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SB-1024 Healing arts: Board of Behavioral Sciences: licensees and registrants. (2023-2024)

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Senate Bill No. 1024

CHAPTER 160

An act to amend Sections 4980.31, 4980.32, 4980.43.2, 4980.43.4, 4989.17, 4989.48, 4996.23.1, 4996.23.3, 4996.7, 4996.75, 4999.46.2, 4999.46.4, 4999.70, and 4999.71 of, and to repeal Section 4996.8 of, the Business and Professions Code, relating to healing arts.

[Approved by Governor July 18, 2024. Filed with Secretary of State July 18, 2024.]

LEGISLATIVE COUNSEL'S DIGEST

SB 1024, Ochoa Bogh. Healing arts: Board of Behavioral Sciences: licensees and registrants.

(1) Existing law establishes the Board of Behavioral Sciences within the Department of Consumer Affairs and requires the board to regulate various registrants and licensees under the Licensed Marriage and Family Therapist Act (LMFTA), the Educational Psychologist Practice Act (EPPA), the Clinical Social Worker Practice Act (CSWPA), and the Licensed Professional Clinical Counselor Act (LPCCA). Existing law makes a violation of the provisions under those acts a crime.

Existing law, under those acts, requires a licensee to display their license in a conspicuous place in the licensee's primary place of practice. Existing law requires a licensee or registrant to provide, before initiating specified services or as soon as practicably possible thereafter, a client with a prescribed written notice that specifies that the board receives and responds to complaints regarding services within the scope of the licensed practiced, among other things.

This bill would provide that a licensee is required to display their license in a conspicuous place in the licensee's primary place of practice when rendering professional clinical services in person. The bill, commencing July 1, 2025, would require the above-described written notice to additionally include information about the licensee or registrant, including, among others, the licensee's or registrant's full name as filed with the board and the license or registration number, as prescribed.

(2) Existing law, under the LMFTA, CSWPA, and LPCCA, requires an applicant for licensure to have, among other things, at least one hour of direct supervisor contact, as defined, in each week for which experience is credited in each work setting. For purposes of that definition, existing law refers to the individual receiving supervision as the supervisee. Existing law prohibits supervisors of supervisees, as specified, from serving as individual or triadic supervisors for more than 6 supervisees at any time, as provided.

This bill would revise the definition of "one hour of direct supervisor contact," delete references to "supervisee," and instead refer to that individual as the person receiving supervision for providing clinical mental health services. The bill would delete the above-described prohibition and instead prohibit supervisors in nonexempt settings from serving as individual or triadic supervisors for more than a total of 6 persons who are not fully licensed at the highest level for independent clinical practice and who are receiving supervision for providing clinical mental health services in a nonexempt setting.

(3) Existing law, under the CSWPA, requires a licensee to complete specified actions on or before the expiration date of the license to renew an unexpired license. Existing law requires the current renewal receipt to be displayed near the licensee's license.

This bill would repeal the above-described requirement that the current renewal receipt be displayed near the licensee's license.

(4) Because the bill would impose new requirements on licensees and registrants under the LMFTA, EPPA, CSWPA, and LPCCA, the violation of which is a crime, the bill would impose a state-mandated local program.

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 4980.31 of the Business and Professions Code is amended to read:

4980.31. A licensee shall display their license in a conspicuous place in the licensee's primary place of practice when rendering professional clinical services in person.

SEC. 2. Section 4980.32 of the Business and Professions Code is amended to read:

4980.32. (a) A licensee or registrant shall provide a client with a notice written in at least 12-point type prior to initiating psychotherapy 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 marriage and family therapists. 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 psychotherapy services with a client, the notice described in subdivision (a) shall also include the licensee's or registrant's full name as filed with the board, the license or registration number, the type of license or registration, and the license or registration expiration date.

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

SEC. 3. Section 4980.43.2 of the Business and Professions Code, as amended by Section 1 of Chapter 204 of the Statutes of 2022, is amended to read:

4980.43.2. (a) Except for experience gained by attending workshops, seminars, training sessions, or conferences, as described in paragraph (10) of subdivision (c) of Section 4980.43, direct supervisor contact shall occur as follows:

(1) Supervision shall include at least one hour of direct supervisor contact in each week for which experience is credited in each work setting.

(2) A trainee shall receive an average of at least one hour of direct supervisor contact for every five hours of direct clinical counseling performed each week in each setting. For experience gained on or after January 1, 2009, no more than six hours of supervision, whether individual, triadic, or group, shall be credited during any single week.

