

Board of Behavioral Sciences

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The Board of Behavioral Sciences (BBS) is a consumer protection agency within the state Department of Consumer Affairs (DCA). Authorized by Business and Professions Code section 4990 *et seq.*, BBS licenses marriage and family therapists (MFTs), licensed clinical social workers (LCSWs), and licensed educational psychologists (LEPs).

MFTs assist individuals, couples, or groups in examining interpersonal relationships for the purpose of achieving more adequate, satisfying, and productive marriage and family adjustments. Such counseling includes, but is not limited to, the use of applied psychotherapeutic techniques to enable clients to mature and grow within marriage and family, and the provision of explanations and interpretations of the psychosexual and psychosocial aspects of relationships. LCSWs engage in clinical social work, defined as a service in which a special knowledge of social resources, human capabilities, and the role that unconscious motivation plays in determining behavior is directed at helping people to achieve more satisfying and productive social adjustments. The application of social work principles and methods includes, but is not restricted to, counseling and using applied psychotherapy of a nonmedical nature with clients; providing information and referral services; providing or arranging for the provision of social services; and interpreting the psychosocial aspects in the situations of individuals, families, or groups. LEPs work in private practice as well as public education. They provide educational evaluation, diagnosis, and test interpretation limited to assessment of academic ability, learning patterns, achievement, motivation, and personality factors directly related to academic learning problems. They also provide counseling services for children or adults for amelioration of academic learning problems, and educational consultation, research, and direct educational services.

The Board administers written and oral tests to licensure applicants, adopts regulations regarding education and experience requirements for each category of licensees, investigates complaints against its licensees, and takes disciplinary action as appropriate. The eleven-member Board consists of six public members, two MFTs, two LCSWs, and one LEP. The Board's regulations appear in Division 18, Title 16 of the California Code of Regulations (CCR).

The Board recently greeted two new members. In August, Governor Davis appointed Karen B. Pines to the Board. Pines, a MFT and a member of the California Association of Marriage and Family Therapists, currently serves as a counselor for CalWORKs students at American River College. In September, the Senate Rules Committee appointed Howard Stein as a new BBS public member. Stein is a retired dentist who currently works in real estate development; in the past,

he has served on several other DCA occupational licensing boards. At this writing, the Board is functioning with four vacancies—one LCSW and three public members—all of which must be filled by the Governor.

MAJOR PROJECTS

Board Proposes Amendments to Exam Application Regulation

On July 30, BBS published its notice of intent to amend section 1805, Title 16 of the CCR, concerning applications to take its written or oral examinations. The Board originally proposed and adopted amendments to section 1805 in 1998, but withdrew them in order to reconsider them. [16:1 CRLR 19-20]

Section 1805 currently requires applicants seeking to take an examination to apply to the Board on a form prescribed by the Board, and to submit that application with all required supporting documents no later than sixty (60) days before the next scheduled exam. BBS proposes to amend section 1805 to state that the Board may issue final filing dates for all examinations not to exceed ninety (90) days prior to any examination. An applicant who wishes to take an exam must submit a complete application to the Board by the final filing date established by the Board, or he/she is not eligible to take the exam; further, the application will be considered abandoned if the applicant fails to sit for examination within one year after being notified of eligibility (pursuant to section 1806(c), Title 16 of the CCR). According to BBS, it is necessary to specify that a complete application must be submitted in adequate time prior to an examination in order to enable the Board to process the filing fee, evaluate the application and determine eligibility for examination, and—as to the oral examination—arrange for examiner and applicant accommodations.

BBS held no public hearing on this proposed change but accepted written comments until September 13. Having received no comments, Board staff forwarded the rulemaking file on the amendments to the Office of Administrative Law (OAL) for review and approval; at this writing, the file is pending at OAL.

