified, and requires the licensee to protect the public health and safety in the handling, storage, and shipment of dangerous drugs and dangerous devices in the wholesaler or veterinary food-animal drug retailer. The law also defines a correctional pharmacy to mean a pharmacy, licensed by the board, located within a state correctional facility, as specified.

This bill would require an individual who applies for a designated representative license to be at least 18 years of age. The bill would also revise the definition of a correctional pharmacy to mean a pharmacy, licensed by the board, located within a correctional facility, without regard to whether the facility is a state or local correctional facility.

(7) Existing law, the Licensed Marriage and Family Therapist Act, provides for the licensure and regulation of marriage and family therapists by the Board of Behavioral Sciences. Existing law sets forth the educational and training requirements for licensure as a marriage and family therapist. Existing law, among other requirements, requires an applicant for licensure as a marriage and family therapist to complete 75 hours of client centered advocacy or face-to-face counseling, as specified.

This bill would authorize an applicant for licensure as a marriage and family therapist to meet this requirement by completing 75 hours of client centered advocacy or face-to-face counseling, or any combination thereof.

(8) Existing law, the Educational Psychologist Practice Act, provides for the licensure and regulation of educational psychologists by the Board of Behavioral Sciences. Existing law authorizes an applicant for examination who has passed the standard written examination to take a clinical vignette written examination for licensure if that applicant is the subject of a complaint or under investigation by the board, as specified.

This bill would eliminate the clinical vignette written examination for those purposes, and would make conforming changes to other provisions.

(9) Existing law requires an applicant for licensure as a marriage and family therapist, clinical social worker, or professional clinical counselor to participate in and obtain a passing score on a board-administered California law and ethics examination in order to qualify for licensure or renewal of a license.

This bill would permit an applicant who holds a registration eligible for renewal, with an expiration date no later than June 30, 2016, and who applies for renewal of that registration between January 1, 2016, and June 30, 2016, if eligible, to renew the registration without first participating in the California law and ethics examination. The bill would require the applicant to pass that examination prior to licensure or issuance of a subsequent registration number. The bill would also permit an applicant who holds or has held a registration, with an expiration date no later than January 1, 2017, and who applies for a subsequent registration number between January 1, 2016, and January 1, 2017, if eligible, to obtain the subsequent registration number

without first passing the California law and ethics examination, if he or she passes the law and ethics examination during the next renewal period or prior to licensure, whichever occurs first.

This bill would make other changes relating to licensure as a marriage and family therapist, clinical social worker, or professional clinical counselor.

The bill would also make other technical, conforming, and clarifying changes.

(10) This bill would incorporate additional changes to Sections 4980.72, 4980.78, 4999.58, 4999.59, and 4999.60 of the Business and Professions Code proposed by AB 2213, to be operative only if AB 2213 and this bill are both chaptered and become effective on or before January 1, 2015, and this bill is chaptered last.

(11) 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 Local Program: yes

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 27 of the Business and Professions Code is amended to read:

27. (a) Each entity specified in subdivisions (c), (d), and (e) shall provide on the Internet information regarding the status of every license issued by that entity in accordance with the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1 of the Government Code) and the Information Practices Act of 1977 (Chapter 1 (commencing with Section 1798) of Title 1.8 of Part 4 of Division 3 of the Civil Code). The public information to be provided on the Internet shall include information on suspensions and revocations of licenses issued by the entity and other related enforcement action, including accusations filed pursuant to the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code) taken by the entity relative to persons, businesses, or facilities subject to licensure or regulation by the entity. The information may not include personal information, including home telephone number, date of birth, or social security number. Each entity shall disclose a licensee's address of record. However, each entity shall allow a licensee to provide a post office box number or other alternate address, instead of his or her home address, as the address of record. This section shall not preclude an entity from also requiring a licensee, who has provided a post office box number or other alternative mailing address as his or her address of record, to provide a physical business address or residence address only for the entity's internal administrative use and not for disclosure as the licensee's address of record or disclosure on the Internet.

(b) In providing information on the Internet, each entity specified in subdivisions (c) and (d) shall comply with the Department of Consumer Affairs' guidelines for access to public records.

(c) Each of the following entities within the Department of Consumer Affairs shall comply with the requirements of this section:

(1) The Board for Professional Engineers, Land Surveyors, and Geologists shall disclose information on its registrants and licensees.

(2) The Bureau of Automotive Repair shall disclose information on its licensees, including auto repair dealers, smog stations, lamp and brake stations, smog check technicians, and smog inspection certification stations.

(3) The Bureau of Electronic and Appliance Repair, Home Furnishings, and Thermal Insulation shall disclose information on its licensees and registrants, including major appliance repair dealers, combination dealers (electronic and appliance), electronic repair dealers, service contract sellers, and service contract administrators.

(4) The Cemetery and Funeral Bureau shall disclose information on its licensees, including cemetery brokers, cemetery salespersons, cemetery managers, crematory managers, cemetery authorities, crematories, cremated remains disposers, embalmers, funeral establishments, and funeral directors.

(5) The Professional Fiduciaries Bureau shall disclose information on its licensees.

(6) The Contractors' State License Board shall disclose information on its licensees and registrants in accordance with Chapter 9 (commencing with Section 7000) of Division 3. In addition to information related to

licenses as specified in subdivision (a), the board shall also disclose information provided to the board by the Labor Commissioner pursuant to Section 98.9 of the Labor Code.

(7) The Bureau for Private Postsecondary Education shall disclose information on private postsecondary institutions under its jurisdiction, including disclosure of notices to comply issued pursuant to Section 94935 of the Education Code.

(8) The California Board of Accountancy shall disclose information on its licensees and registrants.

(9) The California Architects Board shall disclose information on its licensees, including architects and landscape architects.

(10) The State Athletic Commission shall disclose information on its licensees and registrants.

(11) The State Board of Barbering and Cosmetology shall disclose information on its licensees.

(12) The State Board of Guide Dogs for the Blind shall disclose information on its licensees and registrants.

(13) The Acupuncture Board shall disclose information on its licensees.

(14) The Board of Behavioral Sciences shall disclose information on its licensees, including licensed marriage and family therapists, licensed clinical social workers, licensed educational psychologists, and licensed professional clinical counselors.

(15) The Dental Board of California shall disclose information on its licensees.

(16) The State Board of Optometry shall disclose information regarding certificates of registration to practice optometry, statements of licensure, optometric corporation registrations, branch office licenses, and fictitious name permits of its licensees.

(17) The Board of Psychology shall disclose information on its licensees, including psychologists, psychological assistants, and registered psychologists.

(d) The State Board of Chiropractic Examiners shall disclose information on its licensees.

(e) The Structural Pest Control Board shall disclose information on its licensees, including applicators, field representatives, and operators in the areas of fumigation, general pest and wood destroying pests and organisms, and wood roof cleaning and treatment.

(f) "Internet" for the purposes of this section has the meaning set forth in paragraph (6) of subdivision (f) of Section 17538.

SEC. 2. Section 655.2 of the Business and Professions Code is amended to read:

655.2. (a) (1) No physician and surgeon or medical corporation licensed under Chapter 5 (commencing with Section 2000), nor any audiologist who is not a licensed dispensing audiologist or hearing aid dispenser shall employ any individual licensed pursuant to Article 8 (commencing with Section 2538.10) of Chapter 5.3 for the purpose of fitting or selling hearing aids.

(2) No individual licensed pursuant to Article 8 (commencing with Section 2538.10) of Chapter 5.3 shall employ any physician and surgeon or any audiologist who is not a licensed dispensing audiologist or hearing aid dispenser, or contract with a medical corporation licensed under Chapter 5 (commencing with Section 2000), for the purpose of fitting or selling hearing aids.

(b) This section shall not apply to any physician and surgeon or medical corporation that contracts with or is affiliated with a comprehensive group practice health care service plan licensed pursuant to the Knox-Keene Health Care Service Plan Act, as set forth in Chapter 2.2 (commencing with Section 1340) of Division 2 of the Health and Safety Code.

SEC. 3. Section 2023.5 of the Business and Professions Code is amended to read:

2023.5. (a) The board, in conjunction with the Board of Registered Nursing, and in consultation with the Physician Assistant Committee and professionals in the field, shall review issues and problems surrounding the use of laser or intense light pulse devices for elective cosmetic procedures by physicians and surgeons, nurses, and physician assistants. The review shall include, but need not be limited to, all of the following:

- (1) The appropriate level of physician supervision needed.
- (2) The appropriate level of training to ensure competency.
- (3) Guidelines for standardized procedures and protocols that address, at a minimum, all of the following:
 - (A) Patient selection.
 - (B) Patient education, instruction, and informed consent.
 - (C) Use of topical agents.
 - (D) Procedures to be followed in the event of complications or side effects from the treatment.
 - (E) Procedures governing emergency and urgent care situations.
- (b) Nothing in this section shall be construed to modify the prohibition against the unlicensed practice of medicine.

SEC. 4. Section 2089.5 of the Business and Professions Code is amended to read:

2089.5. (a) Clinical instruction in the subjects listed in subdivision (b) of Section 2089 shall meet the requirements of this section and shall be considered adequate if the requirements of subdivision (a) of Section 2089 and the requirements of this section are satisfied.

(b) Instruction in the clinical courses shall total a minimum of 72 weeks in length.

(c) Instruction in the core clinical courses of surgery, medicine, family medicine, pediatrics, obstetrics and gynecology, and psychiatry shall total a minimum of 40 weeks in length with a minimum of eight weeks instruction in surgery, eight weeks in medicine, six weeks in pediatrics, six weeks in obstetrics and gynecology, a minimum of four weeks in family medicine, and four weeks in psychiatry.

(d) Of the instruction required by subdivision (b), including all of the instruction required by subdivision (c), 54 weeks shall be performed in a hospital that sponsors the instruction and shall meet one of the following:

- (1) Is a formal part of the medical school or school of osteopathic medicine.
- (2) Has a residency program, approved by the Accreditation Council for Graduate Medical Education (ACGME) or the Royal College of Physicians and Surgeons of Canada (RCPSC), in family practice or in the clinical area of the instruction for which credit is being sought.
- (3) Is formally affiliated with an approved medical school or school of osteopathic medicine located in the United States or Canada. If the affiliation is limited in nature, credit shall be given only in the subject areas covered by the affiliation agreement.
- (4) Is formally affiliated with a medical school or a school of osteopathic medicine located outside the United States or Canada.

(e) If the institution, specified in subdivision (d), is formally affiliated with a medical school or a school of osteopathic medicine located outside the United States or Canada, it shall meet the following:

- (1) The formal affiliation shall be documented by a written contract detailing the relationship between the medical school, or a school of osteopathic medicine, and hospital and the responsibilities of each.
- (2) The school and hospital shall provide to the board a description of the clinical program. The description shall be in sufficient detail to enable the board to determine whether or not the program provides students an adequate medical education. The board shall approve the program if it determines that the program provides an adequate medical education. If the board does not approve the program, it shall provide its reasons for disapproval to the school and hospital in writing specifying its findings about each aspect of the program that it considers to be deficient and the changes required to obtain approval.
- (3) The hospital, if located in the United States, shall be accredited by the Joint Commission on Accreditation of Hospitals, or the American Osteopathic Association's Healthcare Facilities Accreditation Program, and if located in another country, shall be accredited in accordance with the law of that country.
- (4) The clinical instruction shall be supervised by a full-time director of medical education, and the head of the department for each core clinical course shall hold a full-time faculty appointment of the medical school or

school of osteopathic medicine and shall be board certified or eligible, or have an equivalent credential in that specialty area appropriate to the country in which the hospital is located.

(5) The clinical instruction shall be conducted pursuant to a written program of instruction provided by the school.

(6) The school shall supervise the implementation of the program on a regular basis, documenting the level and extent of its supervision.

(7) The hospital-based faculty shall evaluate each student on a regular basis and shall document the completion of each aspect of the program for each student.

(8) The hospital shall ensure a minimum daily census adequate to meet the instructional needs of the number of students enrolled in each course area of clinical instruction, but not less than 15 patients in each course area of clinical instruction.

(9) The board, in reviewing the application of a foreign medical graduate, may require the applicant to submit a description of the clinical program, if the board has not previously approved the program, and may require the applicant to submit documentation to demonstrate that the applicant's clinical training met the requirements of this subdivision.

