

Date of Hearing: April 14, 2026

ASSEMBLY COMMITTEE ON BUSINESS AND PROFESSIONS

Marc Berman, Chair

AB 1598 (Quirk-Silva) – As Amended March 18, 2026

SUBJECT: Behavioral sciences.

SUMMARY: Repeals a requirement for associates registered with the Board of Behavioral Sciences (BBS or board) to attempt the California law and ethics examination each year as a condition of registration renewal; establishes a seven-year age limit on scores for the California law and ethics examination; extends the validity of supervised experience hours from six years to seven years, increases the maximum number of times associates may renew their registration from five to six, establishes a limited exception for associates to continue working in private practice with a subsequent registration number; and clarifies the pastoral counseling exemption in the Marriage and Family Therapist Act, Clinical Social Worker Practice Act, and the Professional Clinical Counselor Act.

EXISTING LAW:

- 1) Establishes the BBS under the Department of Consumer Affairs for purposes of implementing and enforcing the Licensed Marriage and Family Therapist Act, Educational Psychologist Practice Act, Clinical Social Worker Practice Act, and Licensed Professional Clinical Counselor Act. (Business and Professions Code (BPC) § 4990)
- 2) Specifies that the Marriage and Family Therapist Act, Clinical Social Worker Practice Act, and Professional Clinical Counselor Act are not to be construed to constrict, limit, or withdraw the Medical Practice Act, the Nursing Practice Act, or the Psychology Licensing Law. (BPC §§ 4980.01(a), 4996.14(a), and 4999.22(b))
- 3) Exempts from the Marriage and Family Therapist Act and the Professional Clinical Counselor Act any priest, rabbi, or minister of the gospel of any religious denomination when performing counseling services as part of their pastoral or professional duties, or any person who is admitted to practice law in the state, or a physician and surgeon who provides counseling services as part of their professional practice. (BPC §§ 4980.01(b) and 4999.22(c))
- 4) Exempts from the Clinical Social Worker Practice Act a priest, rabbi, or minister of the gospel of any religious denomination. (BPC § 4996.13(f))
- 5) Prohibits a person from engaging in the practice of marriage and family therapy, advertising that they perform the services of a marriage, family, child, domestic, or martial consultant, or using titles, names, words, initials, or symbols to imply that they perform marriage and family therapy services, unless the person holds a valid license as a marriage and family therapist, except a licensed clinical social worker or psychologist. (BPC § 4980)
- 6) Specifies that nothing in the Clinical Social Worker Practice Act shall prevent qualified members of other professional groups from doing work of a psychosocial nature consistent with the standards and ethics of their respective professions. However, they cannot hold themselves out to the public by any title or description of services incorporating the words

psychosocial or clinical social work, nor state or imply that they are licensed to practice clinical social work. Qualified members of other professional groups include, but are not limited to, physicians and surgeons, psychologists, and members of the State Bar of California. (BPC § 4996.13)

- 7) Specifies that nothing in the Licensed Professional Clinical Counselor Act shall prevent qualified persons from doing work of a psychosocial nature consistent with the standards and ethics of their respective professions. However, they cannot hold themselves out to the public by any title or description of services incorporating the words “licensed professional clinical counselor” and shall not state that they are licensed to practice licensed professional clinical counseling, unless they are otherwise licensed to provide professional clinical counseling services. (BPC § 4999.22)
- 8) Requires a registrant or applicant for licensure as a marriage and family therapist to pass a California law and ethics examination and a clinical examination, as specified. (BPC § 4980.379(a))
- 9) Authorizes the board to issue a clinical social worker or professional clinical counselor license to a qualified applicant who passes the California law and ethics examination and a clinical examination. (BPC §§ 4996.1 and 4999.50)
- 10) Requires associates, upon registration with the board, to take an examination on California law and ethics within the first year of registration. (BPC §§ 4980.397(b), 4992.05(b), and 4999.53(b))
- 11) Specifies that a registrant or an applicant for licensure as a marriage and family therapist, clinical social worker, or professional clinical counselor may take the clinical examination only upon meeting all of the following requirements:
 - a) Completion of all required supervised work experience.
 - b) Completion of all education requirements.
 - c) Passage of the California law and ethics examination.(BPC §§ 4980.397(c), 4992.05(c), and 4999.53(c))
- 12) Requires each marriage and family therapist, clinical social worker, and professional clinical counselor applicant and registrant to obtain a passing score on a board-administered California law and ethics examination to qualify for licensure. A registrant must take the exam before their registration renewal. If an applicant fails the California law and ethics examination, they may retake it upon payment of the required fees without further application. The board cannot issue a subsequent registration number unless the applicant has passed the California law and ethics examination. (BPC § 4980.399(a)-(d), 4992.09(a)-(d), and 4999.55(a)-(d))
- 13) Requires marriage and family therapist, clinical social worker, and professional clinical counselor registrants to complete a minimum of three hours of continuing education in the subject of California law and ethics during each renewal period to renew their registration,

regardless of whether they have passed the California law and ethics examination. (BPC §§ 4980.399(e), 4992.09(e), and 4999.55(e))

