
**SENATE COMMITTEE ON
BUSINESS, PROFESSIONS AND ECONOMIC DEVELOPMENT**
Senator Dr. Aisha Wahab, Chair
2025 - 2026 Regular

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Author:	Quirk-Silva		
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Consultant:	Anna Billy		

Subject: Behavioral sciences

SUMMARY: This bill removes the requirement for associates registered with the Board of Behavior Sciences (BBS or Board) to attempt the California Law and Ethics examination each year in order to renew their registration; requires the California Law and Ethics examination to be passed no more than seven years prior to application for an initial license; increases the amount of time supervised experience hours remain valid from six to seven years; increases the maximum number of associate registration renewals from five to six years, allowing a total of seven years of registration before a new number is required; allows associates with a subsequent registration number to request a one-time, two-year hardship extension to work in one private practice setting with their subsequent registration number; clarifies when faith-based counseling is exempt from licensure, as specified; clarifies advertising and client disclosure requirements for associates, trainees and interns, as specified.

Existing law:

- 1) Establishes, until January 1, 2030, the BBS, to administer and enforce the Licensed Marriage and Family Therapist (LMFT) Practice Act, the Licensed Clinical Social Worker (LCSW) Practice Act, the Licensed Educational Psychologist (LEP) Practice Act, and the Licensed Professional Clinical Counselor (LPCC) Practice Act. (Business & Professions Code (BPC) § 4990.12)
- 2) Specifies that nothing in this chapter is meant to be construed to constrict, limit, or withdraw the Medical Practice Act, the LCSW Practice Act, the Nursing Practice Act, the LPCC Practice Act or the Psychology Practice Act. (BPC § 4980.1 (a))
- 3) Exempts any priest, rabbi, or minister of the gospel, or other religious denomination when performing counseling services as part of their pastoral or professionals' duties, or 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. (BPC § 4980.01 (b))
- 4) Specifies that there is nothing in the LCSW Practice Act or LPCC Practice Act that prevents qualified members of other professional groups from doing work of a psychosocial nature consistent with the standards and ethics of their respective professions. However, these qualified persons must not hold themselves out to the public by any title or description of services incorporating the words "psychosocial", "clinical social worker", or "licensed professional", and must not state that they are licensed to practice clinical social work or professional clinical counseling, unless

they are otherwise licensed to provide professional clinical counseling services. (BPC §§ 4996.13 and 4999.22 (a))

- 5) Requires a registrant or applicant for licensure as a marriage and family therapist, a clinical social worker, or a professional clinical counselor to do the following: passage of a California Law and Ethics examination within the first year of registration; complete all required supervised work experience and education experience; and passage of a clinical examination administered by the Board or by a public organization, as specified. (BPC §§ 4980.397 (a-c), 4992.05 (a) and 4999.53 (a-c))
- 6) Requires the Board, effective January 1, 2016, to issue a clinical social worker license and a professional clinical counselor license to each applicant who passes a California Law and Ethics examination. States that an applicant who has successfully passed a previously administered written examination may be subsequently required to take and pass another written examination. (BPC §§ 4996.1 (a) and 4999.50 (a))
- 7) Requires a registrant or applicant to obtain a passing score on a board-administered California Law and Ethics examination to qualify for licensure as a marriage and family therapist, a clinical social worker, or a professional clinical counselor; allows an applicant to retake the examination, if they fail, upon payment of the required fees without further application; prohibits the Board from issuing a subsequent registration number unless the applicant has passed the California law and examination; requires a registrant to complete a minimum of three hours of continuing education on the subject of California Law and Ethics during each renewal period to be eligible to renew their registration regardless of whether they have passed the California Law and Ethics examination; and requires the coursework be obtained from a board-accepted provider of continuing education. (BPC §§ 4980.399 (a-e), 4992.09 (a-e) and 4999.55 (a-e))
- 8) Requires a marriage and family therapist and a professional clinical counselor to have an active associate registration with the Board to gain post degree hours of supervised experience, except as specified, and requires experience hours to have not been gained more than six years prior to the date the application for licensure was received by the Board. (BPC §§ 4980.43 (a) and (c)(7) and 4999.46 (a)(e))
- 9) Specifies that an applicant for licensure as a marriage and family therapist, a clinical social worker, or a professional clinical counselor is not 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), 4999.12 (g) and 4999.52 (i))
- 10) Specifies that a passing score on the clinical examination for a marriage and family therapist, a clinical social worker, or a professional clinical counselor 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))