Update on Other Board Rulemaking

The following is an update on recent BBS rulemaking proceedings described in detail in Volume 16, No. 2 (Summer 1999) of the *California Regulatory Law Reporter*:

♦ **Continuing Education Course Instructor Qualifications.** In April 1999, BBS published notice of its intent to amend section 1887.10, Title 16 of the CCR, which sets forth the required qualifications of instructors who teach continuing education (CE) courses to MFTs and LCSWs. The

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amendment provides that any instructor whose healing arts license is restricted pursuant to a disciplinary action in California or in any other state or territory must notify all approved CE providers of that discipline before instruction begins or immediately upon notice of the decision, whichever occurs first. [16:1 CRLR 1]

Following a public comment period ending on May 17, BBS published minor textual changes to the amendment, approved the modified version of the amendment, and submitted the rulemaking file to OAL, which approved the amendment on August 17. It became effective on September 16.

◆ **Associate Clinical Social Worker Supervisor Requirements.** On May 10, OAL approved BBS' adoption of new section 1870, Title 16 of the CCR. Section 1870 implements SB 1983 (Greene) (Chapter 589, Statutes of 1998), which—effective January 1, 1999—revised the requirements for supervised professional experience which must be completed by candidates for the LCSW license. Such candidates must register with the Board as associate clinical social workers (ASCWs) prior to obtaining supervision for which they seek credit. Section 1870 sets forth the requirements that supervisors must meet in order to supervise a registered ACSW under SB 1983. [16:2 CRLR 1–2]

◆ **Development of a Supervisory Plan.** Also on May 10, OAL approved BBS' permanent adoption of section 1870.1, Title 16 of the CCR, which requires all ACSWs and supervising LCSWs (or other licensed mental health professionals acceptable to the Board, as defined in section 1874, Title 16 of the CCR) who assume responsibility for providing supervision to develop a supervisory plan that describes the goals and objectives of supervision, and to complete and sign under penalty of perjury a new "supervisory plan" form (No. 1800 37A-521, as revised 02–99). The supervisory plan must be completed by each supervisor providing supervision; the original signed plan must be submitted by the ACSW to BBS within 30 days of commencing supervision. [16:2 CRLR 2]

Continuing Education Program Update

At its July 28 meeting, staff updated the Board on the relatively recent implementation of continuing education (CE) requirements for MFTs and LCSWs. SB 26 (Alquist) (Chapter 839, Statutes of 1995) first imposed a CE requirement on BBS licensees effective January 1, 1997. The bill provided that on and after January 1, 1999, BBS is prohibited from renewing a MFT or LCSW license unless the applicant certifies to the Board that he/she has completed at least 36 hours of approved CE during the prior two-year renewal period. [15:4 CRLR 64] The bill also instructed BBS to establish a process for approving providers of CE by January 1, 1997.

Since the implementation of the CE program in 1997, BBS has approved 1,389 active CE providers, somewhat less than the 2,000 providers anticipated by the Board. Staff reported few problems with the CE program in general.

At the July meeting, Board member Selma Fields suggested that licensees be able to "carry over" excess CE hours earned

during a renewal period to the subsequent renewal period. Although other members disagreed, staff researched the issue and reported back to the Board's Licensing/Education Committee at its October 28 meeting. Staff contacted similar licensing boards in other states and other DCA occupational licensing agencies; only a small minority of the boards surveyed permit CE "carryover" from one renewal period to the next. Staff noted that such a carryover system would likely present a recordkeeping nightmare. The Committee decided to take no action on this issue at this time; at its October 29 meeting, the full Board approved the Committee's recommendation.

Recordkeeping Workshop

BBS devoted a portion of its June 4 meeting to a workshop on recordkeeping by licensees. Specifically, some Board members have expressed concern that no law or regulation requires Board licensees to keep any records relating to services provided to clients. The Board has previously considered draft legislative language making the failure of a Board licensee to "maintain adequate and accurate records relating to the provision of services to clients" unprofessional conduct. Prior BBS discussions of the issue have identified conflicting policies—accountability to the client vs. the virtually unlimited demand for health care information by third-party payers and others (which—depending upon the breadth and depth of the records kept—may result in a breach of therapist-patient confidentiality). [16:2 CRLR 2; 16:1 CRLR 20]

