

NOTICE OF BOARD MEETING

Department of Consumer Affairs
1747 North Market Blvd HQ 2 Hearing Room #186
Sacramento, CA 95834
(916) 574-7720

February 2-3, 2023**Board Members**

Lea Tate, PsyD, President
Shacunda Rodgers, PhD, Vice
President
Sheryll Casuga, PsyD, CMPC
Marisela Cervantes, EdD, MPA
Seyron Foo
Mary Harb Sheets, PhD
Julie Nystrom
Stephen Phillips, JD, PsyD
Ana Rescate

Board Staff

Antonette Sorrick, Executive Officer
Jon Burke, Assistant Executive Officer
Sandra Monterrubio, Enforcement
Program Manager
Liezal McCockran, CE/Renewals
Coordinator
Troy Polk, Legislative/Regulatory/Budgets
Analyst
Mai Xiong, Licensing/BreEZe Coordinator
Sarah Proteau, Central Services Office
Technician
Brittany Ng, Board Counsel
Heather Hoganson, Regulatory Counsel

Thursday, February 2, 2023

The Board plans to webcast this meeting on its website. Webcast availability cannot, however, be guaranteed due to limitations on resources or technical difficulties that may arise. If you wish to participate or to have a guaranteed opportunity to observe, please plan to attend at the physical location. Adjournment, if it is the only item that occurs after a closed session, may not be webcast. A link to the webcast will be available on the Board's Website at 9:00 a.m. February 2, 2023, or you may access it at: <https://thedcapage.wordpress.com/webcasts/>. Links to agenda items with attachments are available at www.psychology.ca.gov, prior to the meeting date, Thursday, February 2, 2023.

AGENDA**9:00 a.m. – 5:00 p.m. or until Completion of Business**

Unless noticed for a specific time, items may be heard at any time during the two-day period of the Board meeting.

The Board welcomes and encourages public participation at its meetings. The public may take appropriate opportunities to comment on any issue before the Board at the time the item is heard. If public comment is not specifically requested, members of the public should feel free to request an opportunity to comment.

1. Call to Order/Roll Call/Establishment of a Quorum
2. President's Welcome
3. Public Comment for Items Not on the Agenda. Note: The Board May Not Discuss or Take Action on Any Matter Raised During this Public Comment Section, Except to Decide Whether to Place the Matter on the Agenda of a Future Meeting [Government Code sections 11125 and 11125.7(a)].
4. President's Report (L. Tate)
 - a) Mindfulness Exercise (Rodgers)
 - b) 2023 Meeting Calendar
5. Executive Officer's Report (A. Sorrick)
 - a) Personnel Update
 - b) COVID-19 Update
6. Discussion and Possible Approval of the Board Meeting Minutes: November 17-18, 2022
7. Department of Consumer Affairs (DCA) Update
8. Budget Presentation (J. Burke, DCA Budget Office)
9. Enforcement Report (S. Monterrubio)
10. Licensing Timeframes Update – Short-Term and Long-Term Solutions to the Application Backlogs (J. Burke)
11. Organizational Improvement Office – Internal Process Improvement Review of Licensing, Central Services, and Enforcement Units – Status and Improvements Identified (J. Burke)
12. Licensure Committee Report and Consideration of Committee Recommendations (Harb Sheets – Chairperson, Nystrom, Tate)
 - a) Licensing Report
 - b) Continuing Education and Renewals Report
 - c) Examination Report
 - d) Board Response to Psychologist Applications – Correspondence Review
 - e) Examination for Professional Practice in Psychology (EPPP) 2 Status

BREAK FOR LUNCH (TIME APPROXIMATE)

CLOSED SESSION

The Board will Meet in Closed Session Pursuant to Government Code Section 11126(c)(3) to Discuss Disciplinary Matters Including Petitions for Reinstatement, Modification, or Early Termination, Proposed Decisions, Stipulations, Petitions for Reconsideration, and Remands.

RETURN TO OPEN SESSION

Friday, February 3, 2023

9:30 a.m. – 5:00 p.m. or until Completion of Business

13. Call to Order/Roll Call/Establishment of a Quorum
14. Behavioral Health Workforce Challenges - Sergio Aguilar-Gaxiola, MD, PhD
Professor of Clinical Internal Medicine, Director, Center for Reducing Health Disparities, Director, Community Engagement Program of the CTSC, UC Davis School of Medicine
15. Public Comment for Items Not on the Agenda. Note: The Board May Not Discuss or Take Action on Any Matter Raised During this Public Comment Section, Except to Decide Whether to Place the Matter on the Agenda of a Future Meeting [Government Code sections 11125 and 11125.7(a)].
16. Legislative and Regulatory Affairs Committee Updates (Cervantes – Chairperson, Casuga, Phillips)
 - a) Board Legislation for 2023: Updates (M. Cervantes)
 - 1) Fee Schedule: Business and Professions Code section 2987
 - 2) Suicide Risk Assessment and Intervention Coursework and Aging and Long-Term Care Coursework: Business and Professions Code sections 2915.4 and 2915.5
 - 3) Patient Privilege: Business and Professions Code section 2918
 - 4) California Psychological Association Legislative Proposal 2023: Business and Professions Code section 2914
 - b) Legislative Items for Future Meeting. The Board May Discuss Other Items of Legislation in Sufficient Detail to Determine Whether Such Items Should be on a Future Board Meeting Agenda and/or Whether to Hold a Special Meeting of the Board to Discuss Such Items Pursuant to Government Code section 11125.4.
 - c) Regulatory Update, Review, and Consideration of Additional Changes (M. Cervantes)