- 11) Specifies that an associate registration for a marriage and family therapist, a clinical social worker, and a professional clinical counselor will expire one year from the last day of the month in which it was issued. To renew a registration the registrant must do the following on or before the expiration date of the registration: apply for a renewal form and pay a renewal fee prescribed by the Board; notify the Board whether they have been convicted of a misdemeanor or felony, or whether any disciplinary action has been taken by any regulatory or licensing board in this or any other state, subsequent to the registrant's last renewal; take the California Law and Ethics examination each year until successful passage; certify under penalty of perjury their compliance with the continuing education requirements, as specified. The association registration may be renewed a maximum of five times and may not 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 may apply for and obtain a subsequent associate registration number, if no further renewals are possible, if the applicant meets the educational requirements for registration and has passed the California Law and Ethics examination. An applicant who is issued a subsequent associate registration number must not be employed or volunteer in private practice. (BPC §§ 4984.01, 4996.28, and 4999.100)
- 12) Establishes a \$20 fee for rescoring an examination in the LMFT Practice Act, LEP Practice Act, LCSW Practice Act, and LPCC Practice Act. (BPC §§ 4984.7 (a)(5), 4989.68 (a)(6), 4996.3 (a)(5), and 4999.120 (a)(9))
- 13) Specifies that an applicant for licensure as an educational psychologist shall not be credited with experience obtained more than six years immediately preceding the date on which the application for licensure was received by the Board; and specifies that a passing score on the licensed educational psychologist written examination must be accepted by the Board for a period of seven years from the date the examination was taken. (BPC §§ 4989.20 (a)(5)(6)(B)(7)(B) and (a)(8))
- 14) Requires an associate marriage and family therapist prior to performing any mental health and related services to do the following: inform each client or patient that the person is an unlicensed registered associate marriage and family therapist; provide the person's registration number; the name of person's employer; and whether the person is under the supervision of an LMFT, LCSW, LPCC, LEP, a licensed psychologist, or a licensed physician certified in psychiatry by the American Board of Psychiatry and Neurology (BPC § 4980.44 (a))
- 15) Specifies that a trainee, prior to performing any professional service, must do the following: inform each client or patient that the trainee is an unlicensed marriage and family therapist trainee; provide the name of the trainee's employer; whether the trainee is under supervision of an LMFT, LCSW, LPCC, LEP, a licensed psychologist, or a licensed physician certified in psychiatry by the American Board of Psychiatry and Neurology; any person that advertises services performed by a trainee must include the trainee's name, the supervisor's license designation or abbreviation and the supervisor's license number. Specifies that any advertisement by or on behalf of a marriage and family therapist trainee must include, at minimum, the following: disclosure that the trainee is a marriage and family therapist trainee;

the name of the trainee's employer; and that the trainee is supervised by a licensed person. (BPC § 4980.48 (a)(3))

This bill:

- 1) Specifies that nothing in the LMFT Practice Act, the LCSW Practice Act, and the LPPC 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 professions; specifies that qualified members of other professional groups include physicians and surgeons, registered nurses, licensed psychologists, members of the State Bar, marriage and family therapists, educational psychologists, and clinical social workers.
- 2) Expands the exemption of any priest, rabbi, imam, or minister of the gospel, to include any other religious official of any denomination when providing faith-based counseling 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, if all the following criteria is met: the services are performed solely under the direct auspices of that faith-based entity; a separate fee, beyond their customary compensation from that faith-based entity, is not charged or received; they do not hold themselves out to the public by any title or description of services incorporating the words "psychosocial," "psychotherapy," or "marriage and family therapist," and may not imply that they are licensed or registered to practice marriage and family therapy; 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 diagnosis.
- 3) Removes the requirement that associates must attempt the California law and ethics examination within the first year of registration and every year thereafter until successful completion of the exam and instead requires the Board to grant eligibility authorizing associates to take the California law and ethics examination upon approval of an application for registration or licensure and submission of the application and fee. Allows applicants to retake the examination, if they fail, after any waiting period specified in regulations, and upon payment of the required fees and submission of the reexamination application.
- 4) 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 receipt of the application for the subsequent associate registration number.
- 5) Authorizes the Board to grant an applicant for licensure eligibility to take the clinical examination with completion of all required supervised work experience, education requirements and passage of the California law and ethics examination.
- 6) States that, after January 1, 2030, the California law and ethics examination must be passed within seven years prior to the application of an initial license issuance.