Several witnesses testified at the workshop. Richard Leslie of the California Association of Marriage and Family Therapists (CAMFT) expressed strong opposition to any governmental regulation of required recordkeeping, stressing that the parameters of recordkeeping should be left to the discretion of the professional, who should in turn base his/her decisionmaking regarding recordkeeping on the needs of his/her clients and practice. Leslie argued that "it is highly unlikely that the Board would be able to craft a law that would be enforceable, understandable, and sufficiently flexible to accommodate the wide variety of settings and circumstances under which professional services are rendered by your licentiates." He also noted that many BBS licensees already function under recordkeeping requirements imposed by employers such as county mental health and other governmental agencies, health care facilities, and third-party payers; he urged the Board not to adopt conflicting and/or duplicative requirements.

Geri Esposito, Executive Director of the California Society for Clinical Social Work, agreed with Leslie. She noted that the Society is sponsoring AB 416 (Machado), which would help tighten the confidentiality of medical records (see LEGISLATION). Esposito suggested that the Board adopt or seek enactment of general language requiring practitioners to keep records appropriate to their practice and profession. Representatives of other trade associations agreed with Esposito's suggestion. After considerable discussion, the Board voted to support general language requiring recordkeeping of a type appropriate to the licensee's practice

and the needs of his/her clients. This language was later amended into AB 1677 (Consumer Protection Committee), which was enacted by the legislature and signed by the Governor (see LEGISLATION).

BBS Warns Licensees that "Addresses of Record" Will Be Disclosed on the Internet

SB 492 (Rosenthal) (Chapter 661, Statutes of 1997) requires eleven occupational licensing boards within DCA—including BBS—to post licensing and disciplinary information on their licensees on the Internet. Under Business and Professions Code section 27, the information to be provided must include "information on suspensions and revocations issued by a board and other related enforcement action taken by a board relative to persons, businesses, or facilities subject to licensure or regulation by a board." The statute also says: "The information shall not include personal information including home address (unless used as a business address), home telephone number, date of birth, or social security number." Beginning in April 1999, the information is being disclosed through DCA's website at <www.dca.ca.gov>.

At its February 1999 meeting, Board members expressed concern about the fact that the addresses of record of its licensees would be disclosed through the DCA website. Executive Officer Sherry Mehl reminded the Board that licensees have been warned that their "address of record"—which may be a business address or post office box—is public information, and that Board staff routinely advises licensees to use business or other addresses as their addresses of record if they do not want their home addresses disclosed. Some Board members suggested that BBS seek legislation to block the disclosure of its licensees' addresses; Board staff promised to conduct research into the issue and report at the Board's next meeting. [16:2 CRLR 2]

At BBS' June 4 meeting, Executive Officer Sherry Mehl noted that the Board mailed a letter to all licensees on June 1, which reiterated that a licensee's "address of record" is public information under current law. The letter indicates that BBS is temporarily blocking the address line on the license record which appears on the Internet, to give licensees who use their home address as their "address of record" an opportunity to change the "address of record" to a post office box or other address. Attached to the letter was a change of address form.

In its fall newsletter, BBS noted that a large number of address changes were received and that the address line will not be posted until all the changes have been processed—probably sometime in early 2000.

Status of LCSW Licensure Applicants Between Graduation and Registration

At its June 4 meeting, the Board discussed the "gray area" that exists between the time a LCSW applicant who has gradu-

ated from a master's degree program applies for registration as an associate clinical social worker and the point at which the graduation is officially posted on the applicant's transcript and BBS receives that official notice of the conferral of the master's degree. Schools often take several months to officially post their degrees on transcripts, and—under current law—LCSW applicants wishing to engage in postgraduate supervised professional experience required for licensure may

not register with BBS (such that any experience gained counts toward the requirement) until they have "graduated." In contrast, MFT applicants who graduate and apply for intern registration are allowed to practice between graduation and registration; these hours count toward licensure so long as

the applicant applies for registration within 90 days of conferral of the degree.

