

Date of Hearing: June 23, 2026

ASSEMBLY COMMITTEE ON BUSINESS AND PROFESSIONS

Marc Berman, Chair

SB 993 (Ochoa Bogh) – As Amended April 8, 2026

SENATE VOTE: 38-0

SUBJECT: Board of Behavioral Sciences: licensees: notices

SUMMARY: Authorizes the name and license or registration information of Board of Behavioral Sciences (BBS or Board) licensees and registrants to be withheld from clients in acute psychiatric hospitals or correctional settings, except as specified.

EXISTING LAW:

- 1) Establishes the BBS with the Department of Consumer Affairs to license and regulate licensed marriage and family therapists (LMFTs), clinical social workers (LCSWs), professional clinical counselors (LPCCs), and educational psychologists (LEPs), as well as registered associate marriage and family therapists (AMFTs), clinical social workers (ASWs), and professional clinical counselors (APCCs). (Business and Professions Code (BPC) §§ 4990 *et seq.*)
- 2) Requires a licensee or registrant to provide a client with a notice prior to initiating psychotherapy services, or as soon as practically possible thereafter, informing them that the BBS receives and responds to complaints regarding services provided by licensees or registrants. (BPC §§ 4980.32(a), 4989.17(a), 4996.75(a), and 4999.71(a))
- 3) Requires the notice above to 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. (BPC §§ 4080.32(b), 4989.17(b), 4996.75(b), and 4999.71(b))
- 4) Requires delivery of the notice above to the client to be documented. (BPC §§ 4080.32(c), 4989.17(c), 4996.75(c), and 4999.71(c))
- 5) Requires a licensee to display their license in a conspicuous place in the licensee's primary place of practice when rendering professional clinical services in person. (BPC §§ 4980.31, 4989.48, 4996.7, and 4999.70)

THIS BILL:

- 1) Authorizes, in the following practice settings, an employing entity or agency of a licensee or registrant to exercise discretion whether to include any or all of the information required in the notice based on individual safety concerns if the setting has an established process by which the client may request and obtain sufficient identification to file a complaint with the BBS, that process is disclosed to the client as part of the notice, and copy of the notice is preserved as part of the client's records:
 - a) An acute psychiatric hospital, as defined.

- b) A correctional treatment center, as defined.
 - c) Any setting where mental health services are provided to incarcerated individuals under the jurisdiction of a local, state, or federal correctional authority, including, but not limited to, a state prison, county jail, juvenile detention facility, or other correctional setting operated by, or under contract with, a governmental entity.
- 2) Specifies that if discretion is exercised, the licensee or registrant is responsible for ensuring the process to request and obtain identification information is in place.

FISCAL EFFECT: Pursuant to Senate Rule 28.8, no significant state costs anticipated.

COMMENTS:

Purpose. This bill is sponsored by the *American Federation of State, County and Municipal Employees, AFL-CIO*. According to the author:

[This bill] will address serious safety concerns facing mental health professionals working in correctional facilities, acute psychiatric hospitals, and other high-risk settings. Under current law, providers are required to share detailed identifying information with clients prior to delivering services. While it's important for transparency and accountability, the fails to protect licensees who are dealt with the realities of working with incarcerated and high-risk populations, where disclosing this information can expose providers and potentially their families to harassment, threats, or harm. [This bill] offers a balanced solution for these mental health providers by limiting identifying information but still ensuring patients have a clear and accessible process to request the information necessary to file a complaint with the appropriate licensing board. This bill will restore longstanding protections for mental health professionals ensuring that both the incarcerated population and providers are working in the safest environment possible.

Background. The BBS is responsible for licensing, examining, and enforcing professional standards for LMFTs, LCSWs, LEPs, and LPCCs. Additionally, the BBS registers AMFTs, ASWs, and APCCs. Associates have completed the educational requirements for licensure and are in the process of obtaining supervised experience. In total, the Board is responsible for regulatory oversight of more than 148,000 licensees and registrants. Each profession has its own scope of practice, entry-level requirements, and professional settings, with some overlap in areas.

California law used to require licensees to conspicuously display their license in their primary place of practice. However, this requirement was not helpful to clients who receive mental health services exclusively via telehealth. Consequently, SB 1024 (Ochoa Bogh), Chapter 160, Statutes of 2024, limited that requirement to apply only when licensees meet with clients in person. To ensure that all clients are provided with the name and license or registration information for their therapist or LEP, the bill also required licensees and registrants to include that information in a notice to clients.

The proponents of this bill report that since that requirement took effect, therapists have been stalked, harassed, and made to feel unsafe after providing services to incarcerated individuals. This bill would allow employers to withhold a therapist's or LEP's name and license or

registration information from a client in an acute psychiatric hospital or correctional facility based on individual safety concerns. However, the facility must have a process by which clients can request sufficient information about a licensee or registrant to file a complaint with the Board. The process must be disclosed to clients in the notice, and a copy of the notice must be included in clients' records.