(3) An associate gaining experience who performs more than 10 hours of direct clinical counseling in a week in any setting shall receive at least one additional hour of direct supervisor contact for that setting. For experience gained on or after January 1, 2009, no more than six hours of supervision, whether individual, triadic, or group, shall be credited during any single week.

(4) Of the 104 weeks of required supervision, 52 weeks shall be individual supervision, triadic supervision, or a combination of both.

(b) (1) For purposes of this chapter, "one hour of direct supervisor contact" means any of the following:

(A) Individual supervision, which means one hour of face-to-face contact between one supervisor and one person receiving supervision for providing clinical mental health services.

(B) Triadic supervision, which means one hour of face-to-face contact between one supervisor and two persons receiving supervision for providing clinical mental health services.

(C) Group supervision, which means two hours of face-to-face contact between one supervisor and no more than eight persons receiving supervision for providing clinical mental health services. Segments of group supervision may be split into no less than one continuous hour. A supervisor shall ensure that the amount and degree of supervision is appropriate for each person in the group.

(2) For purposes of this subdivision, "face-to-face contact" means in-person contact, contact via two-way, real-time videoconferencing, or some combination of these.

(c) The supervisor shall be responsible for ensuring compliance with federal and state laws relating to confidentiality of patient health information.

(d) (1) Within 60 days of the commencement of supervision, a supervisor shall conduct a meeting with the supervisee during which the supervisor shall assess the appropriateness of allowing the supervisee to receive supervision via two-way, real-time videoconferencing. This assessment of appropriateness shall include, but is not limited to, the abilities of the supervisee, the preferences of both the supervisee and supervisor, and the privacy of the locations of the supervisee and supervisor while supervision is conducted.

(2) The supervisor shall document the results of the assessment made pursuant to paragraph (1), and shall not utilize supervision via two-way, real-time videoconferencing if their assessment finds it is not appropriate.

(e) Direct supervisor contact shall occur within the same week as the hours claimed.

(f) Alternative supervision may be arranged during a supervisor's vacation or sick leave if the alternative supervision meets the requirements of this chapter.

(g) Notwithstanding any other law, once the required number of experience hours are gained, associates and applicants for licensure shall receive a minimum of one hour of direct supervisor contact per week for each practice setting in which direct clinical counseling is performed. Once the required number of experience hours are gained, further supervision for nonclinical practice, as defined in paragraph (10) of subdivision (c) of Section 4980.43, shall be at the supervisor's discretion.

(h) This section shall remain in effect only until January 1, 2026, and as of that date is repealed.

SEC. 4. Section 4980.43.2 of the Business and Professions Code, as added by Section 2 of Chapter 204 of the Statutes of 2022, is amended to read:

4980.43.2. (a) Except for experience gained by attending workshops, seminars, training sessions, or conferences, as described in paragraph (10) of subdivision (c) of Section 4980.43, direct supervisor contact shall occur as follows:

(1) Supervision shall include at least one hour of direct supervisor contact in each week for which experience is credited in each work setting.

(2) A trainee shall receive an average of at least one hour of direct supervisor contact for every five hours of direct clinical counseling performed each week in each setting. For experience gained on or after January 1, 2009, no more than six hours of supervision, whether individual, triadic, or group, shall be credited during any single week.

(3) An associate gaining experience who performs more than 10 hours of direct clinical counseling in a week in any setting shall receive at least one additional hour of direct supervisor contact for that setting. For experience gained on or after January 1, 2009, no more than six hours of supervision, whether individual, triadic, or group, shall be credited during any single week.

(4) Of the 104 weeks of required supervision, 52 weeks shall be individual supervision, triadic supervision, or a combination of both.

(b) For purposes of this chapter, "one hour of direct supervisor contact" means any of the following:

(1) Individual supervision, which means one hour of face-to-face contact between one supervisor and one person receiving supervision for providing clinical mental health services.

(2) Triadic supervision, which means one hour of face-to-face contact between one supervisor and two persons receiving supervision for providing clinical mental health services.

(3) Group supervision, which means two hours of face-to-face contact between one supervisor and no more than eight persons receiving supervision for providing clinical mental health services. Segments of group supervision may be split into no less than

one continuous hour. A supervisor shall ensure that the amount and degree of supervision is appropriate for each person in the group.

(c) Direct supervisor contact shall occur within the same week as the hours claimed.