- 14) Requires all applicants for a marriage and family therapist or professional clinical counselor license to have an active associate registration with the board to gain post-degree hours of supervised experience, except as specified, and requires hours of experience to have been gained no more than six years prior to the date the application for licensure is received by the board, except as specified. (BPC §§ 4980.43(a) and (c)(7), and 4999.46(a) and (e))
- 15) Specifies that an applicant for a marriage and family therapist license or clinical social work license shall not be eligible to participate in the clinical examination if the applicant fails to obtain a passing score on the clinical examination within seven years from their initial attempt, unless the applicant takes and obtains a passing score on the current version of the California law and ethics examination. (BPC §§ 4980.50(g) and 4992.1(g))
- 16) Specifies that if the clinical examination is not passed within seven years of a professional clinical counselor license applicant's initial attempt, the applicant must obtain a passing score on the current version of the California law and ethics exam to be eligible to retake the clinical examination. (BPC §4999.52(i))
- 17) Specifies that a passing score on the clinical examination for a marriage and family therapist license, clinical social worker, or professional clinical counselor license must be accepted by the board for a period of seven years from the date the examination was taken. (BPC §§ 4980.50(h), 4992.1(h), and 4999.52(j))
- 18) Specifies that the associate marriage and family therapist, associate clinical social worker, and associate professional clinical counselor registration expires one year from the last day of the month in which it was issued. To renew the registration, the registrant must, on or before the registration's expiration date, complete specified actions, including participating in the California law and ethics examination each year until successful completion. Registration may be renewed up to 5 times. No registration may be renewed or reinstated beyond six years from the last day of the month during which it was issued, regardless of whether it has been revoked. An applicant who is issued a subsequent associate registration number shall not be employed or volunteer in private practice. (BPC §§ 4984.01, 4996.28, and 4999.100)
- 19) Establishes a \$20 fee for rescoring an examination. (BPC §§ 4984.7(a)(5), 4989.68(a)(6), 4996.3(a)(5), and 4999.120(a)(9))
- 20) Specifies that an applicant for an educational psychologist license shall not be credited with experience obtained more than six years immediately preceding the date on which the application was received by the board. (BPC § 4989.20(a)(5), (6)(B), and (7)(B))
- 21) Specifies that a passing score on the licensed educational psychologist written examination administered by the board must be accepted by the board for a period of seven years from the date the examination was taken. (BPC § 4989.20(a)(8))

THIS BILL:

- 1) Specifies that nothing in the Marriage and Family Therapist Act shall prevent qualified members of other professional groups from doing work of a psychosocial nature consistent

with the standards, ethics, and scope of practice of their respective professions; prohibits qualified members from holding themselves out to the public by any title or description of services incorporating the words “psychosocial,” “psychotherapy,” or “marriage and family therapist,” and from stating or implying that they are licensed or registered to practice marriage and family therapy. Qualified members of other professional groups include, but are not limited to, physicians and surgeons, registered nurses, psychologists, members of the State Bar, educational psychologists, clinical social workers, and professional clinical counselors.

