
 <b>Behavioral Health Department</b> Alameda County Health	Signed by:  By: <u>BAT67CA0C0D444A...</u> <b>Karyn L. Tribble, PsyD, LCSW, Director</b>
<b>POLICY TITLE</b>  <b>Mental Health Professional Licensure Waiver</b>	<b>Policy No: 1603-3-1</b>  <b>Date of Original Approval:</b> 7/1/2002  <b>Date(s) of Revision(s):</b> 06/07/2012, 5/2/2023, <sup>6/24/2025</sup>

## PURPOSE

This policy establishes the requirements and procedures for securing a Professional Licensing Waiver (PLW) to provide Specialty Mental Health Services (SMHS) in Alameda County.

## AUTHORITY

- California Department of Health Care Services (DHCS) Behavioral Health Information Notice (BHIN) No. [24-033](#) (Supersedes BHIN 20-069; Department of Mental Health (DMH) Letter 10-03)
- [Welfare and Institutions Code \(W&I Code\) §5751.2](#)

## SCOPE

All County-operated programs and entities and programs providing mental health services under a contract or subcontract with Alameda County Behavioral Health Department (ACBHD) are required to adhere to this policy, irrespective of payer source. This policy does not apply to individuals who are hired at facilities licensed by the California Department of Public Health (CDPH). Such waiver requests must be forwarded to CDPH for approval.

## BACKGROUND

Pursuant to W&I section 5751.2, no person shall be employed in local mental health programs to provide services for which a license is required unless the person possesses a valid license. DHCS may waive the professional licensure requirements for specified individuals employed or under contract or subcontract with ACBHD to provide mental health services. Waivered professionals may provide SMHS when supervised by a licensed mental health professional in accordance with laws and regulations governing the waiver.

## POLICY

### Waiver Requirements and Eligibility

PLWs are required for the following individuals employed or under contract or subcontract with the Mental Health Plan (MHP) to provide SMHS:

- Those who have earned a doctorate degree from an accredited or approved university, college or professional school in the subject area of Psychology,

Educational Psychology or Education with the field of specialization in counseling or educational psychology and are gaining post-doctoral experience required for licensure.

- Psychologists, Clinical Social Workers, Marriage and Family Therapists, or Professional Clinical Counselors who have been recruited for employment from outside of California, and whose experience is sufficient to gain admission to the appropriate California licensing examination for their profession.

PLWs are not required but can be requested for unlicensed individuals who will be employed or under contract or subcontract with the MHP to provide SMHS and have completed 48 semester/trimester or 72 quarter units of graduate coursework in psychology (not including thesis, internship or dissertation) and working to complete their pre-doctoral Supervised Professional Experience (SPE).

#### Waiver Duration

- I. PLWs are granted by DHCS and are valid for five (5) years from the waiver approval date or until the individual seeking waiver obtains appropriate licensure, whichever occurs first.
- II. PLWs cannot be extended beyond the five-year timeframe and run continuously from the start date.
- III. The five-year term may not be postponed, paused, deferred, or otherwise suspended for any reason.

#### Change in Employer

- I. If a waived individual changes employers, or contracts or subcontracts with a new MHP to provide mental health services during the five-year waiver period, a new waiver application must be submitted to DHCS.
- II. While the application is under review, the individual is not allowed to provide SMHS where a professional licensure waiver is required.
- III. The five-year timeframe does not start over when any new employment begins.
- IV. If a waived individual changes positions within the same MHP, a new waiver is not required.

ACBHD and its contractors and subcontractors (the employer of the waived clinician) may not allow an individual seeking a waiver to begin work for which a license or waiver is required until DHCS has approved the PLW application and they have been furnished with a copy of the approved waiver from ACBHD. Employers are responsible for ensuring that all personnel, including those who require a waiver, perform duties within their scope of practice.