At its October 28 meeting, the Board's Legislation/Managed Care Committee reviewed and approved a draft letter which would be sent to various graduate social work programs. The letter queries whether each school is able to send BBS an official letter confirming the graduation immediately upon graduation; BBS would then be able to register the graduate, for purposes of engaging in supervised professional experience, based upon the official letter. At its October 29 meeting, the full Board approved the Committee's letter.

LEGISLATION

AB 352 (Migden), as amended June 17, includes BBS within Business and Professions Code section 800, and requires it to maintain a "central file" with information on its licensees. The "central file" must contain an individual historical record for each licensee with respect to criminal convictions, malpractice judgments or settlements requiring the licensee or his/her insurer to pay any amount of damages in excess of \$3,000, any consumer complaints (except those which are found to be without merit), and any disciplinary information reported to BBS by MFT or LCSW peer review bodies. The contents of a licensee's central file which are not public records under any other provision of law must be kept confidential, except that a licensee (or his/her counsel or representative) has the right to inspect and copy his/her complete file except for records that may disclose the identity of an information source.

AB 352 also subjects MFT and LCSW peer review bodies to Business and Professions Code section 805, thus requiring them to file a report with BBS whenever they take adverse peer review action against the privileges or membership of a MFT or LCSW. Governor Davis signed this bill on August 30 (Chapter 252, Statutes of 1999).

AB 1677 (Committee on Consumer Protection, Governmental Efficiency and Economic Development), as amended August 30, makes a number of technical changes to

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the Board's enabling act. Under existing law, an applicant for a clinical social worker license is required to demonstrate specified experience as a prerequisite to examination, including experience gained under the supervision of a licensed mental health professional. This bill requires that the experience gained under the supervision of a licensed mental health professional be provided by a person "acceptable to the Board."

AB 1677 also defines as unprofessional conduct a BBS licensee's failure to keep records consistent with sound clinical judgment, the standards of the profession, and the nature of the services being rendered (see MAJOR PROJECTS).

Finally, AB 1677 revises existing provisions relating to professional corporations for MFTs and LCSWs. Specifically, it eliminates the requirement that BBS register MFT and LCSW corporations pursuant to the Moscone-Knox Professional Corporation Act, and provides that it is unprofessional conduct for any person licensed as a MFT or LCSW to violate, attempt to violate, directly or indirectly, or assist in or abet the violation of the Board's statutory provisions governing professional corporations or the Moscone-Knox Act. The Governor signed AB 1677 on October 6 (Chapter 657, Statutes of 1999).

AB 416 (Machado), as amended September 9, is sponsored by the California Society for Clinical Social Work and makes a number of legislative findings and declarations regarding the importance of maintaining confidentiality of information on patients undergoing mental health treatment. The bill adds section 56.104 to the Civil Code, which prohibits health care providers (including MFTs and LCSWs) from releasing specified medical information created regarding an individual as a result of that person's participation in outpatient treatment with a psychotherapist, unless the person or entity requesting the information ("requester") submits a written request to both

the patient and the health care provider. The written request must be signed by the requester, and must include (1) the specific information relating to a patient's participation in outpatient treatment with a psychotherapist being requested and its specific intended use or uses; (2) the length of time during which the requester will keep the information before destroying or disposing of it (a requester may extend that timeframe, provided that the requester notifies the provider of the extension and explains the specific reason for the extension, the intended use(s) of the information during the extended time, and the expected date of the destruction of the information); (3) a statement that the information will not be used for any purpose other than its intended use; and (4) a statement that the requester will destroy the information and all copies in the requester's possession or control, will cause it to be destroyed, or will return the information and all copies of it before or immediately after the length of time specified in section (2) above has expired. The bill also extends

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this prohibition to health care service plans and their contractors.

