

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 Sorricks, 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
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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.

2023 Board Meeting/Event Calendar

Board Meeting

Event	Date	Location	Agenda/Materials	Minutes	Webcast
Board Meeting	February 2-3, 2023	IN PERSON Sacramento	Agenda		
Board Meeting	May 19, 2023	Webex			
Board Meeting	August 18, 2023	Webex			
Board Meeting	November 2-3, 2023	IN PERSON Los Angeles			

Licensure Committee

Event	Date	Location	Agenda/Materials	Minutes	Webcast
Licensure Committee Meeting	January 13, 2023	Webex	Agenda Materials		Webcast
Licensure Committee Meeting	July 21, 2023	Webex			

Legislative and Regulatory Affairs Committee

Event	Date	Location	Agenda/Materials	Minutes	Webcast
Legislative and Regulatory Affairs Committee	April 7, 2023	Webex			
Legislative and Regulatory Affairs Committee	June 16, 2023	Webex			

Outreach and Communications Committee

Event	Date	Location	Agenda/Materials	Minutes	Webcast
Outreach and Communications Committee Meeting	September 22, 2023	Webex			

EPPP Ad hoc Committee

Event	Date	Location	Agenda/Materials	Minutes	Webcast
EPPP Ad hoc Committee Meeting	April 28, 2023	Webex			

MEMORANDUM

DATE	January 13, 2023
TO	Psychology Board Members
FROM	Antonette Sorrick, Executive Officer
SUBJECT	Executive Officer's Report: Agenda Item 5(a-b)

Background:

The following items are included in the memo below or attached.

- 1) Personnel Update
- 2) Waiver Update

Personnel Update

Authorized Positions: 27.30

Temp Help: 1.7

Vacancies: 2.0

New Hires	
Classification	Program
Cecelia Voon (Central Services Technician)	Central Services Unit
Taylor MacDonald (Enforcement Analyst)	Enforcement Unit
Troy Polk (Legislative and Regulatory Analyst)	Central Services Unit

Promotions

Vacancies
<ol style="list-style-type: none"> 1. Central Services Technician position (OT) Vacancy. This vacancy was made effective on 10/24/22 when Jason Lun was promoted to licensing analyst for the Licensing Unit. The final filing date for this position was 10/15/22. 2. Central Services Manager (SSM1) Vacancy. This vacancy was made effective on January 23, 2023. The job has been posted and the final filing date for the position was 1/19/23.

Waivers

The Board currently has three active waivers that are active dependent upon the continued declared emergency by the Governor. The declared emergency is scheduled to conclude on February 28, 2023.

Attachments

Waiver Update

Action Requested:

This item is for informational purposes only.

Waiver Topic	Code Section(s) Waived	Summary	Submission Date	Approval Status	Submitted By	Waiver Status
CPLÉE for Restoration of License	Business and Professions Code Section 2986 California Code of Regulation Section 1397.67(b)	This waiver would allow the board to restore licenses of psychologists whose California licenses have cancelled without requiring the board's law and ethics examination (CPLÉE). This waiver would become effective 3/4/20 until 6/30/20, or when the declaration of emergency is lifted. This would be consistent with the DCA Waiver DCA-20-02 Reinstatement of Licensure. This waiver would help with the workforce surge.	Submitted to Director Kirchmeyer on 4/9/2020	Referred to the Board for Delegation. Approved by Board on 4/17/20. Expires when declared emergency is lifted on February 28, 2023.	Board of Psychology	Active
SPE Time Limitation	California Code of Regulations Section 1387(a)	The regulation allows a psychological trainee to request that the Board extend the time limitations of 30/60 consecutive months to accrue their pre-doctoral and post-doctoral hours of supervised professional experience (respectively) required for licensure. The waiver requested would be to allow applicants who reach the 30/60 month limitations between 3/4/20 and 6/30/20 up to an additional 6 months, or when the declaration of emergency is lifted, whichever is sooner, to accrue their hours. This waiver would help with the workforce surge.	Submitted to Director Kirchmeyer on 4/9/2020	Referred to the Board for Delegation. Approved by Board on 4/17/20. Expires when declared emergency is lifted on February 28, 2023.	Board of Psychology	Active