(10) The medical school or school of osteopathic medicine shall bear the reasonable cost of any site inspection by the board or its agents necessary to determine whether the clinical program offered is in compliance with this subdivision.

SEC. 5. Section 2240 of the Business and Professions Code is amended to read:

2240. (a) A physician and surgeon who performs a medical procedure outside of a general acute care hospital, as defined in subdivision (a) of Section 1250 of the Health and Safety Code, that results in the death of any patient on whom that medical treatment was performed by the physician and surgeon, or by a person acting under the physician and surgeon's orders or supervision, shall report, in writing on a form prescribed by the board, that occurrence to the board within 15 days after the occurrence.

(b) A physician and surgeon who performs a scheduled medical procedure outside of a general acute care hospital, as defined in subdivision (a) of Section 1250 of the Health and Safety Code, that results in the transfer to a hospital or emergency center for medical treatment for a period exceeding 24 hours, of any patient on whom that medical treatment was performed by the physician and surgeon, or by a person acting under the physician and surgeon's orders or supervision, shall report, in writing, on a form prescribed by the board that occurrence, within 15 days after the occurrence. The form shall contain all of the following information:

- (1) Name of the patient's physician in the outpatient setting.
- (2) Name of the physician with hospital privileges.
- (3) Name of the patient and patient identifying information.
- (4) Name of the hospital or emergency center where the patient was transferred.
- (5) Type of outpatient procedures being performed.
- (6) Events triggering the transfer.
- (7) Duration of the hospital stay.
- (8) Final disposition or status, if not released from the hospital, of the patient.
- (9) Physician's practice specialty and ABMS certification, if applicable.

(c) The form described in subdivision (b) shall be constructed in a format to enable the physician and surgeon to transmit the information in paragraphs (5) to (9), inclusive, to the board in a manner that the physician and surgeon and the patient are anonymous and their identifying information is not transmitted to the board. The entire form containing information described in paragraphs (1) to (9), inclusive, shall be placed in the patient's medical record.

(d) The board shall aggregate the data and publish an annual report on the information collected pursuant to subdivisions (a) and (b).

(e) On and after January 1, 2002, the data required in subdivision (b) shall be sent to the Office of Statewide Health Planning and Development (OSHPD) instead of the board. OSHPD may revise the reporting requirements to fit state and national standards, as applicable. The board shall work with OSHPD in developing the reporting mechanism to satisfy the data collection requirements of this section.

(f) The failure to comply with this section constitutes unprofessional conduct.

SEC. 6. Section 2530.5 of the Business and Professions Code is amended to read:

2530.5. (a) Nothing in this chapter shall be construed as restricting hearing testing conducted by licensed physicians and surgeons or by persons conducting hearing tests under the direct supervision of a physician and surgeon.

(b) Nothing in this chapter shall be construed to prevent a licensed hearing aid dispenser from engaging in testing of hearing and other practices and procedures used solely for the fitting and selling of hearing aids nor does this chapter restrict persons practicing their licensed profession and operating within the scope of their licensed profession or employed by someone operating within the scope of their licensed professions, including persons fitting and selling hearing aids who are properly licensed or registered under the laws of the State of California.

(c) Nothing in this chapter shall be construed as restricting or preventing the practice of speech-language pathology or audiology by personnel holding the appropriate credential from the Commission on Teacher Credentialing as long as the practice is conducted within the confines of or under the jurisdiction of a public preschool, elementary, or secondary school by which they are employed and those persons do not either offer to render or render speech-language pathology or audiology services to the public for compensation over and above the salary they receive from the public preschool, elementary, or secondary school by which they are employed for the performance of their official duties.

(d) Nothing in this chapter shall be construed as restricting the activities and services of a student or speech-language pathology intern in speech-language pathology pursuing a course of study leading to a degree in speech-language pathology at an accredited or approved college or university or an approved clinical training facility, provided that those activities and services constitute a part of his or her supervised course of study and that those persons are designated by the title as "speech-language pathology intern," "speech-language pathology trainee," or other title clearly indicating the training status appropriate to his or her level of training.

(e) Nothing in this chapter shall be construed as restricting the activities and services of a student or audiology intern in audiology pursuing a course of study leading to a degree in audiology at an accredited or approved college or university or an approved clinical training facility, provided that these activities and services constitute a part of his or her supervised course of study and that those persons are designated by the title as "audiology intern," "audiology trainee," or other title clearly indicating the training status appropriate to his or her level of training.

(f) Nothing in this chapter shall be construed as restricting the practice of an applicant who is obtaining the required professional experience specified in subdivision (c) of Section 2532.2 and who has been issued a temporary license pursuant to Section 2532.7. The number of applicants who may be supervised by a licensed speech-language pathologist or a speech-language pathologist having qualifications deemed equivalent by the board shall be determined by the board. The supervising speech-language pathologist shall register with the board the name of each applicant working under his or her supervision, and shall submit to the board a description of the proposed professional responsibilities of the applicant working under his or her supervision. The number of applicants who may be supervised by a licensed audiologist or an audiologist having qualifications deemed equivalent by the board shall be determined by the board. The supervising audiologist shall register with the board the name of each applicant working under his or her supervision, and shall submit to the board a description of the proposed professional responsibilities of the applicant working under his or her supervision.

(g) Nothing in this chapter shall be construed as restricting hearing screening services in public or private elementary or secondary schools so long as these screening services are provided by persons registered as qualified school audiometrists pursuant to Sections 1685 and 1686 of the Health and Safety Code or hearing screening services supported by the State Department of Health Care Services so long as these screening services are provided by appropriately trained or qualified personnel.

(h) Persons employed as speech-language pathologists or audiologists by a federal agency shall be exempt from this chapter.

(i) Nothing in this chapter shall be construed as restricting consultation or the instructional or supervisory activities of a faculty member of an approved or accredited college or university for the first 60 days following appointment after the effective date of this subdivision.

SEC. 7. Section 2532.2 of the Business and Professions Code is amended to read:

2532.2. Except as required by Section 2532.25, to be eligible for licensure by the board as a speech-language pathologist or audiologist, the applicant shall possess all of the following qualifications:

(a) Possess at least a master's degree in speech-language pathology or audiology from an educational institution approved by the board or qualifications deemed equivalent by the board.

(b) (1) Submit evidence of the satisfactory completion of supervised clinical practice with individuals representative of a wide spectrum of ages and communication disorders. The board shall establish by regulation the required number of clock hours, not to exceed 375 clock hours, of supervised clinical practice necessary for the applicant.

(2) The clinical practice shall be under the direction of an educational institution approved by the board.

(c) Submit evidence of no less than 36 weeks of satisfactorily completed supervised professional full-time experience or 72 weeks of professional part-time experience obtained under the supervision of a licensed speech-language pathologist or audiologist or a speech-language pathologist or audiologist having qualifications deemed equivalent by the board. This experience shall be evaluated and approved by the board. The required professional experience shall follow completion of the requirements listed in subdivisions (a) and (b). Full time is defined as at least 36 weeks in a calendar year and a minimum of 30 hours per week. Part time is defined as a minimum of 72 weeks and a minimum of 15 hours per week.

(d) (1) Pass an examination or examinations approved by the board. The board shall determine the subject matter and scope of the examinations and may waive the examination upon evidence that the applicant has successfully completed an examination approved by the board. Written examinations may be supplemented by oral examinations as the board shall determine. An applicant who fails his or her examination may be reexamined at a subsequent examination upon payment of the reexamination fee required by this chapter.

(2) A speech-language pathologist or audiologist who holds a license from another state or territory of the United States or who holds equivalent qualifications as determined by the board and who has completed no less than one year of full-time continuous employment as a speech-language pathologist or audiologist within the past three years is exempt from the supervised professional experience in subdivision (c).

(e) As applied to licensure as an audiologist, this section shall apply to applicants who graduated from an approved educational institution on or before December 31, 2007.

SEC. 8. Section 2532.7 of the Business and Professions Code is amended to read:

2532.7. (a) Upon approval of an application filed pursuant to Section 2532.1, and upon payment of the fee prescribed by Section 2534.2, the board may issue a required professional experience (RPE) temporary license for a period to be determined by the board to an applicant who is obtaining the required professional experience specified in subdivision (c) of Section 2532.2 or paragraph (2) of subdivision (b) of Section 2532.25.

(b) Effective July 1, 2003, no person shall obtain the required professional experience for licensure in either an exempt or nonexempt setting, as defined in Section 2530.5, unless he or she is licensed in accordance with this section or is completing the final clinical externship of a board-approved audiology doctoral training program in accordance with paragraph (2) of subdivision (b) of Section 2532.25 in another state.

(c) A person who obtains an RPE temporary license outside the State of California shall not be required to hold a temporary license issued pursuant to subdivision (a) if the person is completing the final clinical externship of an audiology doctoral training program in accordance with paragraph (2) of subdivision (b) of Section 2532.25.

(d) Any experience obtained in violation of this act shall not be approved by the board.

(e) An RPE temporary license shall terminate upon notice thereof by certified mail, return receipt requested, if it is issued by mistake or if the application for permanent licensure is denied.

(f) Upon written application, the board may reissue an RPE temporary license for a period to be determined by the board to an applicant who is obtaining the required professional experience specified in subdivision (c) of Section 2532.2 or paragraph (2) of subdivision (b) of Section 2532.25.

SEC. 9. Section 2930.5 of the Business and Professions Code is repealed.

SEC. 10. Section 2936 of the Business and Professions Code is amended to read:

2936. The board shall adopt a program of consumer and professional education in matters relevant to the ethical practice of psychology. The board shall establish as its standards of ethical conduct relating to the practice of psychology, the "Ethical Principles of Psychologists and Code of Conduct" published by the American Psychological Association (APA). Those standards shall be applied by the board as the accepted standard of care in all licensing examination development and in all board enforcement policies and disciplinary case evaluations.

To facilitate consumers in receiving appropriate psychological services, all licensees and registrants shall be required to post, in a conspicuous location in their principal psychological business office, a notice which reads as follows:

"NOTICE TO CONSUMERS: The Department of Consumer Affairs Board of Psychology receives and responds to questions and complaints regarding the practice of psychology. If you have questions or complaints, you may contact the board by email at bopmail@dca.ca.gov, on the Internet at www.psychology.ca.gov, by calling 1-866-503-3221, or by writing to the following address:

Board of Psychology
1625 North Market Boulevard, Suite ~215
Sacramento, California 95834"

SEC. 11. Section 2987.3 of the Business and Professions Code is repealed.

SEC. 12. Section 4021.5 of the Business and Professions Code is amended to read:

4021.5. "Correctional pharmacy" means a pharmacy, licensed by the board, located within a correctional facility for the purpose of providing pharmaceutical care to inmates of the correctional facility.

SEC. 13. Section 4053 of the Business and Professions Code is amended to read:

4053. (a) Notwithstanding Section 4051, the board may issue a license as a designated representative to provide sufficient and qualified supervision in a wholesaler or veterinary food-animal drug retailer. The designated representative shall protect the public health and safety in the handling, storage, and shipment of dangerous drugs and dangerous devices in the wholesaler or veterinary food-animal drug retailer.

(b) An individual who is at least 18 years of age may apply for a designated representative license. In order to obtain and maintain that license, the individual shall meet all of the following requirements:

(1) He or she shall be a high school graduate or possess a general education development certificate equivalent.

(2) He or she shall have a minimum of one year of paid work experience in a licensed pharmacy, or with a drug wholesaler, drug distributor, or drug manufacturer, in the past three years, related to the distribution or dispensing of dangerous drugs or dangerous devices or meet all of the prerequisites to take the examination required for licensure as a pharmacist by the board.

(3) He or she shall complete a training program approved by the board that, at a minimum, addresses each of the following subjects:

(A) Knowledge and understanding of California law and federal law relating to the distribution of dangerous drugs and dangerous devices.

(B) Knowledge and understanding of California law and federal law relating to the distribution of controlled substances.

(C) Knowledge and understanding of quality control systems.

(D) Knowledge and understanding of the United States Pharmacopoeia standards relating to the safe storage and handling of drugs.

(E) Knowledge and understanding of prescription terminology, abbreviations, dosages, and format.

(4) The board may, by regulation, require training programs to include additional material.

