

A new (to California) form of licensure for mental health providers: Licensed Professional Clinical Counselors

With the passage of SB 788 in 2009, California created a new form of licensure for master's level mental health professionals: the Licensed Professional Clinical Counselor ("LPCC"). The LPCC Act is codified at Business and Professions Code section 4999.10 et seq. While California is often a leader in health law, in this case, the state was the last in the country to establish licensure for professional counselors.

California LPCC licensure will be overseen by the Board of Behavioral Sciences ("BBS"), the same agency regulating MFTs and LCSWs. Although the LPCC Act went into effect in 2010, LPCC applications did not become available through the BBS website until July 2011. The first LPCC licenses will likely be issued in 2012.

The Act defines "professional clinical counseling" as "the application of counseling interventions and psychotherapeutic techniques to identify and remediate cognitive, mental, and emotional issues, including personal growth, adjustment to disability, crisis intervention, and psychosocial and environmental problems." Professional clinical counseling seeks "to empower individuals to deal adequately with life situations, reduce stress, experience growth, change behavior and make well-informed, rational decisions."

Defined thus, it would seem the terrain of professional counseling might already be fully occupied by MFTs and LCSWs. However, the LPCC Act stipulates that professional clinical counseling does not include the assessment or treatment of couples or families unless the counselor has completed additional training and education. Further, advocates note that professional clinical counseling, unlike social work, does not focus on obtaining services for clients.

While it may not impinge on the practice area of MFTs and LCSWs, however, the creation of the LPCC license may, by implication, further narrow the practice of another group: unlicensed life coaches. The field of life coaching is not regulated directly under California law, and the BBS has issued no formal statements on the practice of life coaching. However, the BBS did state in a committee meeting that "life coaches do not perform services within the scope of practice of our licensees." In other words, life coaches can offer only those services not already within the scope of practice of another BBS-licensed profession. Prior to the establishment of the LPCC status, life coaches could focus on helping clients set goals and manage their lives. Now that assisting clients to "deal adequately with life situations" and "make well-informed, rational decisions" is part of the statutory scope of practice of LPCCs, it would seem that the permissible scope of practice for life coaches is effectively reduced. Life coaches should examine their services carefully to ensure they are working within these new bounds.

For more information on the LPCC, visit the BBS website at bbs.ca.gov or the California Association for Licensed Professional Clinical Counselors at calpcc.org.

Nelson Hardiman advises interested professionals on applying for the LPCC license or structuring life coaching practices in compliance with state law. For more information, please contact Laura Podolsky at lpodolsky@nelsonhardiman.com.