Psych Associate 72 month Limit	California Code of Regulations Section 1391.1(b)	This waiver would allow a psychological associate to continue their registration, beyond the 72 months limit upon request, and to provide services to clients for up to six months from the expiration date, or when the state of emergency ceases to exist, whichever is sooner. A psychological associate who has reached the registration limit between 3/4/2020 and 6/30/2020 will qualify for the wavier and can request for such waiver during the state of emergency. This will help with the workforce surge.	Submitted to Director Kirchmeyer on 4/9/2020	Referred to the Board for Delegation. Approved by Board on 4/17/20. Expires when declared emergency is lifted on February 28, 2023.	Board of Psychology	Active
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MEMORANDUM

DATE	January 17, 2023
TO	Board of Psychology
FROM	Sarah Proteau Central Services Technician
SUBJECT	Agenda Item # 6 – Discussion and Possible Approval of the Board Meeting Minutes: November 17-18, 2022

Background:

Attached are the draft minutes of the November 17-18, 2022, Board Meeting.

Action Requested:

Review and approve the minutes of the November 17-18, 2022, Board Meeting.

1 November 17-18, 2022, Meeting Minutes

2
3
4 **Board Members**

5 Lea Tate, PsyD, President
6 Seyron Foo, Vice President
7 Sheryll Casuga, PsyD, CMPC
8 Marisela Cervantes, EdD, MPA
9 Mary Harb Sheets, PhD
10 Julie Nystrom
11 Stephen Phillips, JD, PsyD
12 Ana Rescate
13 Shacunda Rodgers, PhD

14
15 **Board Staff**

16 Antonette Sorrick, Executive Officer
17 Jon Burke, Assistant Executive Officer
18 Stephanie Cheung, Licensing Manager
19 Jason Glasspiegel, Central Services Manager
20 Sandra Monterrubio, Enforcement Program Manager
21 Liezel McCockran, CE/Renewals Coordinator
22 Sarah Proteau, Central Services Office Technician
23 Norine Marks, Board Counsel
24 Heather Hoganson, Regulatory Counsel

25
26 **Agenda Item 1: Call to Order/Roll Call/Establishment of a Quorum**

27
28 President Tate called the meeting to order, roll was called, and a quorum established.

29
30 There was no Board or public comment offered.

31
32 **Agenda Item 2: President's Welcome**

33
34 Dr. Tate welcomed all participants, read the Mission Statement of the Board, and stated
35 that Item 5(a) Mindfulness Exercise would be taken after Item 3, after which they would
36 continue with Item 4.

37
38 There was no Board or public comment offered.

39
40 **Agenda Item 3: Public Comment for Items Not on the Agenda. Note: The Board**
41 **May Not Discuss or Take Action on Any Matter Raised During this Public**
42 **Comment Section, Except to Decide Whether to Place the Matter on the Agenda**
43 **of a Future Meeting [Government Code sections 11125 and 11125.7(a)].**
44

45 Dr. Tate introduced this item.

46

47 There was no Board or public comment offered.

48

49 **Agenda Item 5: President's Report**

50

51 a) Mindfulness Exercise (Rodgers)

52

53 Dr. Rodgers led the participants in a mindfulness exercise.

54

55 Dr. Tate expressed appreciation for Dr. Rodgers.

56

57 **Agenda Item 4: Executive Officer's Report**

58

59 a) Personnel Update

60 b) COVID-19 Update

61

62 Ms. Sorrick provided this update. She stated the Governor's emergency order would
63 expire on February 28, 2023, and that the active waivers were included in the meeting
64 materials.