(5) The board may not issue a license as a designated representative until the applicant provides proof of completion of the required training to the board.

(c) The veterinary food-animal drug retailer or wholesaler shall not operate without a pharmacist or a designated representative on its premises.

(d) Only a pharmacist or a designated representative shall prepare and affix the label to veterinary food-animal drugs.

(c) Section 4051 shall not apply to any laboratory licensed under Section 351 of Title III of the Public Health Service Act (Public Law 78-410).

SEC. 14. The heading of Chapter 13 (commencing with Section 4980) of Division 2 of the Business and Professions Code is amended to read:

CHAPTER 13. Licensed Marriage and Family Therapists

SEC. 15. Section 4980 of the Business and Professions Code is amended to read:

4980. (a) (1) Many California families and many individual Californians are experiencing difficulty and distress, and are in need of wise, competent, caring, compassionate, and effective counseling in order to enable them to improve and maintain healthy family relationships.

(2) Healthy individuals and healthy families and healthy relationships are inherently beneficial and crucial to a healthy society, and are our most precious and valuable natural resource. Licensed marriage and family therapists provide a crucial support for the well-being of the people and the State of California.

(b) No person may engage in the practice of marriage and family therapy as defined by Section 4980.02, unless he or she holds a valid license as a marriage and family therapist, or unless he or she is specifically exempted from that requirement; nor may any person advertise himself or herself as performing the services of a marriage, family, child, domestic, or marital consultant, or in any way use these or any similar titles, including the letters "L.M.F.T.," "M.F.T.," or "M.F.C.C.," or other name, word, initial, or symbol in connection with or following his or her name to imply that he or she performs these services without a license as provided by this chapter. Persons licensed under Article 4 (commencing with Section 4996) of Chapter 14 of Division 2, or under Chapter 6.6 (commencing with Section 2900) may engage in such practice or advertise that they practice marriage and family therapy but may not advertise that they hold the marriage and family therapist's license.

SEC. 16. Section 4980.36 of the Business and Professions Code is amended to read:

4980.36. (a) This section shall apply to the following:

(1) Applicants for licensure or registration who begin graduate study before August 1, 2012, and do not complete that study on or before December 31, 2018.

(2) Applicants for licensure or registration who begin graduate study before August 1, 2012, and who graduate from a degree program that meets the requirements of this section.

(3) Applicants for licensure or registration who begin graduate study on or after August 1, 2012.

(b) To qualify for a license or registration, applicants shall possess a doctoral or master's degree meeting the requirements of this section in marriage, family, and child counseling, marriage and family therapy, couple and family therapy, psychology, clinical psychology, counseling psychology, or counseling with an emphasis in either marriage, family, and child counseling or marriage and family therapy, obtained from a school, college, or university approved by the Bureau for Private Postsecondary Education, or accredited by either the Commission on Accreditation for Marriage and Family Therapy Education, or a regional accrediting agency that is recognized by the United States Department of Education. The board has the authority to make the final determination as to whether a degree meets all requirements, including, but not limited to, course requirements, regardless of accreditation or approval.

(c) A doctoral or master's degree program that qualifies for licensure or registration shall do the following:

(1) Integrate all of the following throughout its curriculum:

(A) Marriage and family therapy principles.

(B) The principles of mental health recovery-oriented care and methods of service delivery in recovery-oriented practice environments, among others.

(C) An understanding of various cultures and the social and psychological implications of socioeconomic position, and an understanding of how poverty and social stress impact an individual's mental health and recovery.

(2) Allow for innovation and individuality in the education of marriage and family therapists.

(3) Encourage students to develop the personal qualities that are intimately related to effective practice, including, but not limited to, integrity, sensitivity, flexibility, insight, compassion, and personal presence.

(4) Permit an emphasis or specialization that may address any one or more of the unique and complex array of human problems, symptoms, and needs of Californians served by marriage and family therapists.

(5) Provide students with the opportunity to meet with various consumers and family members of consumers of mental health services to enhance understanding of their experience of mental illness, treatment, and recovery.

(d) The degree described in subdivision (b) shall contain no less than 60 semester or 90 quarter units of instruction that includes, but is not limited to, the following requirements:

(1) Both of the following:

(A) No less than 12 semester or 18 quarter units of coursework in theories, principles, and methods of a variety of psychotherapeutic orientations directly related to marriage and family therapy and marital and family systems approaches to treatment and how these theories can be applied therapeutically with individuals, couples, families, adults, including elder adults, children, adolescents, and groups to improve, restore, or maintain healthy relationships.

(B) Practicum that involves direct client contact, as follows:

(i) A minimum of six semester or nine quarter units of practicum in a supervised clinical placement that provides supervised fieldwork experience.

(ii) A minimum of 150 hours of face-to-face experience counseling individuals, couples, families, or groups.

(iii) A student must be enrolled in a practicum course while counseling clients, except as specified in subdivision (c) of Section 4980.42.

(iv) The practicum shall provide training in all of the following areas:

(I) Applied use of theory and psychotherapeutic techniques.

(II) Assessment, diagnosis, and prognosis.

(III) Treatment of individuals and premarital, couple, family, and child relationships, including trauma and abuse, dysfunctions, healthy functioning, health promotion, illness prevention, and working with families.

(IV) Professional writing, including documentation of services, treatment plans, and progress notes.

(V) How to connect people with resources that deliver the quality of services and support needed in the community.

(v) Educational institutions are encouraged to design the practicum required by this subparagraph to include marriage and family therapy experience in low income and multicultural mental health settings.

(vi) In addition to the 150 hours required in clause (ii), 75 hours of either of the following, or a combination thereof:

(I) Client centered advocacy, as defined in Section 4980.03.

(II) Face-to-face experience counseling individuals, couples, families, or groups.

(2) Instruction in all of the following:

(A) Diagnosis, assessment, prognosis, and treatment of mental disorders, including severe mental disorders, evidence-based practices, psychological testing, psychopharmacology, and promising mental health practices that are evaluated in peer reviewed literature.

(B) Developmental issues from infancy to old age, including instruction in all of the following areas:

(i) The effects of developmental issues on individuals, couples, and family relationships.

(ii) The psychological, psychotherapeutic, and health implications of developmental issues and their effects.

(iii) Aging and its biological, social, cognitive, and psychological aspects. This coursework shall include instruction on the assessment and reporting of, as well as treatment related to, elder and dependent adult abuse and neglect.

(iv) A variety of cultural understandings of human development.

(v) The understanding of human behavior within the social context of socioeconomic status and other contextual issues affecting social position.

(vi) The understanding of human behavior within the social context of a representative variety of the cultures found within California.

(vii) The understanding of the impact that personal and social insecurity, social stress, low educational levels, inadequate housing, and malnutrition have on human development.

(C) The broad range of matters and life events that may arise within marriage and family relationships and within a variety of California cultures, including instruction in all of the following:

(i) A minimum of seven contact hours of training or coursework in child abuse assessment and reporting as specified in Section 28, and any regulations promulgated thereunder.

(ii) Spousal or partner abuse assessment, detection, intervention strategies, and same gender abuse dynamics.

(iii) Cultural factors relevant to abuse of partners and family members.

(iv) Childbirth, child rearing, parenting, and stepparenting.

(v) Marriage, divorce, and blended families.

(vi) Long-term care.

(vii) End of life and grief.

(viii) Poverty and deprivation.

(ix) Financial and social stress.

(x) Effects of trauma.

(xi) The psychological, psychotherapeutic, community, and health implications of the matters and life events described in clauses (i) to (x), inclusive.

(D) Cultural competency and sensitivity, including a familiarity with the racial, cultural, linguistic, and ethnic backgrounds of persons living in California.

(E) Multicultural development and cross-cultural interaction, including experiences of race, ethnicity, class, spirituality, sexual orientation, gender, and disability, and their incorporation into the psychotherapeutic process.

(F) The effects of socioeconomic status on treatment and available resources.

(G) Resilience, including the personal and community qualities that enable persons to cope with adversity, trauma, tragedy, threats, or other stresses.

(H) Human sexuality, including the study of physiological, psychological, and social cultural variables associated with sexual behavior and gender identity, and the assessment and treatment of psychosexual dysfunction.

(I) Substance use disorders, co-occurring disorders, and addiction, including, but not limited to, instruction in all of the following:

(i) The definition of substance use disorders, co-occurring disorders, and addiction. For purposes of this subparagraph, "co-occurring disorders" means a mental illness and substance abuse diagnosis occurring simultaneously in an individual.

(ii) Medical aspects of substance use disorders and co-occurring disorders.

(iii) The effects of psychoactive drug use.

(iv) Current theories of the etiology of substance abuse and addiction.

(v) The role of persons and systems that support or compound substance abuse and addiction.

(vi) Major approaches to identification, evaluation, and treatment of substance use disorders, co-occurring disorders, and addiction, including, but not limited to, best practices.

(vii) Legal aspects of substance abuse.

(viii) Populations at risk with regard to substance use disorders and co-occurring disorders.

(ix) Community resources offering screening, assessment, treatment, and followup for the affected person and family.

(x) Recognition of substance use disorders, co-occurring disorders, and addiction, and appropriate referral.

(xi) The prevention of substance use disorders and addiction.

(J) California law and professional ethics for marriage and family therapists, including instruction in all of the following areas of study:

(i) Contemporary professional ethics and statutory, regulatory, and decisional laws that delineate the scope of practice of marriage and family therapy.

(ii) The therapeutic, clinical, and practical considerations involved in the legal and ethical practice of marriage and family therapy, including, but not limited to, family law.

(iii) The current legal patterns and trends in the mental health professions.

(iv) The psychotherapist-patient privilege, confidentiality, the patient dangerous to self or others, and the treatment of minors with and without parental consent.

(v) A recognition and exploration of the relationship between a practitioner's sense of self and human values and his or her professional behavior and ethics.

(vi) Differences in legal and ethical standards for different types of work settings.

(vii) Licensing law and licensing process.

(e) The degree described in subdivision (b) shall, in addition to meeting the requirements of subdivision (d), include instruction in case management, systems of care for the severely mentally ill, public and private services and supports available for the severely mentally ill, community resources for persons with mental illness and for victims of abuse, disaster and trauma response, advocacy for the severely mentally ill, and collaborative treatment. This instruction may be provided either in credit level coursework or through extension programs offered by the degree-granting institution.

(f) The changes made to law by this section are intended to improve the educational qualifications for licensure in order to better prepare future licentiates for practice, and are not intended to expand or restrict the scope of practice for marriage and family therapists.

SEC. 17. Section 4980.37 of the Business and Professions Code is amended to read:

4980.37. (a) This section shall apply to applicants for licensure or registration who begin graduate study before August 1, 2012, and complete that study on or before December 31, 2018. Those applicants may alternatively qualify under paragraph (2) of subdivision (a) of Section 4980.36.

(b) To qualify for a license or registration, applicants shall possess a doctor's or master's degree in marriage, family, and child counseling, marriage and family therapy, couple and family therapy, psychology, clinical psychology, counseling psychology, or counseling with an emphasis in either marriage, family, and child counseling or marriage and family therapy, obtained from a school, college, or university accredited by a regional accrediting agency that is recognized by the United States Department of Education or approved by the Bureau for Private Postsecondary Education. The board has the authority to make the final determination as to whether a degree meets all requirements, including, but not limited to, course requirements, regardless of accreditation or approval. In order to qualify for licensure pursuant to this section, a doctor's or master's degree program shall be a single, integrated program primarily designed to train marriage and family therapists and shall contain no less than 48 semester or 72 quarter units of instruction. This instruction shall include no less than 12 semester units or 18 quarter units of coursework in the areas of marriage, family, and child counseling, and marital and family systems approaches to treatment. The coursework shall include all of the following areas:

(1) The salient theories of a variety of psychotherapeutic orientations directly related to marriage and family therapy, and marital and family systems approaches to treatment.

(2) Theories of marriage and family therapy and how they can be utilized in order to intervene therapeutically with couples, families, adults, children, and groups.

(3) Developmental issues and life events from infancy to old age and their effect on individuals, couples, and family relationships. This may include coursework that focuses on specific family life events and the psychological, psychotherapeutic, and health implications that arise within couples and families, including, but not limited to, childbirth, child rearing, childhood, adolescence, adulthood, marriage, divorce, blended families, stepparenting, abuse and neglect of older and dependent adults, and geropsychology.