The bill also amends Civil Code section 56.35, to provide that a patient whose medical information has been used or disclosed in violation of Civil Code section 56.104 and who has sustained economic loss or personal injury therefrom may recover compensatory damages, punitive damages not to exceed \$3,000, attorneys' fees not to exceed \$1,000, and the costs of litigation. The Governor signed this bill on September 27 (Chapter 527, Statutes of 1999).

SB 809 (O'Connell), as amended August 17, establishes a statute of limitations on accusations filed by the Board against MFTs and LCSWs. Sponsored by CAMFT, the bill requires the Board to file an accusation against a MFT or LCSW within three years from the date the Board discovers the alleged act or omission that is the basis for disciplinary action, or within seven years of the date the alleged act or omission that is the basis for disciplinary action occurred, whichever is first. These requirements do not apply if the accusation alleges the procurement of a license by fraud or misrepresentation. Governor Davis signed SB 809 on September 21 (Chapter 459, Statutes of 1999).

SB 125 (Haynes), as amended March 17, is a reintroduction of 1998's SB 288 (Haynes) and would implement a 1998 recommendation of the Joint Legislative Sunset Review Committee. The bill would prohibit BBS from utilizing any type of oral examination as a condition of licensure as a clinical social worker or MFT, and delete the prescribed fees for the oral examination. [16:1 CRLR 18]

BBS opposes this two-year bill. At the Board's October 29 meeting, Executive Officer Sherry Mehl noted that the author will probably drop this language from SB 125 after the legislature reconvenes in 2000. [S. B&P]

SB 433 (Johnson), as amended August 26, requires court-connected and private child custody evaluators to complete a described domestic violence training program and comply with other requirements. It also requires the Judicial Council to formulate a statewide rule of court by January 1, 2002, that establishes education, training, and licensure requirements for court-connected and private child custody evaluators and requires child custody evaluators to declare under penalty of perjury that they are currently licensed and meet all other requirements of the rule. Finally, the bill requires, on and after January 1, 2005, that each child custody evaluator be a licensed physician who devotes a substantial portion of his/her time to the practice of psychiatry, a psychologist, a MFT, or a LCSW, or to be proposed by or stipulated to by the parties and consented to by the court.

According to the author, many child custody evaluators are not licensed professionals. This anomaly, the author and proponents of the bill state, has wreaked havoc in the lives of

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many families who have used private child custody evaluators who have never trained in the field, who are not held accountable for incompetent handling of a case, or who are not disciplined for unprofessional conduct. This bill, it is hoped, will rein in all the unlicensed and inexperienced private child custody evaluators by prescribing and mandating their training and, in time, requiring them to have a professional license related to the issues prevalent in child custody cases. SB 433 was signed by the Governor on October 10 (Chapter 932, Statutes of 1999).

AB 253 (Thomson), as amended August 25, expands the required curricula for MFT licensure applicants. Under existing law, all applicants for licensure as a MFT who are pursuing a master's or doctoral degree are required to complete certain coursework as part of their graduate studies. This bill requires an applicant pursuing a qualifying master's or doctor's degree, after January 1, 2001, to complete coursework in psychological testing and psychopharmacology. The bill also provides that these provisions in no way expand or restrict the scope of licensure of a MFT. The Governor signed this bill on September 16 (Chapter 406, Statutes of 1999).

SB 1308 (Committee on Business and Professions), as amended September 2, makes minor technical changes to the laws governing several DCA agencies, including BBS. Like AB 352 (Migden) (see above), SB 1308 subjects BBS to Business and Professions Code section 800, requiring it to maintain a central file on each of its licensees. Among other things, the bill also requires MFTs and LCSWs to give written notice to BBS of any name changes within 30 days after the change. SB 1308 was signed by the Governor on October 6 (Chapter 655, Statutes of 1999).