- 7) Authorizes an associate's hours of experience to be gained within seven years prior to the date the application for licensure was received by the Board, except as specified.
- 8) Requires the clinical examination for LMFTs, LCSWs, and LPCC's to be passed no more than seven years prior to the Board's receipt of the application for initial license issuance.
- 9) Authorizes associate marriage and family therapist registration to be renewed a maximum of six times. Prohibits any registration from being renewed or reinstated beyond seven years from the last day of the month it was issued.
- 10) Authorizes an applicant applying for or who currently holds a subsequent associate registration number may 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.
- 11) Deletes the fee for rescoring an examination.
- 12) Allows an applicant for an educational psychologist license to be credited with experience obtained within seven years immediately preceding the date on which the application for licensure was received by the Board.
- 13) 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.
- 14) Requires applicants, registrants, trainees and interns to inform each client or patient prior to initiating any mental health and related services that the person is unlicensed, provide the name of their employer or if not employed, the name of the entity for which they volunteer, and that they are under the supervision of a licensed professional; requires any advertisement by a marriage and family therapist trainee include the following: the trainee's name; disclosure that they are a trainee; the name of the trainee's employer, or if not employed, the name of the entity for which they volunteer; and that the trainee is supervised by a licensed professional.
- 15) Recasts provisions, makes technical, clarifying and conforming changes and deletes obsolete language.

FISCAL EFFECT: This bill is keyed fiscal by Legislative Counsel. According to the Assembly Committee on Appropriations, the Board estimates the two-year hardship extension for private practice under subsequent registration will result in a one-time backlog that will require additional staff to review and process approximately 2,700 extension requests from existing associates and respond to an estimated 1,350 inquiries before the workload normalizes. The Board will one analyst for one year to verify each request for legitimacy, ensure attestations are complete, and issue approval or denial letters. The Board will also need to update forms, FAQs, and website content, and conduct outreach to inform associates of changes to registration and licensure

requirements. The Board estimates one-time costs of \$133,000 for one analyst for one year.

The Board also anticipates ongoing workload to evaluate an additional year of supervised experience hours for applications annually, as well as a reduction in revenues due to fewer associates attempting the California Law and Ethics exam in their first year of registration. Annual costs would be approximately \$73,000 per year, or less, and are absorbable.

Finally, the Department of Consumer Affairs' Office of Information Services has determined this bill necessitates many changes to the licensing and enforcement system, at estimated costs of \$44,625, which is absorbable within existing resources.

COMMENTS:

1. **Purpose.** This bill is sponsored by the 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.
2. **Background.** The BBS is responsible for the regulatory oversight of over 148,000 licensees and registrants, including the licensing of LMFTs, LCSWs, LPPCs, and LEP's and the registering of Associate Clinical Social Workers, Associate Marriage and Family Therapists, and Associate Professional Clinical Counselors. Each profession has its own scope of practice, entry-level requirements and professional settings with some overlap in areas.

Registered associates must first demonstrate that they have obtained a qualifying master's degree. Registration allows them to work under supervision while accumulating the required 3,000 supervised experience hours for full licensure. During this registration period, associates must take the California Law & Ethics examination within the first year of registration and each renewal period until they pass. Associates are also required to pass a 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 subsequent registration. This additional registration permits them to continue working under supervision and collecting hours but prohibits them from providing services in a private practice or professional corporation.