(4) A variety of approaches to the treatment of children.

The board shall, by regulation, set forth the subjects of instruction required in this subdivision.

(c) (1) In addition to the 12 semester or 18 quarter units of coursework specified in subdivision (b), the doctor's or master's degree program shall contain not less than six semester or nine quarter units of supervised practicum in applied psychotherapeutic technique, assessments, diagnosis, prognosis, and treatment of premarital, couple, family, and child relationships, including dysfunctions, healthy functioning, health promotion, and illness prevention, in a supervised clinical placement that provides supervised fieldwork experience within the scope of practice of a marriage and family therapist.

(2) For applicants who enrolled in a degree program on or after January 1, 1995, the practicum shall include a minimum of 150 hours of face-to-face experience counseling individuals, couples, families, or groups.

(3) The practicum hours shall be considered as part of the 48 semester or 72 quarter unit requirement.

(d) As an alternative to meeting the qualifications specified in subdivision (b), the board shall accept as equivalent degrees those master's or doctor's degrees granted by educational institutions whose degree program is approved by the Commission on Accreditation for Marriage and Family Therapy Education.

(e) In order to provide an integrated course of study and appropriate professional training, while allowing for innovation and individuality in the education of marriage and family therapists, a degree program that meets the educational qualifications for licensure or registration under this section shall do all of the following:

(1) Provide an integrated course of study that trains students generally in the diagnosis, assessment, prognosis, and treatment of mental disorders.

(2) Prepare students to be familiar with the broad range of matters that may arise within marriage and family relationships.

(3) Train students specifically in the application of marriage and family relationship counseling principles and methods.

(4) Encourage students to develop those personal qualities that are intimately related to the counseling situation such as integrity, sensitivity, flexibility, insight, compassion, and personal presence.

(5) Teach students a variety of effective psychotherapeutic techniques and modalities that may be utilized to improve, restore, or maintain healthy individual, couple, and family relationships.

(6) Permit an emphasis or specialization that may address any one or more of the unique and complex array of human problems, symptoms, and needs of Californians served by marriage and family therapists.

(7) Prepare students to be familiar with cross-cultural mores and values, including a familiarity with the wide range of racial and ethnic backgrounds common among California's population, including, but not limited to, Blacks, Hispanics, Asians, and Native Americans.

(f) Educational institutions are encouraged to design the practicum required by this section to include marriage and family therapy experience in low income and multicultural mental health settings.

(g) This section shall remain in effect only until January 1, 2019, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2019, deletes or extends that date.

SEC. 18. Section 4980.399 of the Business and Professions Code is amended to read:

4980.399. (a) Except as provided in subdivision (a) of Section 4980.398, each applicant and registrant shall obtain a passing score on a board-administered California law and ethics examination in order to qualify for licensure.

(b) A registrant shall participate in a board-administered California law and ethics examination prior to his or her registration renewal.

(c) Notwithstanding subdivision (b), an applicant who holds a registration eligible for renewal, with an expiration date no later than June 30, 2016, and who applies for renewal of that registration between January 1, 2016, and June 30, 2016, shall, if eligible, be allowed to renew the registration without first participating in the California law and ethics examination. These applicants shall participate in the California law and ethics examination in the next renewal cycle, and shall pass the examination prior to licensure or issuance of a subsequent registration number, as specified in this section.

(d) If an applicant fails the California law and ethics examination, he or she may retake the examination, upon payment of the required fees, without further application except as provided in subdivision (e).

(e) If a registrant fails to obtain a passing score on the California law and ethics examination described in subdivision (a) within his or her renewal period on or after the operative date of this section, he or she shall complete, at a minimum, a 12-hour course in California law and ethics in order to be eligible to participate in the California law and ethics examination. Registrants shall only take the 12-hour California law and ethics course once during a renewal period. The 12-hour law and ethics course required by this section shall be taken through a board-approved continuing education provider, a county, state or governmental entity, or a college or university.

(f) The board shall not issue a subsequent registration number unless the registrant has passed the California law and ethics examination.

(g) Notwithstanding subdivision (f), an applicant who holds or has held a registration, with an expiration date no later than January 1, 2017, and who applies for a subsequent registration number between January 1, 2016, and January 1, 2017, shall, if eligible, be allowed to obtain the subsequent registration number without first passing the California law and ethics examination. These applicants shall pass the California law and ethics examination during the next renewal period or prior to licensure, whichever occurs first.

(h) This section shall become operative on January 1, 2016.

SEC. 19. Section 4980.41 of the Business and Professions Code is amended to read:

4980.41. (a) An applicant for licensure whose education qualifies him or her under Section 4980.37 shall complete the following coursework or training in order to be eligible to sit for the licensing examinations as specified in subdivision (d) of Section 4980.40:

(1) A two semester or three quarter unit course in California law and professional ethics for marriage and family therapists, which shall include, but not be limited to, the following areas of study:

(A) Contemporary professional ethics and statutory, regulatory, and decisional laws that delineate the profession's scope of practice.

(B) The therapeutic, clinical, and practical considerations involved in the legal and ethical practice of marriage and family therapy, including family law.

(C) The current legal patterns and trends in the mental health profession.

(D) The psychotherapist-patient privilege, confidentiality, the patient dangerous to self or others, and the treatment of minors with and without parental consent.

(E) A recognition and exploration of the relationship between a practitioner's sense of self and human values and his or her professional behavior and ethics.

This course may be considered as part of the 48 semester or 72 quarter unit requirements contained in Section 4980.37.

(2) A minimum of seven contact hours of training or coursework in child abuse assessment and reporting as specified in Section 28 and any regulations promulgated thereunder.

(3) A minimum of 10 contact hours of training or coursework in human sexuality as specified in Section 25, and any regulations promulgated thereunder. When coursework in a master's or doctor's degree program is acquired to satisfy this requirement, it shall be considered as part of the 48 semester or 72 quarter unit requirement contained in Section 4980.37.

(4) For persons who began graduate study on or after January 1, 1986, a master's or doctor's degree qualifying for licensure shall include specific instruction in alcoholism and other chemical substance dependency as specified by regulation. When coursework in a master's or doctor's degree program is acquired to satisfy this requirement, it shall be considered as part of the 48 semester or 72 quarter unit requirement contained in Section 4980.37. Coursework required under this paragraph may be satisfactory if taken either in fulfillment of other educational requirements for licensure or in a separate course. The applicant may satisfy this requirement by successfully completing this coursework from a master's or doctoral degree program at an accredited or approved institution, as described in subdivision (b) of Section 4980.37, or from a board-accepted provider of continuing education, as described in Section 4980.54.

(5) For persons who began graduate study during the period commencing on January 1, 1995, and ending on December 31, 2003, a master's or doctor's degree qualifying for licensure shall include coursework in spousal or partner abuse assessment, detection, and intervention. For persons who began graduate study on or after January 1, 2004, a master's or doctor's degree qualifying for licensure shall include a minimum of 15 contact hours of coursework in spousal or partner abuse assessment, detection, and intervention strategies, including knowledge of community resources, cultural factors, and same gender abuse dynamics. Coursework required under this paragraph may be satisfactory if taken either in fulfillment of other educational requirements for licensure or in a separate course. The applicant may satisfy this requirement by successfully completing this coursework from a master's or doctoral degree program at an accredited or approved institution, as described in subdivision (b) of Section 4980.37, or from a board-accepted provider of continuing education, as described in Section 4980.54.

(6) For persons who began graduate study on or after January 1, 2001, an applicant shall complete a minimum of a two semester or three quarter unit survey course in psychological testing. When coursework in a master's or doctor's degree program is acquired to satisfy this requirement, it may be considered as part of the 48 semester or 72 quarter unit requirement of Section 4980.37.

(7) For persons who began graduate study on or after January 1, 2001, an applicant shall complete a minimum of a two semester or three quarter unit survey course in psychopharmacology. When coursework in a master's or doctor's degree program is acquired to satisfy this requirement, it may be considered as part of the 48 semester or 72 quarter unit requirement of Section 4980.37.

(8) The requirements added by paragraphs (6) and (7) are intended to improve the educational qualifications for licensure in order to better prepare future licentiates for practice and are not intended in any way to expand or restrict the scope of practice for licensed marriage and family therapists.

(b) This section shall remain in effect only until January 1, 2019, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2019, deletes or extends that date.

SEC. 20. Section 4980.43 of the Business and Professions Code is amended to read:

4980.43. (a) Prior to applying for licensure examinations, each applicant shall complete experience that shall comply with the following:

(1) A minimum of 3,000 hours completed during a period of at least 104 weeks.

- (2) Not more than 40 hours in any seven consecutive days.
- (3) Not less than 1,700 hours of supervised experience completed subsequent to the granting of the qualifying master's or doctoral degree.
- (4) (A) Not more than 1,300 hours of supervised experience obtained prior to completing a master's or doctoral degree.
(B) The applicant shall not be credited with more than 750 hours of counseling and direct supervisor contact prior to completing the master's or doctoral degree.
- (5) No hours of experience may be gained prior to completing either 12 semester units or 18 quarter units of graduate instruction and becoming a trainee except for personal psychotherapy.
- (6) No hours of experience may be gained more than six years prior to the date the application for examination eligibility was filed, except that up to 500 hours of clinical experience gained in the supervised practicum required by subdivision (c) of Section 4980.37 and subparagraph (B) of paragraph (1) of subdivision (d) of Section 4980.36 shall be exempt from this six-year requirement.
- (7) Not more than a combined total of 1,000 hours of experience in the following:
 - (A) Direct supervisor contact.
 - (B) Professional enrichment activities. For purposes of this chapter, "professional enrichment activities" include the following:
 - (i) Workshops, seminars, training sessions, or conferences directly related to marriage and family therapy attended by the applicant that are approved by the applicant's supervisor. An applicant shall have no more than 250 hours of verified attendance at these workshops, seminars, training sessions, or conferences.
 - (ii) Participation by the applicant in personal psychotherapy, which includes group, marital or conjoint, family, or individual psychotherapy by an appropriately licensed professional. An applicant shall have no more than 100 hours of participation in personal psychotherapy. The applicant shall be credited with three hours of experience for each hour of personal psychotherapy.
- (8) Not more than 500 hours of experience providing group therapy or group counseling.
- (9) For all hours gained on or after January 1, 2012, not more than 500 hours of experience in the following:
 - (A) Experience administering and evaluating psychological tests, writing clinical reports, writing progress notes, or writing process notes.
 - (B) Client centered advocacy.
- (10) Not less than 500 total hours of experience in diagnosing and treating couples, families, and children. For up to 150 hours of treating couples and families in conjoint therapy, the applicant shall be credited with two hours of experience for each hour of therapy provided.
- (11) Not more than 375 hours of experience providing personal psychotherapy, crisis counseling, or other counseling services via telehealth in accordance with Section 2290.5.
- (12) It is anticipated and encouraged that hours of experience will include working with elders and dependent adults who have physical or mental limitations that restrict their ability to carry out normal activities or protect their rights.

This subdivision shall only apply to hours gained on and after January 1, 2010.

(b) All applicants, trainees, and registrants shall be at all times under the supervision of a supervisor who shall be responsible for ensuring that the extent, kind, and quality of counseling performed is consistent with the training and experience of the person being supervised, and who shall be responsible to the board for compliance with all laws, rules, and regulations governing the practice of marriage and family therapy. Supervised experience shall be gained by interns and trainees only as an employee or as a volunteer. The requirements of this chapter regarding gaining hours of experience and supervision are applicable equally to employees and volunteers. Experience shall not be gained by interns or trainees as an independent contractor.

(1) If employed, an intern shall provide the board with copies of the corresponding W-2 tax forms for each year of experience claimed upon application for licensure.

(2) If volunteering, an intern shall provide the board with a letter from his or her employer verifying the intern's employment as a volunteer upon application for licensure.

(c) Except for experience gained pursuant to subparagraph (B) of paragraph (7) of subdivision (a), supervision shall include at least one hour of direct supervisor contact in each week for which experience is credited in each work setting, as specified:

(1) A trainee shall receive an average of at least one hour of direct supervisor contact for every five hours of client contact in each setting.