AB 794 (Corbett), as amended August 16, clarifies the requirements for Board licensees whose clients' records are subpoenaed in civil litigation. Among other things, the bill expands the definition of "personal records" to include electronic data; conforms the time for production of documents under Code of Civil Procedure sections 1985.3 and 1985.6 to that in Code of Civil Procedure section 2020 (no earlier than 20 days after the issuance, or 15 days after the service, of the subpoena duces tecum, whichever is later); requires that when provided with advance notice of at least five business days, the witness must designate at least a six-hour block of time on a date certain for the deposition officer to copy records subject to the subpoena; adds a presumption that any objection to release of records is waived by a party when his/her attorney signs an authorization for the release; and raises the maximum amount the party serving the subpoena may be charged for clerical costs associated with making the records available, from \$16 to \$24 per person per hour, computed on the basis of \$6 per quarter hour. Governor Davis signed AB 794 on September 21 (Chapter 444, Statutes of 1999).

AB 1234 (Shelley), as amended June 24, amends the Bagley-Keene Open Meeting Act to require BBS and other state agencies—effective July 1, 2001—to post notice of their meetings on the Internet at least ten days in advance of the

meeting, and to include on written notices of meetings the address of the Internet site where the required notice is made available. The bill also extends the statute of limitations for the filing of a court action to invalidate an agency action taken in violation of the Bagley-Keene Act from 30 days to 90 days after the agency action was taken, and expressly supersedes the California Supreme Court's decision in *Regents of the University of California v. Superior Court (Molloy)*, 20 Cal. 4th 509 (1999). The Governor signed AB 1234 on September 15 (Chapter 393, Statutes of 1999).

AB 606 (Jackson). Existing law creates the Victims of Crime Program, administered by the State Board of Control, to reimburse victims of crime for pecuniary losses they suffer as a direct result of criminal acts. The Program reimburses victims—both direct victims and specified derivative victims—of specified types of crimes for specified types of expenses with limits on those expenses (both dollar amounts and time limits on treatment). Included are expenses for outpatient psychiatric, psychological, or other mental health counseling-related expenses which become necessary as a direct result of the crime. These counseling services may be reimbursed only if provided by specified individuals (including MFTs and LCSWs). Payments may also be made to private nonprofit agencies and for rape crisis center peer counseling.

As amended September 3, this bill expands the category of health professionals whose services are reimbursable by the Victims of Crime Program to include "child life specialists" (CLS) certified by the Child Life Council. A CLS is not licensed by the State of California, nor does a CLS have to be supervised by a person licensed by the state. All other categories of professions whose services are reimbursable are either licensed by the state or supervised by a licensee. BBS opposed this bill, which was signed by the Governor on October 2 (Chapter 584, Statutes of 1999).

AB 88 (Thomson), as amended September 8, requires health care service plan contracts and disability insurance policies issued, amended, or renewed on or after July 1, 2000, to provide coverage for the diagnosis and medically necessary treatment of severe mental illnesses, as defined, of a person of any age, and of serious emotional disturbances of a child, under the same terms and conditions applied to other medical conditions. Health plans and disability insurers may provide the required mental health coverage through a separate specialized health care service plan or mental health plan, subject to certain conditions. Governor Davis signed AB 88 into law on September 27 (Chapter 534, Statutes of 1999).

AB 486 (Wayne), as amended June 30, would have altered Board rulemaking under the Administrative Procedure Act (APA) by establishing procedures whereby BBS could adopt a nonbinding "advisory interpretation" of a statute, regulation, agency order, court decision, or other provision of law that it enforces or administers or that governs its procedures in accordance with specified public comment, notice, and hearing requirements. This bill would also have exempted from the APA's rulemaking requirements the adoption, amendment, or

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repeal of a regulation that BBS determines is noncontroversial, and would have established a specific "consent regulation" procedure applicable to such a regulatory action.

Governor Davis vetoed this bill on October 8: "Although the provisions of this bill are optional, the concern is that the public will confuse an advisory interpretation, which is a nonbinding expression of the agency's interpretation of the law it enforces, with a legally binding regulation." The Governor also noted that recent legislative changes to the APA provide a process for an agency to issue a declaratory decision that has the "same status and binding effect as any other decision issued by the agency in an adjudicative proceeding," and that existing law already provides a shortened and efficient process for adopting noncontroversial regulations. Thus, according to Governor Davis, AB 486 is duplicative of existing law.