Licensed individuals have completed all education, supervisory experience, examination requirements and are licensed to practice independently. They include LMFTs, LCSWs, LPPCs and LEPs.

This bill removes that requirement and instead allows registered associates to take the California Law & Ethics examination when they apply for registration or

licensure and it allows applicants to retake the examination, within a waiting period defined by the Board, and with submission of an application and all required fees. This bill increases the maximum number of associate registrations renewals from five to six, allowing a total of seven years of registration. This bill also requires the California Law and Ethics examination and the clinical examination to be passed within seven years prior to application for an initial license and prohibits the Board from issuing a subsequent registration number unless the applicant has passed the California Law and Ethics. Further, this bill extends the validity of the supervised experience hours from six to seven years and allows for a one-time, two-year hardship extension for certain associates, with a subsequent associate registration number, to continue working or volunteering in private practice or at a professional corporation with Board approval.

LEP's are required to obtain a master's degree, as specified, complete 60 units of postgraduate coursework, complete two years of full-time experience as a credentialed school psychologist and either one year of supervised professional experience in a school psychology program or an additional year of full time experience as a credentialed school psychologist in a public school supervised by a LEP or a licensed psychologist. Additionally, passage of the Board administered LEP written exam (the California Law and Ethics exam is incorporated into the LEP written exam) is required for licensure. This bill expands the validity of the experience hours from six to seven years and requires the passage of the LEP written examination within seven years of the Board's receipt of the application for an initial license instead of the current requirement of seven years from the date the examination was taken.

According to the author the existing timeline of six years to complete the supervised experience hours and the associate registration renewal limit of five renewals can create barriers for otherwise qualified applicants who encounter unexpected life events. These barriers can cause applicants to lose exam eligibility, previous completed experience hours, contribute to the existing behavioral workforce shortage, and impacts entry into the workforce. The Board of Behavioral Sciences reviewed these issues through its Workforce Development Committee, Policy and Advocacy Committee and through public Board meetings, identifying opportunities to reduce unnecessary administrative barriers while maintaining public protection. The findings of those discussions can be found in this bill.

The author further states that existing law contains inconsistent language regarding faith-based counseling exemptions across the various behavioral health practice acts. This bill modernizes the exemption for faith-based counseling by clarifying the criteria for when faith-based counseling is exempt from licensure. Specifically, this bill expands the exemption of any priest, rabbi, imam or minister of the gospel, to include any other religious official of any denomination if the faith-based counseling is part of their professional duties and is conducted in a legally recognized faith-based entity. This bill requires the faith-based services are performed solely under the direct auspices of that faith-based entity, prohibits a separate fee beyond customary compensation, and stipulates that any religious official must not use any defining titles or description such as " psychosocial," "psychotherapy," or "marriage and family therapist," or imply they are licensed or registered to practice as a

marriage and family therapist. Lastly, this bill prohibits any counseling services provided to involve a diagnosis or treatment of a mental health diagnosis.

To improve consistency and simplify compliance this bill establishes consistent client disclosure requirements for all associates, marriage and family therapists and professional clinical counselor trainees and social work interns by requiring them to disclose to clients or patients that they are unlicensed, identify their employer or volunteer entity, and disclose that they are practicing under supervision. This bill also aligns advertising requirements across all licensing categories, removes duplicative provisions, and makes conforming and technical statutory changes necessary to implement the Board's recently completed regulatory updates regarding advertising and consumer disclosures.

3. **Related Legislation.** SB 775 (Ashby, Chapter 787, Statutes of 2025) the sunset bill for the Board of Behavioral Sciences (BBS) and Board of Psychology (BOP) which makes various changes to the regulation of BBS and BOP licensees and registrants stemming from the joint sunset review oversight of the programs.
4. **Arguments in Support.** The Board of Behavioral Sciences is the sponsor of the bill and writes, "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."

The California Association of Marriage and Family Therapists note in support, "This bill improves consistency across the licensing laws and provides applicants and associates with additional flexibility by extending certain timelines related to experience, examinations, and registration renewals."

SUPPORT AND OPPOSITION:

Support:

Board of Behavioral Sciences
California Association of Marriage and Family Therapists

Opposition:

None received

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