

MEDICAL BOARD OF CALIFORNIA
LEGISLATIVE ANALYSIS

BILL NUMBER: AB 1598
 AUTHOR: Quirk-Silva
 BILL DATE: January 16, 2026, Introduced
 SUBJECT: Behavioral Sciences
 SPONSOR: California Board of Behavioral Sciences

DESCRIPTION OF CURRENT LEGISLATION:

This bill revises and recasts certain aspects of the practice acts related to Marriage and Family Therapists, Educational Psychologists, Clinical Social Workers, and Professional Clinical Counselors, including exemptions related to faith-based counseling. These professionals are licensed and regulated by the California Board of Behavioral Sciences (BBS).

As it pertains to the Medical Board of California (Board), AB 1598 includes language that could prevent a physician from using the words “psychosocial” or “psychotherapy” when using any title or description of their services available to the public.

BACKGROUND

The [BBS](#) is the California state regulatory agency within the Department of Consumer Affairs responsible for licensing, examination, and enforcement of professional standards for the following health care providers:

- Licensed Marriage and Family Therapists and Associates
- Licensed Clinical Social Workers and Associates
- Licensed Professional Clinical Counselors and Associates
- Licensed Educational Psychologists

[Business and Professions Code \(BPC\) section 2052](#) provides for the scope of practice of a physician, authorizing them to use any system or mode of treating the sick or afflicted in this state, or to diagnose, treat, operate for, or prescribe for any ailment, blemish, deformity, disease, disfigurement, disorder, injury, or other physical or mental condition of any person. It is a crime for someone to perform any of the above-described services without a license from the Board, or an appropriate license from another state regulator, or some other exemption under the law.

The [National Cancer Institute](#) defines “psychosocial” to mean:

“In medicine, having to do with the mental, emotional, social, and spiritual effects of a disease, such as cancer. Some of the psychosocial effects of cancer are changes in how a patient thinks, their feelings, moods, beliefs, ways of coping, and relationships with family, friends, and co-workers. There are different kinds of psychosocial support that can help cancer patients, including counseling, education, group support, and spiritual support.”

The [American Psychological Association](#) defines “psychotherapy” to mean, “[a]ny psychological service provided by a trained professional that primarily uses forms of communication and interaction to assess, diagnose, and treat dysfunctional emotional reactions, ways of thinking, and behavior patterns.”

ANALYSIS

A fact sheet from the author’s office was not available by the time this analysis was published.

According to the BBS’ [August 2025 meeting materials](#) related to this legislation:

“[The BBS’] practice acts require a valid and active license or registration to provide services within the scope of marriage and family therapy, clinical social work, professional clinical counseling, and educational psychology.

While there are benefits to pastoral counseling for clients seeking guidance for personal matters, there are also concerns when an unlicensed individual, appearing to be working in their ministerial or pastoral capacity, incorporates practice methods into their counseling that are to be utilized by a licensed mental health professional. The [BBS] has occasionally received consumer complaints of this nature where it is noted the individual, claiming to be performing in their ministerial or pastoral capacity, is often providing counseling services independently outside of a religious organization, and the individual charges a fee for services separate from compensation received for the customary duties of a religious organization. In some cases, the [BBS] is unable to take disciplinary action due to the language in the current exemption laws.”

AB 1598, and certain other existing statutes within the jurisdiction of the BBS state that their practice acts shall not prevent other appropriately licensed individuals who are acting within their standards, ethics, and scope of practice from performing work of a psychosocial nature. Further, this proposal and these laws state that they shall not be construed to constrict, limit, or override the Medical Practice Act.

In light of these factors, Board staff reached out to BBS staff to raise concerns with the language in AB 1598 that conflicts with the authority of a physician to perform services of a psychosocial and psychotherapeutic nature, and, relatedly, appropriately, inform the public that they offer those services. BBS staff stated the key policy changes in AB 1598 pertain to counseling that is provided in a faith-based environment. Further, they

expressed willingness to collaborate with the Board to determine appropriate amendments to attempt to resolve concerns identified by Board staff.

Consideration of a Board Position

Board staff do not recommend that the Board adopt a position at this time. Rather, it is recommended that the Board direct staff to collaborate with BBS staff to address the above identified concerns, and report back at the Board's next Quarterly Board meeting on progress, including whether any amendments have been made to resolve the matter.

FISCAL: None identified.

SUPPORT: None identified.

OPPOSITION: None identified.

POSITION: Recommendation: No position recommendation. Instead, direct Board staff to collaborate with BBS as described above.

ATTACHMENT: [AB 1598, Quirk-Silva. Behavioral Sciences.](#)
Version: 1/16/26 – Introduced