**PROCEDURE**

- I. Agencies should begin the waiver application process prior to the employment start date for individuals requiring a waiver.
- II. When hiring a waived clinician, agencies must verify the status of existing waivers at the onset of employment.
- III. The agency planning to employ the waived clinician shall complete and submit the [Mental Health Professional Licensure Waiver \(PLW\) Application](#) to ACBHD. The application will collect the information needed for ACBHD to apply for a PLW on behalf of the waiver applicant. Supporting documentation must be submitted using the following criteria:
  - For Ph.D., Psy.D. students or doctoral graduates, a certified copy of the individual's doctoral program transcript from an accredited or approved educational institution, issued within 30 days of the request. The transcript must include the individual's full name and demonstrate that the individual has completed minimum requirements to qualify for a PLW. The transcript shall not be a printout from the student's institutional account but obtained from the institution's Registrar's office.
  - For Psychologists, Clinical Social Workers, Marriage and Family Therapists, or Professional Clinical Counselors who have been recruited for employment from outside of California, a copy of the individual's current license and a notice from the appropriate California licensing board that the individual has been accepted to sit for the applicable California licensing exam for their profession. A copy of the email from the licensing board confirming the individual's licensing exam date is sufficient to meet this requirement.
  - For waived clinicians seeking a change of employment, a copy of the existing waiver.
- IV. The ACBHD director or designee will review the application and supporting documentation and submit the completed application packet to DHCS, Medi-Cal Behavioral Health Division, Professional Licensing Waivers Unit at [MH LicensingWaivers@dhcs.ca.gov](mailto:MH LicensingWaivers@dhcs.ca.gov).
- V. DHCS will review the application packet to ensure that all required information has been provided, validate the individual's eligibility and notify ACBHD of their waiver decision in writing within 30 calendar days of receipt of the application. Additionally, DHCS will email ACBHD if there are any questions regarding the application or need additional supporting documentation.
- VI. ACBHD will communicate with applicants and employers regarding any DHCS questions or additional requests related to the submitted application.

- A. Missing information is due to DHCS within 30 calendar days from the date of request from DHCS.
  - B. Responses should be submitted by agencies to ACBHD and will be forwarded to DHCS.
  - C. If the applicant fails to submit the requested information by the deadline, the application will be denied and will need to be resubmitted.
  - D. In the event of a denial, the provider may submit a new application immediately; there is no waiting period for resubmitting an application.
- VII. Upon receipt of the waiver decision from DHCS, ACBHD will communicate the outcome to the agency and if approved, will provide the agency with the clinician's DHCS Mental Health Professional Licensing Waiver. ACBHD will maintain copies of all waivers and a tracking log of all PLWs issued.

#### Appealing DHCS Waiver Denials

- I. Within 30 calendar days of receiving a DHCS denial notice, agencies can request that the denial be appealed by ACBHD on their behalf.
- II. An appeal letter should be sent to [QAOffice@acgov.org](mailto:QAOffice@acgov.org) include an explanation stating the reasons why the appeal should be granted and related documentation in support of the appeal.
- III. ACBHD will email the appeal information to DHCS at [MHLicensingWaivers@dhcs.ca.gov](mailto:MHLicensingWaivers@dhcs.ca.gov).
- IV. DHCS will notify ACBHD in writing regarding their appeal decision within 30 calendar days of receipt of the appeal.
- V. ACBHD will notify the agency of the appeal determination.
- VI. DHCS's appeal decision is final.

### **CREDENTIALING REQUIREMENTS**

PLW applicants, as well as current waiver holders, shall adhere to ACBHD's credentialing process and set up a [CAQH Profile](#). Please see ACBHD's [Credentialing and Re-Credentialing Verification for ACBH Policy](#) for more information.

### **NON-COMPLIANCE**

- I. Contractors and subcontractors not in compliance with contract provisions, or with State or Federal law and/or regulations, shall be immediately responsible for remedy.
- II. ACBHD may, at its discretion, issue a Corrective Action Plan (CAP) or Contract Compliance Plan (CCP), as appropriate.

- III. The cost to implement the CAP or CCP shall be borne by the Contractor or subcontractor.
- IV. Staff shall report incidents of non-compliance to their department manager, who shall submit a Non-Compliance Report to ACBHD Quality Management (QM).
- V. Non-Compliance Reports shall be submitted within 15 days of reasonable awareness of the non-compliance.
- VI. Failure to address identified issues may result in further action by ACBHD up to and including program termination, as specified in the ACBHD Contract Compliance and Sanctions for ACBHD Contracted Providers Policy.
- VII. Staff shall not face retribution for submitting a notice of non-compliance.

## CONTACT

ACBHD Office	Current Date	Email
Quality Assurance	05/16/2025	<a href="mailto:QAOffice@acgov.org">QAOffice@acgov.org</a>

## DISTRIBUTION

This policy will be distributed to the following:

- ACBHD Staff
- ACBHD Contract Providers
- Public

## ISSUANCE AND REVISION HISTORY

**Original Authors:** Kyree Klimist, Quality Assurance Associate Administrator

**Original Date of Approval:** 07/01/2002 by Marye L. Thomas, MD, Mental Health Director

Revision Author	Reason for Revision	Date of Approval by (Name, Title)
Marye L. Thomas, MD, Mental Health Director	Alignment with DMH Letter 10-03	06/07/2012
Torfeh Rejali, QA Administrator	Alignment with DHCS BHIN 20-069	5/2/2023, by Karyn L. Tribble, PsyD, LCSW, Behavioral Health Director

Tiffany Murphy, QA Administrative Specialist II	Alignment with DHCS BHIN <a href="#">24-033</a>	6/24/2025 By Karyn L. Tribble, PsyD, LCSW, Behavioral Health Director
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## APPENDICES

None