(d) Alternative supervision may be arranged during a supervisor's vacation or sick leave if the alternative supervision meets the requirements of this chapter.

(e) Notwithstanding subdivision (b), a supervisee working in an exempt setting described in Section 4980.01 may obtain the required weekly direct supervisor contact via two-way, real-time videoconferencing. The supervisor shall be responsible for ensuring compliance with federal and state laws relating to confidentiality of patient health information.

(f) Notwithstanding any other law, once the required number of experience hours are gained, associates and applicants for licensure shall receive a minimum of one hour of direct supervisor contact per week for each practice setting in which direct clinical counseling is performed. Once the required number of experience hours are gained, further supervision for nonclinical practice, as defined in paragraph (10) of subdivision (c) of Section 4980.43, shall be at the supervisor's discretion.

(g) This section shall become operative on January 1, 2026.

SEC. 5. Section 4980.43.4 of the Business and Professions Code is amended to read:

4980.43.4. (a) A trainee, associate, or applicant for licensure shall only perform mental health and related services at the places where their employer permits business to be conducted.

(b) An associate who is employed by or is volunteering in a private practice or a professional corporation shall be supervised by an individual who is both of the following:

(1) Is employed by or contracted by the associate's employer or is an owner of the private practice or professional corporation.

(2) Either provides psychotherapeutic services to clients for the associate's employer, or meets both of the following:

(A) The supervisor and the associate's employer have a written contract providing the supervisor the same access to the associate's clinical records provided to employees of that employer.

(B) The associate's clients authorize the release of their clinical records to the supervisor.

(c) At any one time, supervisors in nonexempt settings shall not serve as individual or triadic supervisors for more than a total of six persons who are not fully licensed at the highest level for independent clinical practice and who are receiving supervision for providing clinical mental health services in a nonexempt setting.

(d) A written oversight agreement, as specified by the board by regulation, shall be executed between the supervisor and employer when the supervisor is not employed by the supervisee's employer or is a volunteer. The supervisor shall evaluate the site or sites where the supervisee will be gaining experience to determine that the site or sites comply with the requirements of this chapter.

SEC. 6. Section 4989.17 of the Business and Professions Code is amended to read:

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.

SEC. 7. Section 4989.48 of the Business and Professions Code is amended to read:

4989.48. A licensee shall display their license in a conspicuous place in the licensee's primary place of practice when rendering professional clinical services in person.

SEC. 8. Section 4996.23.1 of the Business and Professions Code, as amended by Section 3 of Chapter 204 of the Statutes of 2022, is amended to read:

4996.23.1. (a) Except for experience gained by attending workshops, seminars, training sessions, or conferences, as described in paragraph (3) of subdivision (d) of Section 4996.23, direct supervisor contact shall occur as follows:

(1) Supervision shall include at least one hour of direct supervisor contact each week for which experience is credited in each work setting.

(2) An associate gaining experience who performs more than 10 hours of direct clinical counseling in a week in any setting shall receive at least one additional hour of direct supervisor contact for that setting.

(b) (1) For purposes of this chapter, "one hour of direct supervisor contact" means any of the following:

(A) Individual supervision, which means one hour of face-to-face contact between one supervisor and one person receiving supervision for providing clinical mental health services.

(B) Triadic supervision, which means one hour of face-to-face contact between one supervisor and two persons receiving supervision for providing clinical mental health services.

(C) Group supervision, which means two hours of face-to-face contact between one supervisor and no more than eight persons receiving supervision for providing clinical mental health services. Segments of group supervision may be split into no less than one continuous hour. A supervisor shall ensure that the amount and degree of supervision is appropriate for each person in the group.

(2) For purposes of this subdivision, "face-to-face contact" means in-person contact, contact via two-way, real-time videoconferencing, or some combination of these.

(c) The supervisor shall be responsible for ensuring compliance with federal and state laws relating to confidentiality of patient health information.

(d) (1) Within 60 days of the commencement of supervision, a supervisor shall conduct a meeting with the supervisee during which the supervisor shall assess the appropriateness of allowing the supervisee to receive supervision via two-way, real-time videoconferencing. This assessment of appropriateness shall include, but is not limited to, the abilities of the supervisee, the preferences of both the supervisee and supervisor, and the privacy of the locations of the supervisee and supervisor while supervision is conducted.