65

66 There was no Board or public comment offered.

67

68 **Agenda Item 5: President's Report Continued**

69

70 b) 2023 Meeting Calendar

71

72 Dr. Tate provided this update which was referenced within the meeting materials and
73 listed on the Board website.

74

75 There was no Board or public comment for Item 5.

76

77 **Agenda Item 6: Discussion and Possible Approval of the Board Meeting Minutes:**
78 **August 19, 2022**

79

80 Dr. Tate presented this item.

81

82 Ms. Marks, Legal Counsel, provided a minor edit to the minutes that Item 9 (d) should
83 state that delegation was made to Drs. Harb Sheets and Cervantes to meet with EO
84 and staff versus the Licensure Committee to review.

85

86 It was M/(Foo)/S(Harb Sheets)/C to adopt minutes as modified by Ms. Marks.

87

88 There was no Board or public comment offered.

89 Votes: 9 Ayes (Casuga, Cervantes, Foo, Harb Sheets, Nystrom, Phillips, Rescate,
90 Rodgers, Tate), 0 Noes

91

92

93 **Agenda Item 7: Department of Consumer Affairs (DCA) Update**

94

95 Ms. Judie Bucciarelli, DCA Board and Bureau Relations, provided this update.

96

97 Mr. Foo asked if there was anything that the Board should look ahead to prepare for any
98 economic forecast in relation to the budget shortfall.

99

100 Ms. Bucciarelli stated that she was unable to provide that information but that the
101 question could be directed to Board and Bureau Relations for clarification.

102

103 There was no further Board and no public comment offered.

104

105 **Agenda Item 8: Budget Report**

106

107 Mr. Glasspiegel provided this update. He stated that there would be a more thorough
108 budget report and discussion at the February 2023 Board meeting.

109

110 Discussion ensued regarding the historical condition of the Board fund balance, the
111 situations that would entail a loan to the general fund and if DCA would provide timely
112 reports or responses related to budget.

113

114 Dr. Phillips asked Ms. Munoz if it would be anticipated that there would be any further
115 loans from the Board fund to the general fund.

116

117 Ms. Munoz stated that if the Board fund was in a deficit there would be no loan.

118

119 Mr. Branch, DCA Budget Office, provided an update on the fund condition balance with
120 historical data included.

121

122 Dr. Tate asked if the report included the fee increase, which it did not. It was determined
123 that this would be included once a fee increase passed through the legislature.

124

125 Ms. Sorrick provided historic context of the efforts made by the Board and DCA to
126 address the budget deficit.

127

128 There was no further Board and no public comment offered.

129

130 **Agenda Item 9: Enforcement Report**

131

132 Ms. Monterrubio provided this report.

133
134 There was no Board or public comment offered.

135
136 **Agenda Item 10: Licensing Unit Report**

137
138 Ms. Cheung provided this update. She stated that the Licensing unit was fully staffed
139 with three new staff members. She provided BreZE updates as well as information on
140 application workload.

141
142 Ms. Cheung provided an update on the turnaround timeframes for various applications
143 and reported shortened processing times.

144
145 Discussion ensued regarding the lowered wait times and how short and long-term
146 solutions have been effective in addressing the processing time challenges.

147
148 There was no further Board or public comment offered.

149
150 **Agenda Item 11: Continuing Education and Renewals Program Report**

151
152 Ms. McCockran provided this update.

153
154 Discussion ensued regarding the process of CE audits and reasons a licensee may fail
155 an audit.

156
157 There was no further Board and no public comment offered.

158
159 **10:30 a.m. - Petition Hearing-Robert Francis**

160
161 Administrative Law Judge Ed Washington presided. Deputy Attorney General Ryan
162 Yates was present and represented the People of the State of California. Mr. Amit Singh
163 was present and represented Dr. Robert Francis, Psy.D., who was also present.

164
165 **CLOSED SESSION**

166
167 The Board will Meet in Closed Session Pursuant to Government Code Section
168 11126(c)(3) to Discuss Disciplinary Matters Including Petitions for Reinstatement,
169 Modification, or Early Termination, Proposed Decisions, Stipulations, Petitions for
170 Reconsideration, and Remands.