(2) An individual supervised after being granted a qualifying degree shall receive at least one additional hour of direct supervisor contact for every week in which more than 10 hours of client contact is gained in each setting. No more than five hours of supervision, whether individual or group, shall be credited during any single week.

(3) For purposes of this section, "one hour of direct supervisor contact" means one hour per week of face-to-face contact on an individual basis or two hours per week of face-to-face contact in a group.

(4) Direct supervisor contact shall occur within the same week as the hours claimed.

(5) Direct supervisor contact provided in a group shall be provided in a group of not more than eight supervisees and in segments lasting no less than one continuous hour.

(6) Notwithstanding paragraph (3), an intern working in a governmental entity, a school, a college, or a university, or an institution that is both nonprofit and charitable may obtain the required weekly direct supervisor contact via two-way, real-time videoconferencing. The supervisor shall be responsible for ensuring that client confidentiality is upheld.

(7) All experience gained by a trainee shall be monitored by the supervisor as specified by regulation.

(d) (1) A trainee may be credited with supervised experience completed in any setting that meets all of the following:

(A) Lawfully and regularly provides mental health counseling or psychotherapy.

(B) Provides oversight to ensure that the trainee's work at the setting meets the experience and supervision requirements set forth in this chapter and is within the scope of practice for the profession as defined in Section 4980.02.

(C) Is not a private practice owned by a licensed marriage and family therapist, a licensed professional clinical counselor, a licensed psychologist, a licensed clinical social worker, a licensed physician and surgeon, or a professional corporation of any of those licensed professions.

(2) Experience may be gained by the trainee solely as part of the position for which the trainee volunteers or is employed.

(e) (1) An intern may be credited with supervised experience completed in any setting that meets both of the following:

(A) Lawfully and regularly provides mental health counseling or psychotherapy.

(B) Provides oversight to ensure that the intern's work at the setting meets the experience and supervision requirements set forth in this chapter and is within the scope of practice for the profession as defined in Section 4980.02.

(2) An applicant shall not be employed or volunteer in a private practice, as defined in subparagraph (C) of paragraph (1) of subdivision (d), until registered as an intern.

(3) While an intern may be either a paid employee or a volunteer, employers are encouraged to provide fair remuneration to interns.

(4) Except for periods of time during a supervisor's vacation or sick leave, an intern who is employed or volunteering in private practice shall be under the direct supervision of a licensee that has satisfied the requirements of subdivision (g) of Section 4980.03. The supervising licensee shall either be employed by and practice at the same site as the intern's employer, or shall be an owner or shareholder of the private practice. Alternative supervision may be arranged during a supervisor's vacation or sick leave if the supervision meets the requirements of this section.

(5) Experience may be gained by the intern solely as part of the position for which the intern volunteers or is employed.

(f) Except as provided in subdivision (g), all persons shall register with the board as an intern in order to be credited for postdegree hours of supervised experience gained toward licensure.

(g) Except when employed in a private practice setting, all postdegree hours of experience shall be credited toward licensure so long as the applicant applies for the intern registration within 90 days of the granting of the qualifying master's or doctoral degree and is thereafter granted the intern registration by the board.

(h) Trainees, interns, and applicants shall not receive any remuneration from patients or clients, and shall only be paid by their employers.

(i) Trainees, interns, and applicants shall only perform services at the place where their employers regularly conduct business, which may include performing services at other locations, so long as the services are performed under the direction and control of their employer and supervisor, and in compliance with the laws and regulations pertaining to supervision. Trainees and interns shall have no proprietary interest in their employers' businesses and shall not lease or rent space, pay for furnishings, equipment, or supplies, or in any other way pay for the obligations of their employers.

(j) Trainees, interns, or applicants who provide volunteered services or other services, and who receive no more than a total, from all work settings, of five hundred dollars (\$500) per month as reimbursement for expenses actually incurred by those trainees, interns, or applicants for services rendered in any lawful work setting other than a private practice shall be considered an employee and not an independent contractor. The board may audit applicants who receive reimbursement for expenses, and the applicants shall have the burden of demonstrating that the payments received were for reimbursement of expenses actually incurred.

(k) Each educational institution preparing applicants for licensure pursuant to this chapter shall consider requiring, and shall encourage, its students to undergo individual, marital or conjoint, family, or group counseling or psychotherapy, as appropriate. Each supervisor shall consider, advise, and encourage his or her interns and trainees regarding the advisability of undertaking individual, marital or conjoint, family, or group counseling or psychotherapy, as appropriate. Insofar as it is deemed appropriate and is desired by the applicant, the educational institution and supervisors are encouraged to assist the applicant in locating that counseling or psychotherapy at a reasonable cost.

SEC. 21. Section 4980.55 of the Business and Professions Code is amended to read:

4980.55. As a model for all therapeutic professions, and to acknowledge respect and regard for the consuming public, all licensed marriage and family therapists are encouraged to provide to each client, at an appropriate time and within the context of the psychotherapeutic relationship, an accurate and informative statement of the therapist's experience, education, specialties, professional orientation, and any other information deemed appropriate by the licensee.

SEC. 22. Section 4980.72 of the Business and Professions Code is amended to read:

4980.72. (a) This section applies to persons who are licensed outside of California and apply for licensure on or after January 1, 2016.

(b) The board may issue a license to a person who, at the time of submitting an application for a license pursuant to this chapter, holds a valid license in good standing issued by a board of marriage counselor examiners, board of marriage and family therapists, or corresponding authority, of any state or country, if all of the following conditions are satisfied:

(1) The applicant's education is substantially equivalent, as defined in Section 4980.78. The applicant's degree title need not be identical to that required by Section 4980.36 or 4980.37.

(2) The applicant complies with Section 4980.76, if applicable.

(3) The applicant's supervised experience is substantially equivalent to that required for a license under this chapter. The board shall consider hours of experience obtained outside of California during the six-year period immediately preceding the date the applicant initially obtained the license described above.

(4) The applicant passes the California law and ethics examination.

(5) The applicant passes a clinical examination designated by the board. An applicant who obtained his or her license or registration under another jurisdiction may apply for licensure with the board without taking the clinical examination if both of the following conditions are met:

(A) The applicant obtained a passing score on the licensing examination set forth in regulation as accepted by the board.

(B) The applicant's license or registration in that jurisdiction is in good standing at the time of his or her application and is not revoked, suspended, surrendered, denied, or otherwise restricted or encumbered.

SEC. 22.5. Section 4980.72 of the Business and Professions Code is amended to read:

4980.72. (a) This section applies to persons who are licensed outside of California and apply for licensure on or after January 1, 2016.

(b) The board may issue a license to a person who, at the time of submitting an application for a license pursuant to this chapter, holds a valid license in good standing issued by a board of marriage counselor examiners, board of marriage and family therapists, or corresponding authority, of any state or country, if all of the following conditions are satisfied:

(1) The applicant's education is substantially equivalent, as defined in Section 4980.79. The applicant's degree title need not be identical to that required by Section 4980.36 or 4980.37.

(2) The applicant complies with Section 4980.76, if applicable.

(3) The applicant's supervised experience is substantially equivalent to that required for a license under this chapter. The board shall consider hours of experience obtained outside of California during the six-year period immediately preceding the date the applicant initially obtained the license described above. If the applicant has less than 3,000 hours of qualifying supervised experience, time actively licensed as a marriage and family therapist shall be accepted at a rate of 100 hours per month, up to a maximum of 1,200 hours, if the applicant's degree meets the practicum requirement described in subparagraph (C) of paragraph (1) of subdivision (b) of Section 4980.79 without exemptions or remediation.

(4) The applicant passes the California law and ethics examination.

(5) The applicant passes a clinical examination designated by the board. An applicant who obtained his or her license or registration under another jurisdiction may apply for licensure with the board without taking the clinical examination if both of the following conditions are met:

(A) The applicant obtained a passing score on the licensing examination set forth in regulation as accepted by the board.

(B) The applicant's license or registration in that jurisdiction is in good standing at the time of his or her application and is not revoked, suspended, surrendered, denied, or otherwise restricted or encumbered.

SEC. 23. Section 4980.78 of the Business and Professions Code is amended to read:

4980.78. (a) This section applies to persons who apply for licensure or registration on or after January 1, 2016.

(b) For purposes of Sections 4980.72 and 4980.74, education is substantially equivalent if all of the following requirements are met:

(1) The degree is obtained from a school, college, or university accredited by an accrediting agency that is recognized by the United States Department of Education and consists of, at a minimum, 48 semester or 72 quarter units, including, but not limited to, both of the following:

(A) Six semester or nine quarter units of practicum, including, but not limited to, a minimum of 150 hours of face-to-face counseling.

(B) Twelve semester or 18 quarter units in the areas of marriage, family, and child counseling and marital and family systems approaches to treatment, as specified in subparagraph (A) of paragraph (1) of subdivision (d) of Section 4980.36.

(2) The applicant completes any units and course content requirements under subdivision (d) of Section 4980.36 not already completed in his or her education.

(3) The applicant completes credit level coursework from a degree-granting institution that provides all of the following:

(A) Instruction regarding the principles of mental health recovery-oriented care and methods of service delivery in recovery model practice environments.

(B) An understanding of various California cultures and the social and psychological implications of socioeconomic position.

(C) Structured meeting with various consumers and family members of consumers of mental health services to enhance understanding of their experience of mental illness, treatment, and recovery.

(D) Instruction in addiction and co-occurring substance abuse and mental health disorders, as specified in subparagraph (1) of paragraph (2) of subdivision (d) of Section 4980.36.

(4) The applicant completes an 18-hour course in California law and professional ethics. The content of the course shall include, but not be limited to, advertising, scope of practice, scope of competence, treatment of minors, confidentiality, dangerous patients, psychotherapist-patient privilege, recordkeeping, patient access to records, state and federal laws relating to confidentiality of patient health information, dual relationships, child abuse, elder and dependent adult abuse, online therapy, insurance reimbursement, civil liability, disciplinary actions and unprofessional conduct, ethics complaints and ethical standards, termination of therapy, standards of care, relevant family law, therapist disclosures to patients, differences in legal and ethical standards in different types of work settings, and licensing law and licensing process.

(5) The applicant's degree title need not be identical to that required by subdivision (b) of Section 4980.36.

SEC. 23.5. Section 4980.78 of the Business and Professions Code is amended to read:

4980.78. (a) This section applies to persons who apply for licensure or registration on or after January 1, 2016, and who do not hold a license as described in Section 4980.72.

(b) For purposes of Section 4980.74, education is substantially equivalent if all of the following requirements are met:

(1) The degree is obtained from a school, college, or university accredited by an accrediting agency that is recognized by the United States Department of Education and consists of, at a minimum, the following:

(A) (i) For an applicant who obtained his or her degree within the timeline prescribed by subdivision (a) of Section 4980.36, the degree shall contain no less than 60 semester or 90 quarter units of instruction.

(ii) Up to 12 semester or 18 quarter units of instruction may be remediated, if missing from the degree. The remediation may occur while the applicant is registered as an intern.

(B) For an applicant who obtained his or her degree within the timeline prescribed by subdivision (a) of Section 4980.37, the degree shall contain no less than 48 semester units or 72 quarter units of instruction.

(C) Six semester or nine quarter units of practicum, including, but not limited to, a minimum of 150 hours of face-to-face counseling, and an additional 75 hours of either face-to-face counseling or client-centered advocacy, or a combination of face-to-face counseling and client-centered advocacy.

(D) Twelve semester or 18 quarter units in the areas of marriage, family, and child counseling and marital and family systems approaches to treatment, as specified in subparagraph (A) of paragraph (1) of subdivision (d) of Section 4980.36.

(2) The applicant shall complete coursework in California law and ethics as follows:

(A) An applicant who completed a course in law and professional ethics for marriage and family therapists as specified in paragraph (7) of subdivision (a) of Section 4980.81, that did not contain instruction in California law and ethics, shall complete an 18-hour course in California law and professional ethics. The content of the course shall include, but not be limited to, advertising, scope of practice, scope of competence, treatment of minors, confidentiality, dangerous patients, psychotherapist-patient privilege, recordkeeping, patient access to records, state and federal laws relating to confidentiality of patient health information, dual relationships, child abuse, elder and dependent adult abuse, online therapy, insurance reimbursement, civil liability, disciplinary actions and unprofessional conduct, ethics complaints and ethical standards, termination of therapy, standards of care, relevant family law, therapist disclosures to patients, differences in legal and ethical standards in different types

of work settings, and licensing law and licensing process. This coursework shall be completed prior to registration as an intern.