(2) The supervisor shall document the results of the assessment made pursuant to paragraph (1), and shall not utilize supervision via two-way, real-time videoconferencing if their assessment finds it is not appropriate.

(e) Direct supervisor contact shall occur within the same week as the hours claimed.

(f) Of the 104 weeks of required supervision, 52 weeks shall be individual supervision, triadic supervision, or a combination of both.

(g) Of the 52 weeks of required individual or triadic supervision, no less than 13 weeks shall be supervised by a licensed clinical social worker.

(h) Alternative supervision may be arranged during a supervisor's vacation or sick leave if the alternative supervision meets the requirements of this chapter.

(i) Notwithstanding any other law, once the required number of experience hours are gained, an associate clinical social worker or applicant for licensure shall receive a minimum of one hour of direct supervisor contact per week for each practice setting in which direct clinical counseling is performed. Once the required number of experience hours are gained, further supervision for nonclinical practice, as described in paragraph (3) of subdivision (d) of Section 4996.23, shall be at the supervisor's discretion.

(j) This section shall remain in effect only until January 1, 2026, and as of that date is repealed.

SEC. 9. Section 4996.23.1 of the Business and Professions Code, as added by Section 4 of Chapter 204 of the Statutes of 2022, is amended to read:

4996.23.1. (a) Except for experience gained by attending workshops, seminars, training sessions, or conferences, as described in paragraph (3) of subdivision (d) of Section 4996.23, direct supervisor contact shall occur as follows:

(1) Supervision shall include at least one hour of direct supervisor contact each week for which experience is credited in each work setting.

(2) An associate gaining experience who performs more than 10 hours of direct clinical counseling in a week in any setting shall receive at least one additional hour of direct supervisor contact for that setting.

(b) For purposes of this chapter, "one hour of direct supervisor contact" means any of the following:

(1) Individual supervision, which means one hour of face-to-face contact between one supervisor and one person receiving supervision for providing clinical mental health services.

(2) Triadic supervision, which means one hour of face-to-face contact between one supervisor and two persons receiving supervision for providing clinical mental health services.

(3) Group supervision, which means two hours of face-to-face contact between one supervisor and no more than eight persons receiving supervision for providing clinical mental health services. Segments of group supervision may be split into no less than one continuous hour. A supervisor shall ensure that the amount and degree of supervision is appropriate for each person in the group.

(c) Direct supervisor contact shall occur within the same week as the hours claimed.

(d) Of the 104 weeks of required supervision, 52 weeks shall be individual supervision, triadic supervision, or a combination of both.

(e) Of the 52 weeks of required individual or triadic supervision, no less than 13 weeks shall be supervised by a licensed clinical social worker.

(f) Alternative supervision may be arranged during a supervisor's vacation or sick leave if the alternative supervision meets the requirements of this chapter.

(g) Notwithstanding subdivision (b), a supervisee working in an exempt setting described in Section 4996.14 may obtain the required weekly direct supervisor contact via two-way, real-time videoconferencing. The supervisor shall be responsible for ensuring compliance with state and federal laws relating to confidentiality of patient health information.

(h) Notwithstanding any other law, once the required number of experience hours are gained, an associate clinical social worker or applicant for licensure shall receive a minimum of one hour of direct supervisor contact per week for each practice setting in which direct clinical counseling is performed. Once the required number of experience hours are gained, further supervision for nonclinical practice, as described in paragraph (3) of subdivision (d) of Section 4996.23, shall be at the supervisor's discretion.

(i) This section shall become operative on January 1, 2026.

SEC. 10. Section 4996.23.3 of the Business and Professions Code is amended to read:

4996.23.3. (a) An associate clinical social worker or an applicant for licensure shall only perform mental health and related services at the places where their employer permits business to be conducted.

(b) An associate who is employed by, or volunteering in, a private practice or a professional corporation shall be supervised by an individual who is both of the following:

(1) Is employed by or contracted by the associate's employer or is an owner of the private practice or professional corporation.

(2) Either provides psychotherapeutic services to clients for the associate's employer, or meets both of the following:

(A) The supervisor and the associate's employer have a written contract providing the supervisor the same access to the associate's clinical records provided to employees of that employer.

(B) The associate's clients authorize the release of their clinical records to the supervisor.

(c) At any one time, supervisors in nonexempt settings shall not serve as individual or triadic supervisors for more than a total of six persons who are not fully licensed at the highest level for independent clinical practice and who are receiving supervision for providing clinical mental health services in a nonexempt setting.