- 2) Specifies that nothing in the Clinical Social Worker Practice Act shall prevent qualified members of other professional groups from doing work of a psychosocial nature consistent with the standards, ethics, and *scope of practice* of their respective profession (emphasis added to distinguish from existing law); prohibits qualified members from holding themselves out to the public using any title or description of services incorporating the word “psychotherapy” or stating that they are registered to practice clinical social work; and adds registered nurses and educational psychologists to the list of qualified members of other professional groups.
- 3) Specifies that nothing in the Professional Clinical Counselor Practice Act shall prevent qualified *members* of other professional groups from doing work of a psychosocial nature consistent with the standards, ethics, and *scope of practice* of their respective profession (emphasis added to distinguish from existing law); prohibits qualified members from holding themselves out to the public using any title or description of services incorporating the words “psychosocial” or “psychotherapy” or stating that they are registered to practice professional clinical counseling; and specifies that qualified members of other professional groups, include but are not limited to, physicians and surgeons, registered nurses, psychologists, members of the State Bar, marriage and family therapists, educational psychologists, and clinical social workers.
- 4) Expands an exemption for priests, rabbis, and ministers in the Marriage and Family Therapist Act, Clinical Social Worker Practice Act, and Professional Clinical Counselor Act to an imam or other religious official of any denomination; clarifies that the exemption is for faith-based counseling services as part of their regular professional duties for an established and legally recognizable faith-based entity, such as a church, synagogue, mosque, or other recognized religious organization; and establishes the following criteria to claim the exemption:
 - a) The services are performed solely under the direct auspices of that faith-based entity.
 - b) A separate fee, beyond their customary compensation from that faith-based entity, is not charged or received.
 - c) They do not hold themselves out to the public by any title or description of services incorporating the words “psychosocial,” “psychotherapy,” “marriage and family therapist,” “clinical social worker,” or “professional clinical counselor,” and do not state or imply that they are licensed or registered to practice marriage and family therapy, clinical social work, or professional clinical counseling.
 - d) The services provided are limited to counseling services provided in a religious or spiritual context and do not involve the diagnosis or treatment of mental health disorders.

- 5) Repeals requirements for associates to take a California law and ethics examination within the first year of registration and every year thereafter until successful completion of the examination, and requires the board to grant eligibility to take the California law and ethics examination upon approval of an application for registration or an application for licensure and submission of the required application and fee.
- 6) Repeals language allowing a registrant or applicant for licensure to take the clinical exam only upon completion of all supervised work experience and education requirements and passage of the California law and ethics examination, and instead *authorizes the Board to grant* an application for licensure *eligibility* to take the clinical exam if those requirements are met (emphasis added to distinguish from existing law).
- 7) Specifies that, after January 1, 2030, the California law and ethics examination shall be passed no more than seven years prior to the board's receipt of the application for initial license issuance.
- 8) Authorizes the board to establish a waiting period to retake the California law and ethics examination and requires an applicant to submit a reexamination application.
- 9) Prohibits the board from issuing a subsequent *associate* registration number unless the applicant has passed the California law and ethics examination *no more than seven years prior to the board's receipt of the application for the subsequent associate registration number* (emphasis added to distinguish from existing law).
- 10) Authorizes associates' supervised experience hours to be gained within seven years (currently six years) prior to the date the application for licensure was received by the board, except as specified.
- 11) Requires the clinical exam for marriage and family therapists, clinical social workers, and professional clinical counselors to be passed no more than seven years prior to the board's receipt of the application for initial license issuance (currently seven years from the date the examination was taken).
- 12) Allows associate registration to be renewed a maximum of six times (currently five) and prohibits a registration from being renewed or reinstated beyond seven years (currently six) from the last day of the month during which it was issued.
- 13) Allows an applicant applying for or who currently holds a subsequent associate registration number to request that the board grant them a one-time, two-consecutive-year hardship extension to allow them to be employed or volunteer at one private practice or professional corporation employer with their subsequent associate registration number, as specified.
- 14) Repeals the fee for rescoring an examination.
- 15) Allows an applicant for an educational psychologist license to be credited with experience obtained within seven years (currently six years) immediately preceding the date on which the application for licensure was received by the board.

- 16) Requires the licensed educational psychologist written examination administered by the board to be passed no more than seven years prior to the board's receipt of the application for initial license issuance (currently seven years from the date the examination was taken).
- 17) Repeals and recasts various provisions, deletes obsolete language, and makes other technical, clarifying, and conforming changes.

FISCAL EFFECT: Unknown. This bill is keyed fiscal by the Legislative Counsel.

COMMENTS:

Purpose. This bill is sponsored by the *California Board of Behavioral Sciences*. According to the author:

California continues to face a shortage of behavioral health professionals while the need for services continues to grow. Unfortunately, current licensing timelines can unintentionally delay qualified applicants who experience life events such as medical leave, caregiving responsibilities, or financial hardship. [This bill] modernizes the Board's licensing process to better address real-world challenges faced by applicants, without compromising the standards required for safe and competent practice.

Background. The BBS is responsible for the regulatory oversight of over 148,000 licensees and registrants, including licensed marriage and family therapists and associate marriage and family therapists, licensed clinical social workers and associate clinical social workers, licensed educational psychologists, and licensed professional clinical counselors and associate professional clinical counselors. Each profession has its own scope of practice, entry-level requirements, and professional settings, with some overlap in areas.