AB 1312 (Machado), as introduced in February 1999, would clarify that nothing in the California Public Records Act shall be construed to exempt from disclosure any BBS report or analysis that forms any part of its decision to adopt, amend, or repeal an administrative regulation. [A. GO]

SB 137 (Knight), as introduced in January 1999, would enact the Marriage, Family, and Child Counselor and Clinical Social Worker Substance Abuse Testing Act, to require applicants for licensure or renewal of a license as a MFT or LCSW to submit to substance abuse testing administered by the Board prior to the issuance or renewal of the license. The bill would authorize the Board to increase fees paid by applicants by an amount equal to the actual cost incurred by the Board for administering the test. This bill, which is opposed by BBS, failed passage in the Senate Business and Professions Committee in April 1999, but reconsideration was granted. [S. B&P]

LITIGATION

On May 12, the California Supreme Court declined to review the Fourth District Court of Appeal's decision in *Trear v. Sills*, 69 Cal. App. 4th 1341 (Feb. 16, 1999), a case of first impression. In that case, a stepfather sought damages against a therapist for allegedly implanting the idea in his stepdaughter's head that he had sexually abused her when she was a child. The Fourth District affirmed the superior court's dismissal of the matter, holding that the professional duty of a therapist does not extend beyond an adult patient to the patient's parent. [16:2 CRLR 4-5]

RECENT MEETINGS

At its June 4 meeting, BBS and its committees reviewed and updated their strategic plans, which identify each body's goals and objectives. The Board's mission statement is as follows: "The mission of the Board of Behavioral Sciences is to protect the consumer by establishing and maintaining standards for competent and ethical behavior by the professionals under its jurisdiction." Each of the Board's committees

then identified objectives which would help them reach their overall goals, all of which support the mission of the Board. The goal of Examination Committee is to strengthen the examination program by reviewing examination results at Board meetings, keeping the Board's examinations current and occupationally valid, maintaining knowledge of other states' examinations, and improving examination availability. The goal of the Consumer Services/Consumer Protection Committee, which is focused on the Board's discipline program, is to increase consumer services and consumer protection by promoting and maintaining competence and ethical behavior by members of the professions regulated by the Board. This committee's objectives include improving the selection process for expert witnesses who testify at disciplinary hearings, monitoring Board discipline cases for trends and public policy concerns, and continuing to evaluate alternative forms of discipline. The goals of the Licensing/Education Committee are to ensure that applicants for licensure meet the requirements prescribed by law and regulation, and to streamline the application process. This committee's objectives include researching the efficiency of the use of technology in the application process, reviewing current application packages for clarity and effectiveness, and exploring issues surrounding the Board's CE requirements. Finally, the goal of the Board's Legislation/Managed Care Committee is to simplify, clarify, and propose legislation and regulations pertaining to Board licensees. This committee's objectives include acting as an advocate and testifying, if necessary, in the legislative process, and monitoring issues arising at the Board level to sponsor legislation if necessary. Additionally, this committee interfaces with other regulatory agencies and boards, and gathers and reviews data on managed care-related issues.

Also at its June meeting, BBS elected public member Lorie Rice as Board President and MFT Selma Fields as Vice-President.

At its committee and Board meetings on July 27-28, BBS could not muster a quorum due to the number of vacancies which have yet to be filled by Governor Davis. Therefore, the Board could not take action; it made only recommendations.

At its October 28 meeting, the Board had a quorum and approved the minutes from its two prior meetings. Additionally, the Board heard one petition for termination of probation and one petition for reinstatement of license. These disciplinary matters consumed the majority of the time allotted for the full Board meeting, leaving only one-half hour for the remainder of the fifteen-item agenda.

FUTURE MEETINGS

- February 3-4, 2000 in Los Angeles.
- May 18-19, 2000 in Sacramento.
- August 10-11, 2000 in Monterey.
- November 9-10, 2000 in Burbank.

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