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AB-465 Mental health workers: supervision. (2019-2020)

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Assembly Bill No. 465

CHAPTER 137

An act to add Section 5848.7 to the Welfare and Institutions Code, relating to mental health.

[Approved by Governor September 25, 2020. Filed with Secretary of State September 25, 2020.]

LEGISLATIVE COUNSEL'S DIGEST

AB 465, Eggman. Mental health workers: supervision.

Existing law regulates provision of programs and services relating to mental health and requires the creation of community programs to increase access to, and quality of, community-based mental health services.

This bill would require any program permitting mental health professionals to respond to emergency mental health crisis calls in collaboration with law enforcement to ensure the program is supervised by a licensed mental health professional, including, among others, a licensed clinical social worker, except as specified.

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

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

SECTION 1. Section 5848.7 is added to the Welfare and Institutions Code, to read:

5848.7. (a) (1) Except as described in subdivision (b), any program or pilot program in which mental health professionals respond in collaboration with law enforcement personnel, or in place of law enforcement personnel, to emergency calls related to mental health crises shall ensure that the program is supervised by a licensed mental health professional.

(2) This section does not prohibit the licensed mental health professional supervising the program from also responding to calls and providing care.

(b) If law enforcement collaborates with county behavioral health agencies, supervision of mental health professionals shall be consistent with existing county behavioral health agency standards and requirements for supervision.

(c) For the purposes of this section, a licensed mental health professional means one of the following:

(1) A licensed clinical social worker, pursuant to Chapter 14 (commencing with Section 4991) of Division 2 of the Business and Professions Code.

(2) A licensed professional clinical counselor, pursuant to Chapter 16 (commencing with Section 4999.10) of Division 2 of the Business and Professions Code.

(3) A licensed marriage and family therapist, pursuant to Chapter 13 (commencing with Section 4980) of Division 2 of the Business and Professions Code.

(4) A licensed psychologist, pursuant to Chapter 6.6 (commencing with Section 2900) of Division 2 of the Business and Professions Code.

(5) A licensed physician under Chapter 5 (commencing with Section 2000) of Division 2 of the Business and Professions Code who is either a board certified psychiatrist or has completed a residency in psychiatry.

(6) A registered nurse licensed pursuant to Chapter 6 (commencing with Section 2700) of Division 2 of the Business and Professions Code who possesses a master's degree in psychiatric-mental health nursing and is listed as a psychiatric-mental health nurse by the Board of Registered Nursing, or any advanced practice registered nurse certified as a clinical nurse specialist pursuant to Article 9 (commencing with Section 2838) of Chapter 6 of Division 2 of the Business and Professions Code who participates in expert clinical practice in the specialty of psychiatric-mental health nursing.

(d) This section does not alter the scope of practice for a health care professional or authorize the delivery of health care services in a setting or manner that is not authorized pursuant to the Business and Professions Code or the Health and Safety Code.