Registration and licensure. Prior to licensure as a marriage and family therapist, clinical social worker, or professional clinical counselor, applicants must have completed all education, supervised experience, and examination requirements. After obtaining a qualifying master's degree, individuals may apply for registration as an associate. Registration allows associates to work under supervision while accumulating the required 3,000 supervised experience hours for licensure. During their registration period, associates must take the California law and ethics examination each renewal period until they pass. Associates must also pass a practice-specific clinical examination. Associate registrations are valid for five renewal periods and expire six years from the original issuance date. If an individual has not completed the necessary supervised experience hours or met licensure requirements within this timeframe, they may apply for a subsequent registration. This additional registration permits them to continue working under supervision and collecting hours, but prohibits them from working or volunteering in a private practice or a professional corporation.

According to the author's office, the board's Workforce Development Committee reviewed the licensing framework for marriage and family therapists, clinical social workers, professional clinical counselors, and educational psychologists, and identified opportunities to reduce unnecessary administrative barriers while maintaining public protection. The board recommended statutory updates to extend timelines for supervised experience and exam validity and align associate registration limits with those timelines. This bill repeals requirements for associates to take the California law and ethics exam within the first year of registration and every year thereafter until they pass. Instead, this bill would allow associates to choose when to

take the exam and authorize the board to establish a waiting period before an associate who fails the California law and ethics examination can retake it. Additionally, this bill establishes a seven-year age limit on the California law and ethics examination and prohibits the board from issuing a subsequent registration number unless the applicant has passed the California law and ethics examination within seven years of the board's receipt of their application. This bill also requires applicants for licensure to have passed their respective clinical examination within seven years of the board's receipt of their licensure application. Clinical examination scores are currently valid for seven years from the examination date. This bill also increases the maximum number of times associates may renew their registration from five to six and allows a registration to be renewed or reinstated within seven years (currently six) from the last day of the month during which it was issued. Additionally, this bill would create a narrow exemption for an applicant applying for or who currently holds a subsequent registration number to request a one-time, two-consecutive-year hardship extension to continue working or volunteering in private practice if among other things the applicant shows good cause for being unable to complete the licensure process within seven years and provides a plan to gain the needed hours toward licensure during the extension period.

Applicants for an educational psychologist license must obtain a qualifying master's degree and complete 60 semester or 90 quarter units of postgraduate coursework. Applicants are not required to register with the board while gaining experience, but they must have at least two years of full-time experience as a credentialed school psychologist in public schools or equivalent experience in private or parochial schools. Additionally, applicants must complete either one year of supervised experience in a school psychology program or an additional year of full-time experience as a credentialed school psychologist in public schools under the direction of a licensed educational psychologist or licensed psychologist. Applicants are required to take only one examination, the LEP Written Examination, developed and administered by the board. This bill would establish a seven-year age limit for experience gained to count to licensure (currently six years) and require the licensure examination to be passed within seven years of the board's receipt of the application for an initial license (currently seven years from the date the examination was taken).

The author's office contends that this bill will reduce barriers to licensure that can disproportionately affect individuals from low-income communities and communities of color, as licensure requires thousands of supervised hours, often at low wages. By extending timelines and providing a hardship exemption for associates to continue earning hours in private practice under a subsequent registration number, the author's office asserts that this bill affords applicants flexibility to complete licensure requirements while maintaining professional standards.

Pastoral counseling exemption. The Marriage and Family Therapist Practice Act, the Licensed Professional Clinical Counselor Act, and the Clinical Social Worker Practice Act exempt counseling services provided by a priest, rabbi, or minister. According to the author's office, "the Board's exemption for pastoral counseling is vague, and not specific enough to take disciplinary actions in cases where an individual was claiming a pastoral counseling exemption, but the Board believes the services they were providing were not of a pastoral nature." As such, this bill clarifies that the exemption applies to faith-based counseling services provided by a priest, rabbi, minister, imam, or other religious official of any denomination as part of their regular professional duties for an established and legally recognized faith-based entity, such as a church, synagogue, or mosque. This bill also establishes criteria to claim the exemption. First, the services must be performed solely under the direct auspices of that faith-based entity. Second, the

religious official may not charge a separate fee for their counseling services. Third, the religious official may not hold themselves out to the public by any title or description of services incorporating the words “psychosocial,” “psychotherapy,” “marriage and family therapist,” “clinical social worker,” or “professional clinical counselor,” or state or imply that they are licensed or registered to practice those professions. Lastly, the services must be limited to counseling services provided in a religious or spiritual context and cannot involve the diagnosis or treatment of mental health disorders.

