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BUSINESS AND PROFESSIONS CODE - BPC

DIVISION 2. HEALING ARTS [500 - 4999.129] (*Division 2 enacted by Stats. 1937, Ch. 399.*)

CHAPTER 13.5. Licensed Educational Psychologists [4989.10 - 4989.70] (*Chapter 13.5 added by Stats. 2006, Ch. 659, Sec. 20.*)

ARTICLE 1. General [4989.10 - 4989.18] (*Article 1 added by Stats. 2006, Ch. 659, Sec. 20.*)

4989.10. This chapter shall be known, and may be cited as, the Educational Psychologist Practice Act.

(*Added by Stats. 2006, Ch. 659, Sec. 20. Effective January 1, 2007.*)

4989.12. The Board of Behavioral Sciences shall administer and enforce the provisions of this chapter. For the purposes of this chapter it shall be designated as the board.

(*Added by Stats. 2006, Ch. 659, Sec. 20. Effective January 1, 2007.*)

4989.13. A person engages in the practice of educational psychology when he or she performs or offers to perform or holds himself or herself out as able to perform this service for remuneration in any form, including donations.

(*Added by Stats. 2011, Ch. 148, Sec. 2. (SB 274) Effective August 1, 2011.*)

4989.14. (a) The practice of educational psychology is the performance of any of the following professional functions pertaining to academic learning processes or the educational system or both:

- (1) Educational evaluation.
- (2) Diagnosis of psychological disorders related to academic learning processes.
- (3) Administration of diagnostic tests related to academic learning processes including tests of academic ability, learning patterns, achievement, motivation, and personality factors.
- (4) Interpretation of diagnostic tests related to academic learning processes including tests of academic ability, learning patterns, achievement, motivation, and personality factors.
- (5) Providing psychological counseling for individuals, groups, and families.
- (6) Consultation with other educators and parents on issues of social development and behavioral and academic difficulties.
- (7) Conducting psychoeducational assessments for the purposes of identifying special needs.
- (8) Developing treatment programs and strategies to address problems of adjustment.
- (9) Coordinating intervention strategies for management of individual crises.

(b) For purposes of supervising an associate marriage and family therapist or a marriage and family therapist trainee pursuant to Section 4980.03, an associate clinical social worker pursuant to Section 4996.20, or an associate professional clinical counselor pursuant to Section 4999.12, "educationally related mental health services" are mental health services provided to clients who have social, emotional, or behavioral issues that interfere with their educational progress. These services include all of the following:

- (1) Educationally related counseling services to clients qualified for special education that are necessary to receive a free appropriate public education in the least restrictive environment pursuant to the federal requirements of Section 1412 of Title 20 of

the United States Code.

(2) Intensive counseling services on a continuum that may reflect an increase in frequency, duration, or staff specialization to address the client's emotional and behavioral needs.

(3) Counseling services provided by qualified practitioners.

(4) Parent counseling and training.

(5) Psychological services that include consulting with staff members in planning school programs to meet the client's educational needs and assisting in developing positive behavioral intervention strategies for the client.

(6) Social work services such as preparing a social or developmental history on a client with a disability.

(7) Group and individualized counseling with the client and family.

(8) Mobilizing school and community resources to enable the client to learn as effectively as possible in their educational program, as outlined in Section 300.34 of Title 34 of the Code of Federal Regulations.

(Amended by Stats. 2023, Ch. 510, Sec. 59. (SB 887) Effective January 1, 2024.)

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)).

(Amended by Stats. 2014, Ch. 316, Sec. 25. (SB 1466) Effective January 1, 2015.)

4989.17. (a) A licensee shall provide a client with a notice written in at least 12-point type prior to initiating psychological services, or as soon as practicably possible thereafter, that reads as follows:

NOTICE TO CLIENTS

The Board of Behavioral Sciences receives and responds to complaints regarding services provided within the scope of practice of licensed educational psychologists. You may contact the board online at www.bbs.ca.gov, or by calling (916) 574-7830.

(b) On and after July 1, 2025, upon initiation of psychological services with a client, the notice described in subdivision (a) shall also include the licensee's full name as filed with the board, the license number, the type of license, and the license expiration date.

(c) Delivery of the notice required by this section to the client shall be documented.

(Amended by Stats. 2024, Ch. 160, Sec. 6. (SB 1024) Effective January 1, 2025.)

4989.18. The board may, by rules or regulations, adopt, amend, or repeal rules of professional conduct appropriate to the establishment and maintenance of a high standard of integrity and dignity in the profession, provided those rules or regulations are not inconsistent with Section 4989.54. Every person licensed under this chapter shall be governed by those rules of professional conduct.

(Added by Stats. 2006, Ch. 659, Sec. 20. Effective January 1, 2007.)