171
172 **1:30 p.m. - Petition Hearing- Carol Davis**

173
174 Administrative Law Judge Ed Washington presided. Deputy Attorney General Kalev
175 Kaseoru was present and represented the People of the State of California. Dr. Carol
176 Davis, Psy.D., was present and represented herself.

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3:00 p.m. - Petition Hearing-Letha Grayson

Administrative Law Judge Ed Washington presided. Deputy Attorney General Aaron Lent was present and represented the People of the State of California. Dr. Letha Grayson, Psy.D., was present and represented herself.

4:30 pm- Petition Hearing-Sheila Shilati

Administrative Law Judge Ed Washington presided. Deputy Attorney General Ryan Yates was present and represented the People of the State of California. Mr. Kevin Cauley was present and represented Dr. Sheila Shilati, Psy.D., who was also present.

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.

The Board adjourned at 7:16 p.m.

Friday, November 18, 2022

Agenda Item 16: Call to Order/Roll Call/Establishment of a Quorum

President Tate called the meeting to order at 9:49 a.m., roll was taken, and a quorum established.

CLOSED SESSION

Agenda Item 17: The Board will Meet in Closed Session Pursuant to Government Code Section 11126(a)(1) to Conduct its Annual Evaluation of its Executive Officer.

CLOSED SESSION

Agenda Item 18: 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 Reinstatement and Modification of Penalty, Petitions for Reconsideration, and Remands.

RETURN TO OPEN SESSION

221
222 **Agenda Item 19: Public Comment for Items Not on the Agenda. Note: The Board**
223 **May Not Discuss or Take Action on Any Matter Raised During this Public**
224 **Comment Section, Except to Decide Whether to Place the Matter on the Agenda**
225 **of a Future Meeting [Government Code sections 11125 and 11125.7(a)].**
226

227 There was no public comment offered.
228

229 **Agenda Item 20: Outreach and Communications Committee Report and**
230 **Consideration of and Possible Action on Committee Recommendations**
231

232 a) Strategic Plan Action Plan Update
233

234 Dr. Tate provided this update, which was informational only, with no action required.
235

236 There was no Board or public comment offered.
237

238 b) Social Media Update
239

240 Mr. Glasspiegel provided this update, which was informational only, with no action
241 required.
242

243 There was no Board or public comment offered.
244

245 c) Website Statistics Update
246

247 Mr. Glasspiegel provided this update, which was informational only, with no action
248 required.
249

250 There was no Board or public comment offered.
251

252 d) Update on Newsletter
253

254 Dr. Tate provided this update, which was informational only, with no action required.
255

256 There was no Board or public comment offered.
257

258 e) Outreach Activities Update
259

260 Ms. Sorrick provided this update, which was informational only, with no action required.
261

262 There was no Board or public comment offered.
263

264 f) Presentation by the Association of State and Provincial Psychology Boards on
265 their Centre for Data and Analysis on Psychology Licensure InFocus Edition; Discussion
266 and Questions to Follow.

267
268 Dr. Tate provided this update, which was informational only, with no action required.

269
270 Dr. Horn, ASPPB, commented that the materials which had been provided by ASPPB
271 included information from different states and provinces which listed different aspects
272 about how Boards function.

273
274 There was no Board and no public comment

275
276 g) Review and Propose Edits to Board Publication “For Your Peace of Mind – A
277 Consumer’s Guide to Psychological Services”

278
279 Ms. Sorrick introduced this item, the Board went through each page, and edits were
280 provided by Board members.

281
282 Public comment

283
284 Dr. Elizabeth Winkleman, California Psychological Association, commented that CPA
285 could be added to the pamphlet as a possible place that consumers could search for
286 providers.

287
288 Discussion ensued regarding different organizations and what would be an appropriate
289 way to provide options of search access to consumers who were looking for
290 psychologists without the appearance of endorsement by the Board.

291
292 Ms. Marks provided comment that it may be possible to give options of categories, state
293 and national associations or professional publications.

294
295 Dr. Phillips agreed to assist in creating a list of possible options to potentially include if it
296 was determined to be appropriate.

297
298 Discussion ensued regarding a broader category or option list to assist consumers
299 searching for a provider.