- 1) 16 California Code of Regulations (CCR) sections 1391.13, and 1391.14 – Inactive Psychological Assistant Registration and Reactivating a Psychological Assistant Registration
 - 2) 16 CCR 1395.2 – Disciplinary Guidelines and Uniform Standards Related to Substance-Abusing Licensees
 - 3) 16 CCR sections 1380.3, 1381, 1381.1, 1381.2, 1381.4, 1381.5, 1382, 1382.3, 1382.4, 1382.5, 1386, 1387, 1387.1, 1387.2, 1387.3, 1387.4, 1387.5, 1387.6, 1387.10, 1388, 1388.6, 1389, 1389.1, 1391, 1391.1, 1391.3, 1391.4, 1391.5, 1391.6, 1391.8, 1391.11, and 1391.12 – Pathways to Licensure
 - 4) 16 CCR sections 1380.6, 1393, 1396, 1396.1, 1396.2, 1396.3, 1396.4, 1396.5, 1397, 1397.1, 1397.2, 1397.35, 1397.37, 1397.39, 1397.50, 1397.51, 1397.52, 1397.53, 1397.54, 1397.55 - Enforcement Provisions
- d) Possible Action on Rulemaking regarding 16 CCR sections 1391.1, 1391.2, 1391.5, 1391.6, 1391.8, 1391.10, 1391.11, 1391.12, 1392.1 – Psychological Associates
17. Enforcement Committee Report and Consideration of Possible Action on Committee Recommendations (Phillips – Chairperson, Foo)
- a) Business and Professions Code (BPC) sections 2995-2999
 - 1) BPC section 2995 – Psychological corporation
 - 2) BPC section 2996 – Violation of unprofessional conduct
 - 3) BPC section 2996.1 – Conduct of practice
 - 4) BPC section 2996.2 – Accrual of income to shareholder while disqualified prohibited
 - 5) BPC section 2997 – Shareholders, directors and officers to be licensees
 - 6) BPC section 2998 – Name
 - 7) BPC section 2999 – Regulation by committee
 - b) Corporations Code sections 13401-13410
 - 1) Corporations Code section 13401 – Definitions
 - 2) Corporations Code section 13401.3 – “Professional services”
 - 3) Corporations Code section 13401.5 – Licensees as shareholders, officers, directors, or employees.
 - 4) Corporations Code section 13402 – Corporation rendering services other than pursuant to this part; Conduct of business by corporation not professional corporation
 - 5) Corporations Code section 13403 – General Corporation Law; Applicability
 - 6) Corporations Code section 13404 – Formation; Certificate of registration
 - 7) Corporations Code section 13404.5 – Certificate of registration to transact intrastate business; Liability of shareholders
 - 8) Corporations Code section 13405 – License requirement for persons rendering professional services; Employment of nonlicensed personnel
 - 9) Corporations Code section 13406 – Professional corporations; Stock; Financial statements; Voting; Nonprofit law corporations

- 10) Corporations Code section 13407 – Transfer of shares; Restriction; Purchase by corporation; Suspension or revocation of certificate
 - 11) Corporations Code section 13408 – Specification of grounds for suspension or revocation of certificate
 - 12) Corporations Code section 13408.5 – Fee splitting, kickbacks, or similar practices
 - 13) Corporations Code section 13409 – Name of corporations; Provisions governing
 - 14) Corporations Code section 13410 – Disciplinary rules and regulations
- c) 16 CCR sections 1397.35-1397.40
- 1) 16 CCR section 1397.35 – Requirements for Professional Corporations
 - 2) 16 CCR section 1397.37 – Shares: Ownership and Transfer
 - 3) 16 CCR section 1397.39 – Corporate Activities
 - 4) 16 CCR section 1397.40 – Trusts
- d) Probation Overview
- 1) 16 CCR section 1395.2 – Disciplinary Guidelines and Uniform Standards Related to Substance-Abusing Licensees: Review and Consider Draft Language Clarifying Interpretation of Duration of Weekly Psychotherapy Probation Condition
18. Review and Propose Edits to Board Publication, “For Your Peace of Mind – A Consumer’s Guide to Psychological Services”
19. Review and Propose Edits to Draft Survey Questions to Assess Barriers to Telehealth
20. Recommendations for Agenda Items for Future Board Meetings. Note: The Board May Not Discuss or Take Action on Any Matter Raised During This Public Comment Section, Except to Decide Whether to Place the Matter on the Agenda of a Future Meeting [Government Code Sections 11125 and 11125.7(a)].

ADJOURNMENT

Action may be taken on any item on the agenda. Items may be taken out of order or held over to a subsequent meeting, for convenience, to accommodate speakers, or to maintain a quorum. Meetings of the Board of Psychology are open to the public except when specifically noticed otherwise, in accordance with the Open Meeting Act.

If a quorum of the Board becomes unavailable, the president may, at their discretion, continue to discuss items from the agenda and to vote to make recommendations to the full board at a future meeting [Government Code § 11125(c)].

The meeting is accessible to the physically disabled. To request disability-related accommodations, use the contact information below. Please submit your request at

least five (5) business days before the meeting to help ensure availability of an accommodation.

You may access this agenda and the meeting materials at www.psychology.ca.gov. The meeting may be canceled without notice. To confirm a specific meeting, please contact the Board.

Contact Person: Antonette Sorrick
1625 N. Market Boulevard, Suite N-215
Sacramento, CA 95834
(916) 574-7720
bopmail@dca.ca.gov

The Board of Psychology protects consumers of psychological services by licensing psychologists, regulating the practice of psychology, and supporting the evolution of the profession.