(d) A written oversight agreement, as specified by the board by regulation, shall be executed between the supervisor and employer when the supervisor is not employed by the supervisee's employer or is a volunteer. The supervisor shall evaluate the

site or sites where the supervisee will be gaining experience to determine that the site or sites comply with the requirements of this chapter.

SEC. 11. Section 4996.7 of the Business and Professions Code is amended to read:

4996.7. A licensee shall display their license in a conspicuous place in the licensee's primary place of practice when rendering professional clinical services in person.

SEC. 12. Section 4996.75 of the Business and Professions Code is amended to read:

4996.75. (a) A licensee or registrant shall provide a client with a notice written in at least 12-point type prior to initiating psychotherapy 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 clinical social workers. 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 psychotherapy services with a client, the notice described in subdivision (a) shall also include the licensee's or registrant's full name as filed with the board, the license or registration number, the type of license or registration, and the license or registration expiration date.

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

SEC. 13. Section 4996.8 of the Business and Professions Code is repealed.

SEC. 14. Section 4999.46.2 of the Business and Professions Code, as amended by Section 5 of Chapter 204 of the Statutes of 2022, is amended to read:

4999.46.2. (a) Except for experience gained by attending workshops, seminars, training sessions, or conferences, as described in paragraph (4) of subdivision (c) of Section 4999.46, direct supervisor contact shall occur as follows:

(1) Supervision shall include at least one hour of direct supervisor contact in each week for which experience is credited in each work setting.

(2) A trainee shall receive an average of at least one hour of direct supervisor contact for every five hours of direct clinical counseling performed each week in each setting. For experience gained after January 1, 2009, no more than six hours of supervision, whether individual, triadic, or group, shall be credited during any single week.

(3) An associate gaining experience who performs more than 10 hours of direct clinical counseling in a week in any setting shall receive at least one additional hour of direct supervisor contact for that setting. For experience gained after January 1, 2009, no more than six hours of supervision, whether individual supervision, triadic supervision, or group supervision, shall be credited during any single week.

(4) Of the 104 weeks of required supervision, 52 weeks shall be individual supervision, triadic supervision, or a combination of both.

(b) (1) For purposes of this chapter, "one hour of direct supervisor contact" means any of the following:

(A) Individual supervision, which means one hour of face-to-face contact between one supervisor and one person receiving supervision for providing clinical mental health services.

(B) Triadic supervision, which means one hour of face-to-face contact between one supervisor and two persons receiving supervision for providing clinical mental health services.

(C) Group supervision, which means two hours of face-to-face contact between one supervisor and no more than eight persons receiving supervision for providing clinical mental health services. Segments of group supervision may be split into no less than one continuous hour. The supervisor shall ensure that the amount and degree of supervision is appropriate for each person in the group.

(2) For purposes of this subdivision, "face-to-face contact" means in-person contact, contact via two-way, real-time videoconferencing, or some combination of these.

(c) The supervisor shall be responsible for ensuring compliance with federal and state laws relating to confidentiality of patient health information.

(d) (1) Within 60 days of the commencement of supervision, a supervisor shall conduct a meeting with the supervisee during which the supervisor shall assess the appropriateness of allowing the supervisee to receive supervision via two-way, real-time videoconferencing. This assessment of appropriateness shall include, but is not limited to, the abilities of the supervisee, the preferences of both the supervisee and supervisor, and the privacy of the locations of the supervisee and supervisor while supervision is conducted.

(2) The supervisor shall document the results of the assessment made pursuant to paragraph (1), and shall not utilize supervision via two-way, real-time videoconferencing if their assessment finds it is not appropriate.

(e) Direct supervisor contact shall occur within the same week as the hours claimed.

(f) Alternative supervision may be arranged during a supervisor's vacation or sick leave if the alternative supervision meets the requirements in this chapter.

(g) Notwithstanding any other law, once the required number of experience hours are gained, associates and applicants for licensure shall receive a minimum of one hour of direct supervisor contact per week for each practice setting in which direct clinical counseling is performed. Once the required number of experience hours are gained, further supervision for nonclinical practice, as defined in paragraph (4) of subdivision (c) of Section 4999.46, shall be at the supervisor's discretion.

(h) This section shall remain in effect only until January 1, 2026, and as of that date is repealed.