Exemptions for qualified members of other professional groups. The Marriage and Family Therapist Act, Clinical Social Worker Practice Act, and Professional Clinical Counselor Act specify that they are not to be construed to constrict, limit, or withdraw the Medical Practice Act, the Nursing Practice Act, or the Psychology Licensing Law. Moreover, each practice act exempts various members of other professional groups, such as physicians, registered nurses, psychologists, attorneys, and other behavioral health professionals, though the exemptions are inconsistent across the practice acts. This bill attempts to standardize the exemptions across all three practice acts such that qualified members of other professional groups, including but not limited to physicians, registered nurses, psychologists, attorneys, and other licensees of the board, may do work of a psychosocial nature consistent with the standards, ethics, and *scope of practice* of their respective profession (emphasis added to distinguish from existing law). Moreover, the bill prohibits these qualified members from using any title or description of services that incorporates the words “psychosocial” or “psychotherapy,” or stating that they are registered to practice marriage and family therapy, educational psychology, clinical social work, or professional clinical counseling, as applicable.

This bill also repeals and recasts various provisions, deletes obsolete language, and makes other technical, clarifying, and conforming changes.

Prior Related Legislation. SB 775 (Ashby), Chapter 787, Statutes of 2025, extended the board’s sunset date until January 1, 2030, and made additional technical changes, statutory improvements, and policy reforms in response to issues raised during the board's sunset review oversight process.

AB 1759 (Aguiar-Curry), Chapter 520, Statutes of 2022, as it relates to this bill, required BBS associates to complete a three-hour continuing education course each renewal cycle in California law and ethics.

ARGUMENTS IN SUPPORT:

As the sponsor of this bill, the *California Board of Behavioral Sciences* writes in support:

Becoming licensed requires completing a graduate degree, passing multiple exams, and accumulating thousands of hours of supervised experience—often while earning low wages. The process is time-consuming and costly, and many individuals experience life events such as medical issues, caregiving responsibilities, or financial hardship that may delay or interrupt their progress. These challenges can disproportionately affect individuals from underrepresented communities and contribute to workforce shortages in behavioral health. This bill aims to make the path to licensure more accessible and responsive to real-world challenges faced by applicants without compromising the standards required for safe and competent practice...Additionally, this bill modernizes the exemption language for faith-based counseling by clarifying the criteria for when

faith-based counseling is exempt from licensure. These changes will help ensure the licensure process is fair, practical, and aligned with the needs of today's behavioral health workforce.

POLICY ISSUE(S) FOR CONSIDERATION:

“Psychosocial” and “psychotherapy” advertising prohibitions. The California Medical Association and the California Psychological Association are concerned about language in the bill that would restrict psychiatrists and psychologists from using titles or descriptions of services using the words “psychosocial” or “psychotherapy” despite the nature of their work.

IMPLEMENTATION ISSUES:

Misnomer. BPC § 4996.13 erroneously refers to “this article,” but should say “this chapter.” The author may wish to correct this misnomer as the bill moves forward.

AMENDMENTS:

1) In response to the policy issue cited above, and to correct grammatical errors, this bill will be amended as follows at the author's request:

- On page 3, strike out lines 3 to 8, inclusive, on page 4, strike out lines 2 to 19, inclusive, in line 20, strike out “(b)” and insert:

4980.01. *(a)*

- On page 4, between lines 27 and 28, insert:

(b) This chapter shall not apply to any person who is admitted to practice law in the state, or a physician and surgeon who provides counseling services as part of their professional practice.

- On page 4, in line 34, strike out “met.” and insert:

met:

- On page 11, in line 37, strike out “examination,” and insert:

examination

- On page 11, in line 39, strike out “chapter,” and insert:

chapter

- On page 20, in line 30, strike out “examination,” and insert:

examination

- On page 22, in line 34, strike out ““psychosocial,” “psychotherapy,” or”

- On page 27, in line 13, strike out ““psychosocial,” “psychotherapy,” or”

- On page 27, between lines 38 and 39, insert:

(c) This chapter shall not apply to any person who is admitted to practice law in this state, or who is licensed to practice medicine, who provides counseling services as part of their professional practice.

- On page 27, in line 39, strike out “(c)” and insert:

(d)

- On page 28, in line 19, strike out “(d)” and insert:

(e)

- On page 29, in line 7, strike out “(e)” and insert:

(f)

- On page 29, in line 7, strike out “(c) and (d),” and insert:

(d) and (e),

REGISTERED SUPPORT:

California Board of Behavioral Sciences (Sponsor)

REGISTERED OPPOSITION:

There is no opposition on file.

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