

AMENDED IN ASSEMBLY JANUARY 4, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 1084

Introduced by Assembly Member Bonilla

February 27, 2015

An act to ~~repeal Sections 65890.3 and 65890.5 of the Government Code, relating to land use; amend Section 4996.18 of the Business and Professions Code, relating to social workers.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 1084, as amended, Bonilla. ~~Jobs and housing.~~ *Social workers: examination.*

The Clinical Social Worker Practice Act provides for the licensure and regulation of clinical social workers by the Board of Behavioral Sciences within the Department of Consumer Affairs. The act requires an applicant for licensure to, among other things, have at least 3,200 hours of post-master's degree supervised experience providing social work services. The act requires an applicant who possesses a master's degree from a school or department of social work that is a candidate for accreditation by a specified accrediting body, to register with the board as an associate clinical social worker in order to gain the required experience in social work services; however, the act prohibits that applicant from being eligible for examination for licensure until the school or department of social work receives accreditation. On and after January 1, 2016, an applicant for licensure under the act is required to pass 2 examinations, a California law and ethics examination and a clinical examination.

This bill would, instead, prohibit an applicant who possesses a master's degree from a school or department of social work that is a

candidate for accreditation, from taking only the clinical examination until the school or department receives the accreditation.

~~Existing law, requires the Department of Housing and Community Development to prepare a guidebook for use by certain public and private entities in the planning and development of a housing supply to meet the need created by employment growth, and requires the Assembly Office of Research to complete a study on the effectiveness of the guidebook.~~

~~This bill would delete those provisions.~~

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

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

- 1 *SECTION 1. Section 4996.18 of the Business and Professions*
2 *Code is amended to read:*
3 4996.18. (a) A person who wishes to be credited with
4 experience toward licensure requirements shall register with the
5 board as an associate clinical social worker prior to obtaining that
6 experience. The application shall be made on a form prescribed
7 by the board.
8 (b) An applicant for registration shall satisfy the following
9 requirements:
10 (1) Possess a master's degree from an accredited school or
11 department of social work.
12 (2) Have committed no crimes or acts constituting grounds for
13 denial of licensure under Section 480.
14 (3) Commencing January 1, 2014, have completed training or
15 coursework, which may be embedded within more than one course,
16 in California law and professional ethics for clinical social workers,
17 including instruction in all of the following areas of study:
18 (A) Contemporary professional ethics and statutes, regulations,
19 and court decisions that delineate the scope of practice of clinical
20 social work.
21 (B) The therapeutic, clinical, and practical considerations
22 involved in the legal and ethical practice of clinical social work,
23 including, but not limited to, family law.
24 (C) The current legal patterns and trends in the mental health
25 professions.

1 (D) The psychotherapist-patient privilege, confidentiality,
2 dangerous patients, and the treatment of minors with and without
3 parental consent.

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

7 (F) Differences in legal and ethical standards for different types
8 of work settings.

9 (G) Licensing law and process.

10 (c) An applicant who possesses a master's degree from a school
11 or department of social work that is a candidate for accreditation
12 by the Commission on Accreditation of the Council on Social
13 Work Education shall be eligible, and shall be required, to register
14 as an associate clinical social worker in order to gain experience
15 toward licensure if the applicant has not committed any crimes or
16 acts that constitute grounds for denial of licensure under Section
17 480. That applicant shall not, however, be eligible ~~for~~ *to take the*
18 *clinical* examination until the school or department of social work
19 has received accreditation by the Commission on Accreditation
20 of the Council on Social Work Education.

21 (d) All applicants and registrants shall be at all times under the
22 supervision of a supervisor who shall be responsible for ensuring
23 that the extent, kind, and quality of counseling performed is
24 consistent with the training and experience of the person being
25 supervised, and who shall be responsible to the board for
26 compliance with all laws, rules, and regulations governing the
27 practice of clinical social work.

28 (e) Any experience obtained under the supervision of a spouse
29 or relative by blood or marriage shall not be credited toward the
30 required hours of supervised experience. Any experience obtained
31 under the supervision of a supervisor with whom the applicant has
32 a personal relationship that undermines the authority or
33 effectiveness of the supervision shall not be credited toward the
34 required hours of supervised experience.

35 (f) An applicant who possesses a master's degree from an
36 accredited school or department of social work shall be able to
37 apply experience the applicant obtained during the time the
38 accredited school or department was in candidacy status by the
39 Commission on Accreditation of the Council on Social Work
40 Education toward the licensure requirements, if the experience

1 meets the requirements of Section 4996.23. This subdivision shall
2 apply retroactively to persons who possess a master's degree from
3 an accredited school or department of social work and who
4 obtained experience during the time the accredited school or
5 department was in candidacy status by the Commission on
6 Accreditation of the Council on Social Work Education.

7 (g) An applicant for registration or licensure trained in an
8 educational institution outside the United States shall demonstrate
9 to the satisfaction of the board that he or she possesses a master's
10 of social work degree that is equivalent to a master's degree issued
11 from a school or department of social work that is accredited by
12 the Commission on Accreditation of the Council on Social Work
13 Education. These applicants shall provide the board with a
14 comprehensive evaluation of the degree and shall provide any
15 other documentation the board deems necessary. The board has
16 the authority to make the final determination as to whether a degree
17 meets all requirements, including, but not limited to, course
18 requirements regardless of evaluation or accreditation.

19 (h) A registrant shall not provide clinical social work services
20 to the public for a fee, monetary or otherwise, except as an
21 employee.

22 (i) A registrant shall inform each client or patient prior to
23 performing any professional services that he or she is unlicensed
24 and is under the supervision of a licensed professional.

25 ~~SECTION 1. Section 65890.3 of the Government Code is~~
26 ~~repealed.~~

27 ~~SEC. 2. Section 65890.5 of the Government Code is repealed.~~