SEC. 15. Section 4999.46.2 of the Business and Professions Code, as added by Section 6 of Chapter 204 of the Statutes of 2022, is amended to read:

4999.46.2. (a) Except for experience gained by attending workshops, seminars, training sessions, or conferences, as described in paragraph (4) of subdivision (c) of Section 4999.46, direct supervisor contact shall occur as follows:

(1) Supervision shall include at least one hour of direct supervisor contact in each week for which experience is credited in each work setting.

(2) A trainee shall receive an average of at least one hour of direct supervisor contact for every five hours of direct clinical counseling performed each week in each setting. For experience gained after January 1, 2009, no more than six hours of supervision, whether individual, triadic, or group, shall be credited during any single week.

(3) An associate gaining experience who performs more than 10 hours of direct clinical counseling in a week in any setting shall receive at least one additional hour of direct supervisor contact for that setting. For experience gained after January 1, 2009, no more than six hours of supervision, whether individual supervision, triadic supervision, or group supervision, shall be credited during any single week.

(4) Of the 104 weeks of required supervision, 52 weeks shall be individual supervision, triadic supervision, or a combination of both.

(b) For purposes of this chapter, "one hour of direct supervisor contact" means any of the following:

(1) Individual supervision, which means one hour of face-to-face contact between one supervisor and one person receiving supervision for providing clinical mental health services.

(2) Triadic supervision, which means one hour of face-to-face contact between one supervisor and two persons receiving supervision for providing clinical mental health services.

(3) Group supervision, which means two hours of face-to-face contact between one supervisor and no more than eight persons receiving supervision for providing clinical mental health services. Segments of group supervision may be split into no less than one continuous hour. The supervisor shall ensure that the amount and degree of supervision is appropriate for each person in the group.

(c) Direct supervisor contact shall occur within the same week as the hours claimed.

(d) Alternative supervision may be arranged during a supervisor's vacation or sick leave if the alternative supervision meets the requirements in this chapter.

(e) Notwithstanding subdivision (b), a supervisee working in an exempt setting described in Section 4999.22 may obtain the required weekly direct supervisor contact via two-way, real-time videoconferencing. The supervisor shall be responsible for ensuring compliance with federal and state laws relating to confidentiality of patient health information.

(f) Notwithstanding any other law, once the required number of experience hours are gained, associates and applicants for licensure shall receive a minimum of one hour of direct supervisor contact per week for each practice setting in which direct clinical counseling is performed. Once the required number of experience hours are gained, further supervision for nonclinical practice, as defined in paragraph (4) of subdivision (c) of Section 4999.46, shall be at the supervisor's discretion.

(g) This section shall become operative on January 1, 2026.

SEC. 16. Section 4999.46.4 of the Business and Professions Code is amended to read:

4999.46.4. (a) A clinical counselor trainee, associate, or applicant for licensure shall only perform mental health and related services at the places where their employer permits business to be conducted.

(b) An associate who is employed by or volunteering in a private practice or a professional corporation shall be supervised by an individual who is both of the following:

(1) Is employed by or contracted by the associate's employer or is an owner of the private practice or professional corporation.

(2) Either provides psychotherapeutic services to clients for the associate's employer, or meets both of the following:

(A) The supervisor and the associate's employer have a written contract providing the supervisor the same access to the associate's clinical records provided to employees of that employer.

(B) The associate's clients authorize the release of their clinical records to the supervisor.

(c) At any one time, supervisors in nonexempt settings shall not serve as individual or triadic supervisors for more than a total of six persons who are not fully licensed at the highest level for independent clinical practice and who are receiving supervision for providing clinical mental health services in a nonexempt setting.

(d) A written oversight agreement, as specified by the board by regulation, shall be executed between the supervisor and employer when the supervisor is not employed by the supervisee's employer or is a volunteer. The supervisor shall evaluate the site or sites where the supervisee will be gaining experience to determine that the site or sites comply with the requirements of this chapter.

SEC. 17. Section 4999.70 of the Business and Professions Code is amended to read:

4999.70. A licensee shall display their license in a conspicuous place in the licensee's primary place of practice when rendering professional clinical services in person.

SEC. 18. Section 4999.71 of the Business and Professions Code is amended to read:

4999.71. (a) A licensee or registrant shall provide a client with a notice written in at least 12-point type prior to initiating psychotherapy 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 professional clinical counselors. 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 psychotherapy services with a client, the notice described in subdivision (a) shall also include the licensee's or registrant's full name as filed with the board, the license or registration number, the type of license or registration, and the license or registration expiration date.

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

SEC. 19. 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.