(B) An applicant who has not completed a course in law and professional ethics for marriage and family therapists as specified in paragraph (7) of subdivision (a) of Section 4980.81 shall complete this required coursework. The coursework shall contain content specific to California law and ethics. This coursework shall be completed prior to registration as an intern.

(3) The applicant completes the educational requirements specified in Section 4980.81 not already completed in his or her education. The coursework may be from an accredited school, college, or university as specified in paragraph (1), from an educational institution approved by the Bureau for Private Postsecondary Education, or from a continuing education provider that is acceptable to the board as defined in Section 4980.54. Undergraduate courses shall not satisfy this requirement.

(4) The applicant completes the following coursework not already completed in his or her education from an accredited school, college, or university as specified in paragraph (1) from an educational institution approved by the Bureau for Private Postsecondary Education, or from a continuing education provider that is acceptable to the board as defined in Section 4980.54. Undergraduate courses shall not satisfy this requirement.

(A) At least three semester units, or 45 hours, of instruction regarding the principles of mental health recovery-oriented care and methods of service delivery in recovery-oriented practice environments, including structured meetings with various consumers and family members of consumers of mental health services to enhance understanding of their experience of mental illness, treatment, and recovery.

(B) At least one semester unit, or 15 hours, of instruction that includes an understanding of various California cultures and the social and psychological implications of socioeconomic position.

(5) An applicant may complete any units and course content requirements required under paragraphs (3) and (4) not already completed in his or her education while registered as an intern, unless otherwise specified.

(6) The applicant's degree title need not be identical to that required by subdivision (b) of Section 4980.36.

SEC. 24. Section 4987.5 of the Business and Professions Code is amended to read:

4987.5. A marriage and family therapy corporation is a corporation that is authorized to render professional services, as defined in Section 13401 of the Corporations Code, so long as that corporation and its shareholders, officers, directors, and employees rendering professional services who are licensed marriage and family therapists, physicians and surgeons, psychologists, licensed professional clinical counselors, licensed clinical social workers, registered nurses, chiropractors, or acupuncturists are in compliance with the Moscone-Knox Professional Corporation Act (Part 4 (commencing with Section 13400) of Division 3 of Title 1 of the Corporations Code), this article, and any other statute or regulation pertaining to that corporation and the conduct of its affairs. With respect to a marriage and family therapy corporation, the governmental agency referred to in the Moscone-Knox Professional Corporation Act is the Board of Behavioral Sciences.

SEC. 25. Section 4989.16 of the Business and Professions Code is amended to read:

4989.16. (a) A person appropriately credentialed by the Commission on Teacher Credentialing may perform the functions authorized by that credential in a public school without a license issued under this chapter by the board.

(b) Nothing in this chapter shall be construed to constrict, limit, or withdraw the Medical Practice Act (Chapter 5 (commencing with Section 2000)), the Nursing Practice Act (Chapter 6 (commencing with Section 2700)), the Psychology Licensing Law (Chapter 6.6 (commencing with Section 2900)), the Licensed Marriage and Family Therapist Practice Act (Chapter 13 (commencing with Section 4980)), the Clinical Social Worker Practice Act (Chapter 14 (commencing with Section 4991)), or the Licensed Professional Clinical Counselor Act (Chapter 16 (commencing with Section 4999.10)).

SEC. 26. Section 4989.22 of the Business and Professions Code is amended to read:

4989.22. (a) Only persons who satisfy the requirements of Section 4989.20 are eligible to take the licensure examination.

(b) An applicant who fails the written examination may, within one year from the notification date of failure, retake the examination as regularly scheduled without further application. Thereafter, the applicant shall not be eligible for further examination until he or she files a new application, meets all current requirements, and pays all fees required.

(c) Notwithstanding any other provision of law, the board may destroy all examination materials two years after the date of an examination.

(d) The board shall not deny any applicant, whose application for licensure is complete, admission to the written examination, nor shall the board postpone or delay any applicant's written examination or delay informing the candidate of the results of the written examination, solely upon the receipt by the board of a complaint alleging acts or conduct that would constitute grounds to deny licensure.

(e) Notwithstanding Section 135, the board may deny any applicant who has previously failed the written examination permission to retake the examination pending completion of the investigation of any complaint against the applicant. Nothing in this section shall prohibit the board from denying an applicant admission to any examination, withholding the results, or refusing to issue a license to any applicant when an accusation or statement of issues has been filed against the applicant pursuant to Section 11503 or 11504 of the Government Code, or the applicant has been denied in accordance with subdivision (b) of Section 485.

SEC. 27. Section 4992.09 of the Business and Professions Code is amended to read:

4992.09. (a) Except as provided in subdivision (a) of Section 4992.07, an applicant and registrant shall obtain a passing score on a board-administered California law and ethics examination in order to qualify for licensure.

(b) A registrant shall participate in a board-administered California law and ethics examination prior to his or her registration renewal.

(c) Notwithstanding subdivision (b), an applicant who holds a registration eligible for renewal, with an expiration date no later than June 30, 2016, and who applies for renewal of that registration between January 1, 2016, and June 30, 2016, shall, if eligible, be allowed to renew the registration without first participating in the California law and ethics examination. These applicants shall participate in the California law and ethics examination in the next renewal cycle, and shall pass the examination prior to licensure or issuance of a subsequent registration number, as specified in this section.

(d) If an applicant fails the California law and ethics examination, he or she may retake the examination, upon payment of the required fees, without further application except for as provided in subdivision (e).

(e) If a registrant fails to obtain a passing score on the California law and ethics examination described in subdivision (a) within his or her renewal period on or after the operative date of this section, he or she shall complete, at a minimum, a 12-hour course in California law and ethics in order to be eligible to participate in the California law and ethics examination. Registrants shall only take the 12-hour California law and ethics course once during a renewal period. The 12-hour law and ethics course required by this section shall be taken through a board-approved continuing education provider, a county, state or governmental entity, or a college or university.

(f) The board shall not issue a subsequent registration number unless the registrant has passed the California law and ethics examination.

(g) Notwithstanding subdivision (f), an applicant who holds or has held a registration, with an expiration date no later than January 1, 2017, and who applies for a subsequent registration number between January 1, 2016, and January 1, 2017, shall, if eligible, be allowed to obtain the subsequent registration number without first passing the California law and ethics examination. These applicants shall pass the California law and ethics examination during the next renewal period or prior to licensure, whichever occurs first.

(h) This section shall become operative on January 1, 2016.

SEC. 28. Section 4996.17 of the Business and Professions Code is amended to read:

4996.17. (a) (1) Experience gained outside of California shall be accepted toward the licensure requirements if it is substantially the equivalent of the requirements of this chapter.

(2) Commencing January 1, 2014, an applicant with education gained outside of California shall complete an 18-hour course in California law and professional ethics. The content of the course shall include, but not be

limited to, the following: advertising, scope of practice, scope of competence, treatment of minors, confidentiality, dangerous patients, psychotherapist-patient privilege, recordkeeping, patient access to records, state and federal laws related to confidentiality of patient health information, dual relationships, child abuse, elder and dependent adult abuse, online therapy, insurance reimbursement, civil liability, disciplinary actions and unprofessional conduct, ethics complaints and ethical standards, termination of therapy, standards of care, relevant family law, therapist disclosures to patients, differences in legal and ethical standards in different types of work settings, and licensing law and process.

(b) The board may issue a license to any person who, at the time of application, holds a valid active clinical social work license issued by a board of clinical social work examiners or corresponding authority of any state, if the person passes, or has passed, the licensing examinations as specified in Section 4996.1 and pays the required fees. Issuance of the license is conditioned upon all of the following:

(1) The applicant has supervised experience that is substantially the equivalent of that required by this chapter. If the applicant has less than 3,200 hours of qualifying supervised experience, time actively licensed as a clinical social worker shall be accepted at a rate of 100 hours per month up to a maximum of 1,200 hours.

(2) Completion of the following coursework or training in or out of this state:

(A) A minimum of seven contact hours of training or coursework in child abuse assessment and reporting as specified in Section 28, and any regulations promulgated thereunder.

(B) A minimum of 10 contact hours of training or coursework in human sexuality as specified in Section 25, and any regulations promulgated thereunder.

(C) A minimum of 15 contact hours of training or coursework in alcoholism and other chemical substance dependency, as specified by regulation.

(D) A minimum of 15 contact hours of coursework or training in spousal or partner abuse assessment, detection, and intervention strategies.

(3) Commencing January 1, 2014, completion of an 18-hour course in California law and professional ethics. The content of the course shall include, but not be limited to, the following: advertising, scope of practice, scope of competence, treatment of minors, confidentiality, dangerous patients, psychotherapist-patient privilege, recordkeeping, patient access to records, state and federal laws related to confidentiality of patient health information, dual relationships, child abuse, elder and dependent adult abuse, online therapy, insurance reimbursement, civil liability, disciplinary actions and unprofessional conduct, ethics complaints and ethical standards, termination of therapy, standards of care, relevant family law, therapist disclosures to patients, differences in legal and ethical standards in different types of work settings, and licensing law and process.

(4) The applicant's license is not suspended, revoked, restricted, sanctioned, or voluntarily surrendered in any state.

(5) The applicant is not currently under investigation in any other state, and has not been charged with an offense for any act substantially related to the practice of social work by any public agency, entered into any consent agreement or been subject to an administrative decision that contains conditions placed by an agency upon an applicant's professional conduct or practice, including any voluntary surrender of license, or been the subject of an adverse judgment resulting from the practice of social work that the board determines constitutes evidence of a pattern of incompetence or negligence.

(6) The applicant shall provide a certification from each state where he or she holds a license pertaining to licensure, disciplinary action, and complaints pending.

(7) The applicant is not subject to denial of licensure under Section 480, 4992.3, 4992.35, or 4992.36.

(c) The board may issue a license to any person who, at the time of application, holds a valid, active clinical social work license issued by a board of clinical social work examiners or a corresponding authority of any state, if the person has held that license for at least four years immediately preceding the date of application, the person passes, or has passed, the licensing examinations as specified in Section 4996.1, and the person pays the required fees. Issuance of the license is conditioned upon all of the following:

(1) Completion of the following coursework or training in or out of state:

(A) A minimum of seven contact hours of training or coursework in child abuse assessment and reporting as specified in Section 28, and any regulations promulgated thereunder.

(B) A minimum of 10 contact hours of training or coursework in human sexuality as specified in Section 25, and any regulations promulgated thereunder.

(C) A minimum of 15 contact hours of training or coursework in alcoholism and other chemical substance dependency, as specified by regulation.

(D) A minimum of 15 contact hours of coursework or training in spousal or partner abuse assessment, detection, and intervention strategies.

(2) Commencing January 1, 2014, completion of an 18-hour course in California law and professional ethics. The content of the course shall include, but not be limited to, the following: advertising, scope of practice, scope of competence, treatment of minors, confidentiality, dangerous patients, psychotherapist-patient privilege, recordkeeping, patient access to records, state and federal laws related to confidentiality of patient health information, dual relationships, child abuse, elder and dependent adult abuse, online therapy, insurance reimbursement, civil liability, disciplinary actions and unprofessional conduct, ethics complaints and ethical standards, termination of therapy, standards of care, relevant family law, therapist disclosures to patients, differences in legal and ethical standards in different types of work settings, and licensing law and process.

(3) The applicant has been licensed as a clinical social worker continuously for a minimum of four years prior to the date of application.

(4) The applicant's license is not suspended, revoked, restricted, sanctioned, or voluntarily surrendered in any state.

(5) The applicant is not currently under investigation in any other state, and has not been charged with an offense for any act substantially related to the practice of social work by any public agency, entered into any consent agreement or been subject to an administrative decision that contains conditions placed by an agency upon an applicant's professional conduct or practice, including any voluntary surrender of license, or been the subject of an adverse judgment resulting from the practice of social work that the board determines constitutes evidence of a pattern of incompetence or negligence.

(6) The applicant provides a certification from each state where he or she holds a license pertaining to licensure, disciplinary action, and complaints pending.