Prior Related Legislation. SB 1024 (Ochoa Bogh), Chapter 160, Statutes of 2024, as it relates to this bill, required licensees and registrants to provide a mandatory notice to clients, including their full name, license or registration number, the type of license, and the license or registration expiration date, upon initiation of psychotherapy services.

SB 373 (Menjivar) of 2023, as it relates to this bill, would have prohibited the BBS from disclosing a licensee's or registrant's full address online and instead required the Board to disclose the licensee's or registrant's city, state, or zip code. *SB 373 was vetoed.*

AB 630 (Arambula and Low), Chapter 229, Statutes of 2019, required psychotherapy providers who provide services under a BBS license, registration, or exemption to give clients a notice disclosing where complaints against the provider may be filed and made various technical, clarifying, and conforming changes.

ARGUMENTS IN SUPPORT:

As the sponsor of this bill, the *American Federation of State, County and Municipal Employees, AFL-CIO* writes in support:

Recent changes to law under SB 1024 (Chapter 160, Statutes of 2024) requiring mental health providers to disclose detailed personal identifying information, including full name and license details to patients, were well-intentioned in improving transparency, particularly in telehealth settings. However, in correctional and secure psychiatric environments, these requirements can unintentionally expose therapists to significant risks. Mental health providers working with incarcerated populations often treat individuals with complex behavioral health needs, including those with histories of violence. Requiring routine disclosure of personally identifying information in these settings creates the potential for misuse of that information, placing not only the providers, but also their families, at risk. [This bill] allows employers in correctional and specified psychiatric settings to limit the routine disclosure of identifying information, while still ensuring that patients have a clear and accessible process to obtain the information necessary to file complaints with the appropriate licensing board. This preserves accountability while mitigating unnecessary risk.

ARGUMENTS IN OPPOSITION:

One individual writes in opposition:

I understand and share the bill's underlying concern: providers working in correctional facilities, acute psychiatric hospitals, and similar high-risk settings face real safety risks, and the legislature is right to take that seriously. However, as currently drafted, the bill's mechanism does not achieve its stated safety purpose and may create accountability gaps

without meaningfully protecting providers. The bill allows employing entities to omit a licensee's name, license number, license type, and expiration date from the required client notice based on individual safety concerns. The problem is that all of this information is already publicly accessible. The BBS maintains a public license lookup database searchable by a provider's first and last name. Additionally, California law requires licensees to maintain a public address of record with the board. This means that if a client receives a notice containing only a provider's name, or learns a provider's name by any other means, they can immediately locate the provider's license details and address through the BBS public database. Withholding license information from the client notice provides no meaningful barrier to someone determined to locate a provider. In short, the bill imposes new administrative burdens, creates a murky accountability structure that places responsibility on individual licensees of institutional processes they do not control, and does not address the actual mechanism by which provider information becomes accessible.

POLICY ISSUES:

Efficacy. While this bill would prevent the name and license or registration information of a therapist or LEP from being proactively provided to clients at psychiatric hospitals or correctional facilities, those clients may request such information to file a complaint with the BBS. With the full name or license or registration number of a therapist or LEP, a client may access any other information about a licensee or registrant that is publicly available on the Board's website, including an address. Therefore, this bill may not provide a wholesale solution to the concerns raised by the author and proponents.

IMPLEMENTATION ISSUES:

Conflicting Responsibility and Liability. First, this bill authorizes the employing entity or agency to exclude a licensee's or registrant's identifying information from the client notice. Because licensees and registrants are ultimately responsible for providing the notice to clients, the author may wish to clarify that a licensee or registrant may exclude identifying information in the required notice if authorized by the employing entity or agency.

Second, this bill makes licensees and registrants responsible for ensuring that a psychiatric hospital or correctional facility has a process in place for clients to request sufficient identifying information to file a complaint with the Board. This requirement is intended to prevent licensees and registrants from withholding identifying information from a notice without confirming that a psychiatric hospital or correctional facility has such a process in place. However, this bill already requires such a process to be identified in the notice whenever identifying information is withheld. Requiring the process to be included in the client notice arguably satisfies the goal of ensuring that a licensee or registrant has confirmed that the psychiatric hospital or correctional facility has a process in place for clients to request the information needed to file a complaint.

REGISTERED SUPPORT:

American Federation of State, County and Municipal Employees, AFL-CIO (Co-sponsor)
American Federation of State, County and Municipal Employees Council 57
California Baptist Capitol Ministry

County Behavioral Health Directors Association

REGISTERED OPPOSITION:

One individual

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