(7) The applicant is not subject to denial of licensure under Section 480, 4992.3, 4992.35, or 4992.36.

(d) Commencing January 1, 2016, an applicant who obtained his or her license or registration under another jurisdiction may apply for licensure with the board without taking the clinical examination specified in Section 4996.1 if the applicant obtained a passing score on the licensing examination set forth in regulation as accepted by the board.

SEC. 29. Section 4996.23 of the Business and Professions Code is amended to read:

4996.23. The experience required by subdivision (c) of Section 4996.2 shall meet the following criteria:

(a) All persons registered with the board on and after January 1, 2002, shall have at least 3,200 hours of post-master's degree supervised experience providing clinical social work services as permitted by Section 4996.9. At least 1,700 hours shall be gained under the supervision of a licensed clinical social worker. The remaining required supervised experience may be gained under the supervision of a licensed mental health professional acceptable to the board as defined by a regulation adopted by the board. This experience shall consist of the following:

(1) A minimum of 2,000 hours in clinical psychosocial diagnosis, assessment, and treatment, including psychotherapy or counseling.

(2) A maximum of 1,200 hours in client-centered advocacy, consultation, evaluation, and research.

(3) Of the 2,000 clinical hours required in paragraph (1), no less than 750 hours shall be face-to-face individual or group psychotherapy provided to clients in the context of clinical social work services.

(4) A minimum of two years of supervised experience is required to be obtained over a period of not less than 104 weeks and shall have been gained within the six years immediately preceding the date on which the application for licensure was filed.

(5) Experience shall not be credited for more than 40 hours in any week.

(b) "Supervision" means responsibility for, and control of, the quality of clinical social work services being provided. Consultation or peer discussion shall not be considered to be supervision.

(c) (1) Prior to the commencement of supervision, a supervisor shall comply with all requirements enumerated in Section 1870 of Title 16 of the California Code of Regulations and shall sign under penalty of perjury the "Responsibility Statement for Supervisors of an Associate Clinical Social Worker" form.

(2) Supervised experience shall include at least one hour of direct supervisor contact for a minimum of 104 weeks. For purposes of this subdivision, "one hour of direct supervisor contact" means one hour per week of face-to-face contact on an individual basis or two hours of face-to-face contact in a group conducted within the same week as the hours claimed.

(3) An associate shall receive at least one additional hour of direct supervisor contact for every week in which more than 10 hours of face-to-face psychotherapy is performed in each setting in which experience is gained. No more than five hours of supervision, whether individual or group, shall be credited during any single week.

(4) Group supervision shall be provided in a group of not more than eight supervisees and shall be provided in segments lasting no less than one continuous hour.

(5) Of the 104 weeks of required supervision, 52 weeks shall be individual supervision, and of the 52 weeks of required individual supervision, not less than 13 weeks shall be supervised by a licensed clinical social worker.

(6) Notwithstanding paragraph (2), an associate clinical social worker working for a governmental entity, school, college, or university, or an institution that is both a nonprofit and charitable institution, may obtain the required weekly direct supervisor contact via live two-way videoconferencing. The supervisor shall be responsible for ensuring that client confidentiality is preserved.

(d) The supervisor and the associate shall develop a supervisory plan that describes the goals and objectives of supervision. These goals shall include the ongoing assessment of strengths and limitations and the assurance of practice in accordance with the laws and regulations. The associate shall submit to the board the initial original supervisory plan upon application for licensure.

(e) Experience shall only be gained in a setting that meets both of the following:

(1) Lawfully and regularly provides clinical social work, mental health counseling, or psychotherapy.

(2) Provides oversight to ensure that the associate's work at the setting meets the experience and supervision requirements set forth in this chapter and is within the scope of practice for the profession as defined in Section 4996.9.

(f) Experience shall not be gained until the applicant has been registered as an associate clinical social worker.

(g) Employment in a private practice as defined in subdivision (h) shall not commence until the applicant has been registered as an associate clinical social worker.

(h) A private practice setting is a setting that is owned by a licensed clinical social worker, a licensed marriage and family therapist, a licensed psychologist, a licensed professional clinical counselor, a licensed physician and surgeon, or a professional corporation of any of those licensed professions.

(i) If volunteering, the associate shall provide the board with a letter from his or her employer verifying his or her voluntary status upon application for licensure.

(j) If employed, the associate shall provide the board with copies of his or her W-2 tax forms for each year of experience claimed upon application for licensure.

(k) While an associate may be either a paid employee or volunteer, employers are encouraged to provide fair remuneration to associates.

(l) An associate shall not do the following:

(1) Receive any remuneration from patients or clients and shall only be paid by his or her employer.

(2) Have any proprietary interest in the employer's business.

(3) Lease or rent space, pay for furnishings, equipment, or supplies, or in any other way pay for the obligations of his or her employer.

(m) An associate, whether employed or volunteering, may obtain supervision from a person not employed by the associate's employer if that person has signed a written agreement with the employer to take supervisory responsibility for the associate's social work services.

(n) Notwithstanding any other provision of law, associates and applicants for examination shall receive a minimum of one hour of supervision per week for each setting in which he or she is working.

SEC. 30. Section 4998 of the Business and Professions Code is amended to read:

4998. A licensed clinical social worker corporation is a corporation that is authorized to render professional services, as defined in Section 13401 of the Corporations Code, so long as that corporation and its shareholders, officers, directors, and employees rendering professional services who are licensed clinical social workers, physicians and surgeons, psychologists, licensed professional clinical counselors, licensed marriage and family therapists, registered nurses, chiropractors, or acupuncturists are in compliance with the Moscone-Knox Professional Corporation Act (Part 4 (commencing with Section 13400) of Division 3 of Title 1 of the Corporations Code), this article, and all other statutes and regulations now or hereafter enacted or adopted pertaining to that corporation and the conduct of its affairs. With respect to a licensed clinical social worker corporation, the governmental agency referred to in the Moscone-Knox Professional Corporation Act is the Board of Behavioral Sciences.

SEC. 31. Section 4999.55 of the Business and Professions Code is amended to read:

4999.55. (a) Each applicant and registrant shall obtain a passing score on a board-administered California law and ethics examination in order to qualify for licensure.

(b) A registrant shall participate in a board-administered California law and ethics examination prior to his or her registration renewal.

(c) Notwithstanding subdivision (b), an applicant who holds a registration eligible for renewal, with an expiration date no later than June 30, 2016, and who applies for renewal of that registration between January 1, 2016, and June 30, 2016, shall, if eligible, be allowed to renew the registration without first participating in the California law and ethics examination. These applicants shall participate in the California law and ethics examination in the next renewal cycle, and shall pass the examination prior to licensure or issuance of a subsequent registration number, as specified in this section.

(d) If an applicant fails the California law and ethics examination, he or she may retake the examination, upon payment of the required fees, without further application, except as provided in subdivision (e).

(e) If a registrant fails to obtain a passing score on the California law and ethics examination described in subdivision (a) within his or her renewal period on or after the operative date of this section, he or she shall complete, at minimum, a 12-hour course in California law and ethics in order to be eligible to participate in the California law and ethics examination. Registrants shall only take the 12-hour California law and ethics course once during a renewal period. The 12-hour law and ethics course required by this section shall be taken through a board-approved continuing education provider, a county, state, or governmental entity, or a college or university.

(f) The board shall not issue a subsequent registration number unless the registrant has passed the California law and ethics examination.

(g) Notwithstanding subdivision (f), an applicant who holds or has held a registration, with an expiration date no later than January 1, 2017, and who applies for a subsequent registration number between January 1, 2016, and January 1, 2017, shall, if eligible, be allowed to obtain the subsequent registration number without first passing the California law and ethics examination. These applicants shall pass the California law and ethics examination during the next renewal period or prior to licensure, whichever occurs first.

(h) This section shall become operative January 1, 2016.

SEC. 32. Section 4999.58 of the Business and Professions Code is amended to read:

4999.58. (a) This section applies to a person who applies for examination eligibility between January 1, 2011, and December 31, 2015, inclusive, and who meets both of the following requirements:

(1) At the time of application, holds a valid license as a professional clinical counselor, or other counseling license that allows the applicant to independently provide clinical mental health services, in another jurisdiction of the United States.

(2) Has held the license described in paragraph (1) for at least two years immediately preceding the date of application.

(b) The board may issue a license to a person described in subdivision (a) if all of the following requirements are satisfied:

(1) The education and supervised experience requirements of the other jurisdiction are substantially the equivalent of this chapter, as described in subdivision (e) and in Section 4999.46.

(2) The person complies with subdivision (b) of Section 4999.40, if applicable.

(3) The person successfully completes the examinations required by the board pursuant to paragraph (3) of subdivision (a) of Section 4999.50. An applicant who obtained his or her license or registration under another jurisdiction by taking a national examination that is required by the board may apply for licensure with the board without retaking that examination if both of the following conditions are met:

(A) The applicant obtained a passing score on the national licensing examination that is required by the board.

(B) The applicant's license or registration in that jurisdiction is in good standing at the time of his or her application and is not revoked, suspended, surrendered, denied, or otherwise restricted or encumbered.

(4) The person pays the required fees.

(c) Experience gained outside of California shall be accepted toward the licensure requirements if it is substantially equivalent to that required by this chapter. The board shall consider hours of experience obtained in another state during the six-year period immediately preceding the applicant's initial licensure by that state as a licensed professional clinical counselor.

(d) Education gained while residing outside of California shall be accepted toward the licensure requirements if it is substantially equivalent to the education requirements of this chapter, and if the applicant has completed the training or coursework required under subdivision (e) of Section 4999.32, which includes, in addition to the course described in subparagraph (I) of paragraph (1) of subdivision (c) of Section 4999.32, an 18-hour course in California law and professional ethics for professional clinical counselors.

(e) For purposes of this section, the board may, in its discretion, accept education as substantially equivalent if the applicant's education meets the requirements of Section 4999.32. If the applicant's degree does not contain the content or the overall units required by Section 4999.32, the board may, in its discretion, accept the applicant's education as substantially equivalent if the following criteria are satisfied:

(1) The applicant's degree contains the required number of practicum units under paragraph (3) of subdivision (c) of Section 4999.32.

(2) The applicant remediates his or her specific deficiency by completing the course content and units required by Section 4999.32.

(3) The applicant's degree otherwise complies with this section.

(f) This section shall become inoperative on January 1, 2016, and as of that date is repealed, unless a later enacted statute, which is enacted before January 1, 2016, deletes or extends that date.

SEC. 32.5. Section 4999.58 of the Business and Professions Code is amended to read:

4999.58. (a) This section applies to a person who applies for examination eligibility between January 1, 2011, and December 31, 2015, inclusive, and who meets both of the following requirements:

(1) At the time of application, holds a valid license as a professional clinical counselor, or other counseling license that allows the applicant to independently provide clinical mental health services, in another jurisdiction of the United States.

(2) Has held the license described in paragraph (1) for at least two years immediately preceding the date of application.

(b) The board may issue a license to a person described in subdivision (a) if all of the following requirements are satisfied:

(1) The education and supervised experience requirements of the other jurisdiction are substantially the equivalent of this chapter, as described in subdivision (e) and in Section 4999.46.

(2) The person complies with subdivision (b) of Section 4999.40, if applicable.

(3) The person successfully completes the examinations required by the board pursuant to paragraph (3) of subdivision (a) of Section 4999.50. An applicant who obtained his or her license or registration under another jurisdiction by taking a national examination that is required by the board may apply for licensure with the board without retaking that examination if both of the following conditions are met:

(A) The applicant obtained a passing score on the national licensing examination that is required by the board.

(B) The applicant's license or registration in that jurisdiction is in good standing at the time of his or her application and is not revoked, suspended, surrendered, denied, or otherwise restricted or encumbered.

(4) The person pays the required fees.

(c) Experience gained outside of California shall be accepted toward the licensure requirements if it is substantially equivalent to that required by this chapter. The board shall consider hours of experience obtained in another state during the six-year period immediately preceding the applicant's initial licensure by that state as a licensed professional clinical counselor. If the applicant has less than 3,000 hours of qualifying supervised experience, time actively licensed as a licensed professional clinical counselor shall be accepted at a rate of 100 hours per month up to a maximum of 1,200 hours.

(d) (1) Education gained while residing outside of California shall be accepted toward the licensure requirements if it is substantially equivalent to the education requirements of this chapter, and if the applicant has completed the training or coursework required under subdivision (e) of Section 4999.32.

(2) An applicant who completed a course that meets the requirements of subparagraph (I) of paragraph (1) of subdivision (c) of Section 4999.32, and that included instruction in California law and ethics, is exempt from taking the 18-hour course specified in paragraph (6) of subdivision (e) of Section 4999.32.

(e) For purposes of this section, the board may, in its discretion, accept education as substantially equivalent if the applicant's education meets the requirements of Section 4999.32. If the applicant's degree does not contain the content or the overall units required by Section 4999.32, the board may, in its discretion, accept the applicant's education as substantially equivalent if the following criteria are satisfied:

(1) The applicant's degree contains the required number of practicum units under paragraph (3) of subdivision (c) of Section 4999.32.

(2) The applicant remediates his or her specific deficiency by completing the course content and units required by Section 4999.32.

(3) The applicant's degree otherwise complies with this section.

(f) This section shall become inoperative on January 1, 2016, and as of that date is repealed, unless a later enacted statute, which is enacted before January 1, 2016, deletes or extends that date.

SEC. 33. Section 4999.59 of the Business and Professions Code is amended to read:

4999.59. (a) This section applies to a person who applies for examination eligibility or registration between January 1, 2011, and December 31, 2015, inclusive, who meets both of the following requirements:

(1) At the time of application, holds a valid license described in paragraph (1) of subdivision (a) of Section 4999.58.

(2) Has held the license described in paragraph (1) for less than two years immediately preceding the date of application.

(b) Experience gained outside of California shall be accepted toward the licensure requirements if it is substantially equivalent to that required by this chapter, if the applicant complies with Section 4999.40, if applicable, and if the applicant has gained a minimum of 250 hours of supervised experience in direct counseling within California while registered as an intern with the board. The board shall consider hours of

experience obtained in another state during the six-year period immediately preceding the applicant's initial licensure in that state as a professional clinical counselor.

(c) Education gained while residing outside of California shall be accepted toward the licensure requirements if it is substantially equivalent to the education requirements of this chapter, and if the applicant has completed the training or coursework required under subdivision (e) of Section 4999.32, which includes, in addition to the course described in subparagraph (I) of paragraph (1) of subdivision (c) of Section 4999.32, an 18-hour course in California law and professional ethics for professional clinical counselors.

(d) For purposes of this section, the board may, in its discretion, accept education as substantially equivalent if the applicant's education meets the requirements of Section 4999.32. If the applicant's degree does not contain the content or the overall units required by Section 4999.32, the board may, in its discretion, accept the applicant's education as substantially equivalent if the following criteria are satisfied:

(1) The applicant's degree contains the required number of practicum units under paragraph (3) of subdivision (c) of Section 4999.32.

(2) The applicant remediates his or her specific deficiency by completing the course content and units required by Section 4999.32.

(3) The applicant's degree otherwise complies with this section.

(e) An applicant who obtained his or her license or registration under another jurisdiction by taking a national examination that is required by the board may apply for licensure with the board without retaking that examination if both of the following conditions are met:

(1) The applicant obtained a passing score on the national licensing examination that is required by the board.

(2) The applicant's license or registration in that jurisdiction is in good standing at the time of his or her application and is not revoked, suspended, surrendered, denied, or otherwise restricted or encumbered.

(f) This section shall become inoperative on January 1, 2016, and as of that date is repealed, unless a later enacted statute, which is enacted before January 1, 2016, deletes or extends that date.

SEC. 33.5. Section 4999.59 of the Business and Professions Code is amended to read:

4999.59. (a) This section applies to a person who applies for examination eligibility or registration between January 1, 2011, and December 31, 2015, inclusive, who meets both of the following requirements:

(1) At the time of application, holds a valid license described in paragraph (1) of subdivision (a) of Section 4999.58.

(2) Has held the license described in paragraph (1) for less than two years immediately preceding the date of application.

(b) Experience gained outside of California shall be accepted toward the licensure requirements if it is substantially equivalent to that required by this chapter, if the applicant complies with Section 4999.40, if applicable, and if the applicant has gained a minimum of 250 hours of supervised experience in direct counseling within California while registered as an intern with the board. The board shall consider hours of experience obtained in another state during the six-year period immediately preceding the applicant's initial licensure in that state as a professional clinical counselor. If the applicant has less than 3,000 hours of qualifying supervised experience, time actively licensed as a licensed professional clinical counselor shall be accepted at a rate of 100 hours per month up to a maximum of 1,200 hours.

(c) (1) Education gained while residing outside of California shall be accepted toward the licensure requirements if it is substantially equivalent to the education requirements of this chapter, and if the applicant has completed the training or coursework required under subdivision (c) of Section 4999.32.

(2) An applicant who completed a course that meets the requirements of subparagraph (I) of paragraph (1) of subdivision (c) of Section 4999.32, and that included instruction in California law and ethics, is exempt from taking the 18-hour course specified in paragraph (6) of subdivision (c) of Section 4999.32.

(d) For purposes of this section, the board may, in its discretion, accept education as substantially equivalent if the applicant's education meets the requirements of Section 4999.32. If the applicant's degree does not contain

the content or the overall units required by Section 4999.32, the board may, in its discretion, accept the applicant's education as substantially equivalent if the following criteria are satisfied:

(1) The applicant's degree contains the required number of practicum units under paragraph (3) of subdivision (c) of Section 4999.32.

(2) The applicant remediates his or her specific deficiency by completing the course content and units required by Section 4999.32.

(3) The applicant's degree otherwise complies with this section.

(e) An applicant who obtained his or her license or registration under another jurisdiction by taking a national examination that is required by the board may apply for licensure with the board without retaking that examination if both of the following conditions are met:

(1) The applicant obtained a passing score on the national licensing examination that is required by the board.

(2) The applicant's license or registration in that jurisdiction is in good standing at the time of his or her application and is not revoked, suspended, surrendered, denied, or otherwise restricted or encumbered.

(f) This section shall become inoperative on January 1, 2016, and as of that date is repealed, unless a later enacted statute, which is enacted before January 1, 2016, deletes or extends that date.

SEC. 34. Section 4999.60 of the Business and Professions Code is amended to read:

4999.60. (a) This section applies to persons who are licensed outside of California and apply for examination eligibility on or after January 1, 2016.

(b) The board may issue a license to a person who, at the time of submitting an application for a license pursuant to this chapter, holds a valid license as a professional clinical counselor, or other counseling license that allows the applicant to independently provide clinical mental health services, in another jurisdiction of the United States, if all of the following conditions are satisfied:

(1) The applicant's education is substantially equivalent, as defined in Section 4999.63.

(2) The applicant complies with subdivision (b) of Section 4999.40, if applicable.

(3) The applicant's supervised experience is substantially equivalent to that required for a license under this chapter. The board shall consider hours of experience obtained outside of California during the six-year period immediately preceding the date the applicant initially obtained the license described above.

(4) The applicant passes the examinations required to obtain a license under this chapter. An applicant who obtained his or her license or registration under another jurisdiction may apply for licensure with the board without taking the clinical examination if both of the following conditions are met:

(A) The applicant obtained a passing score on the licensing examination set forth in regulation as accepted by the board.

(B) The applicant's license or registration in that jurisdiction is in good standing at the time of his or her application and is not revoked, suspended, surrendered, denied, or otherwise restricted or encumbered.

SEC. 34.5. Section 4999.60 of the Business and Professions Code is amended to read:

4999.60. (a) This section applies to persons who are licensed outside of California and apply for examination eligibility on or after January 1, 2016.

(b) The board may issue a license to a person who, at the time of submitting an application for a license pursuant to this chapter, holds a valid license as a professional clinical counselor, or other counseling license that allows the applicant to independently provide clinical mental health services, in another jurisdiction of the United States, if all of the following conditions are satisfied:

(1) The applicant's education is substantially equivalent, as defined in Section 4999.63.

(2) The applicant complies with subdivision (b) of Section 4999.40, if applicable.

(3) The applicant's supervised experience is substantially equivalent to that required for a license under this chapter. The board shall consider hours of experience obtained outside of California during the six-year period immediately preceding the date the applicant initially obtained the license described above. If the applicant has less than 3,000 hours of qualifying supervised experience, time actively licensed as a professional clinical counselor shall be accepted at a rate of 100 hours per month up to a maximum of 1,200 hours if the applicant's degree meets the practicum requirement described in subparagraph (C) of paragraph (1) of subdivision (b) of Section 4999.63 without exemptions or remediation.

(4) The applicant passes the examinations required to obtain a license under this chapter. An applicant who obtained his or her license or registration under another jurisdiction may apply for licensure with the board without taking the clinical examination if both of the following conditions are met:

(A) The applicant obtained a passing score on the licensing examination set forth in regulation as accepted by the board.

(B) The applicant's license or registration in that jurisdiction is in good standing at the time of his or her application and is not revoked, suspended, surrendered, denied, or otherwise restricted or encumbered.

SEC. 35. Section 4999.123 of the Business and Professions Code is amended to read:

4999.123. A professional clinical counselor corporation is a corporation that is authorized to render professional services, as defined in Section 13401 of the Corporations Code, so long as that corporation and its shareholders, officers, directors, and employees who are rendering professional services and who are licensed professional clinical counselors, licensed marriage and family therapists, physicians and surgeons, psychologists, licensed clinical social workers, registered nurses, chiropractors, or acupuncturists, are in compliance with the Moscone-Knox Professional Corporation Act (Part 4 (commencing with Section 13400) of Division 3 of Title 1 of the Corporations Code), this article, and any other statute or regulation pertaining to that corporation and the conduct of its affairs. With respect to a professional clinical counselor corporation, the term "governmental agency" in the Moscone-Knox Professional Corporation Act (Part 4 (commencing with Section 13400) of Division 3 of Title 1 of the Corporations Code) shall be construed to mean the Board of Behavioral Sciences.

SEC. 36. Section 14132.55 of the Welfare and Institutions Code is amended to read:

14132.55. For the purposes of reimbursement under the Medi-Cal program, a speech pathologist or audiologist shall be licensed by the Speech-Language Pathology and Audiology Examining Committee of the Medical Board of California or similarly licensed by a comparable agency in the state in which he or she practices. Licensed speech-language pathologists or licensed audiologists are authorized to utilize and shall be reimbursed for the services of those personnel in the process of completing requirements under the provisions of subdivision (c) of Section 2532.2 of the Business and Professions Code.

SEC. 37. Section 22.5 of this bill incorporates amendments to Section 4980.72 of the Business and Professions Code proposed by both this bill and Assembly Bill 2213. It shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2015, (2) each bill amends Section 4980.72 of the Business and Professions Code, and (3) this bill is enacted after Assembly Bill 2213, in which case Section 22 of this bill shall not become operative.

SEC. 38. Section 23.5 of this bill incorporates amendments to Section 4980.78 of the Business and Professions Code proposed by both this bill and Assembly Bill 2213. It shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2015, (2) each bill amends Section 4980.78 of the Business and Professions Code, and (3) this bill is enacted after Assembly Bill 2213, in which case Section 23 of this bill shall not become operative.

SEC. 39. Section 32.5 of this bill incorporates amendments to Section 4999.58 of the Business and Professions Code proposed by both this bill and Assembly Bill 2213. It shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2015, (2) each bill amends Section 4999.58 of the Business and Professions Code, and (3) this bill is enacted after Assembly Bill 2213, in which case Section 32 of this bill shall not become operative.

SEC. 40. Section 33.5 of this bill incorporates amendments to Section 4999.59 of the Business and Professions Code proposed by both this bill and Assembly Bill 2213. It shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2015, (2) each bill amends Section 4999.59 of the

Business and Professions Code, and (3) this bill is enacted after Assembly Bill 2213, in which case Section 33 of this bill shall not become operative.

SEC. 41. Section 34.5 of this bill incorporates amendments to Section 4999.60 of the Business and Professions Code proposed by both this bill and Assembly Bill 2213. It shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2015, (2) each bill amends Section 4999.60 of the Business and Professions Code, and (3) this bill is enacted after Assembly Bill 2213, in which case Section 34 of this bill shall not become operative.

SEC. 42. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.