300
301 The Board then continued with edits.

302
303 It was M/(Harb Sheets)/S(Cervantes)/C to adopt the suggested edits and have Board
304 staff work with Drs. Casuga and Harb Sheets regarding the assessment piece and work
305 with Dr. Phillips regarding the wording of third-party sites, then return to the board for
306 review of the two outstanding sections for approval at the February Board meeting.

307 There was no further Board or public comment offered.

308
309 Votes: 9 Ayes (Casuga, Cervantes, Foo, Harb Sheets, Nystrom, Phillips, Rescate,
310 Rodgers, Tate), 0 Noes

311
312 h) Review and Propose Edits to Draft Survey Questions to Assess Barriers to
313 Telehealth

314
315 Ms. Sorrick provided this update, and the Board went through each page and edits were
316 provided by Board members.

317
318 It was determined that due to the length of the item, it would be continued at the
319 February 2023 Board meeting.

320
321 There was no further Board or public comment offered.

322
323 **Agenda Item 21: Licensing Timeframes Update – Short-term and Long-Term**
324 **Solutions to the Application Backlogs**

325
326 Ms. Cheung provided this update which included announcements about the Licensing
327 Unit being fully staffed, changes in BreEZe, and current statistics.

328
329 Discussion ensued regarding the ongoing goal to convert various processes to paper
330 lite and how this could affect the processes within the Licensing Unit.

331
332 Dr. Elizabeth Winkleman, CPA, stated her appreciation for the work staff had done to
333 address the various issues that had risen from the Licensing Unit being understaffed.
334 She stated that response time to questions could still be improved and asked that this
335 issue continue to be addressed.

336
337 Discussion ensued on the ongoing efforts to improve response time to questions while
338 balancing this with the need to process licensure applications and other tasks. Some
339 data points were discussed within the CPA survey provided by Dr. Winkleman and it
340 was determined that if CPA were to do another survey, the Board would like to see the
341 data received.

342
343 Ms. Sorrick asked Dr. Winkelman if CPA would be willing to do a follow-up survey one
344 year after the initial survey conduction in order to compare to the established baseline
345 from the first survey.

346
347 There was no further Board or public comment offered.

348
349 **Agenda Item 22: Association of State and Provincial Psychology Boards (ASPPB)**
350 **EPPP2 Update – October 26, 2022 – Board of Directors**

351

352 Dr. Casuga introduced this item and Dr. Horn made herself available for questions.
353

354 Discussion ensued regarding the potential cost to test takers of the exam and how the
355 fee was set as well as concerns from programs at UC Berkeley, UCLA and the
356 University of Southern California that the EPPP Part 2 would not contribute meaningfully
357 to the enhancement of public protection.
358

359 Dr. Horn stated that the EPPP factual overview which was included in the meeting
360 materials responds point by point in response to concerns received.
361

362 Discussion ensued regarding competency and how that can be demonstrated. Dr. Tate
363 stated that this discussion would continue on this item at future Board meetings.
364

365 Dr. Casuga commented that the EPPP Ad Hoc Committee would meeting in April 2023
366 and would be prepared to present a recommendation of how the Board should proceed.
367

368 There was no further Board and public comment offered.
369

370 **Agenda Item 23: Legislative and Regulatory Affairs Committee Updates**

371

372 This item was postponed in the interest of time. Information was included in the meeting
373 materials.
374

375 **Agenda Item 24: Consideration of any Written Comments and Responses and** 376 **Possible Adoption of 16 CCR Sections 1391.1, 1391.2, 1391.5, 1391.6, 1391.8,** 377 **1391.10, 1391.11, 1391.12, 1392.1 – Psychological Associates.** 378

379 Mr. Glasspiegel provided this update, including background information, which was as
380 follows:
381

382 This rulemaking file brings the Board in compliance with the changes enacted by
383 Senate Bill 1193 from 2016, Senate Bill 547 from 2017, and Senate Bill 801 from 2021.
384 The amendments to the Board's regulations will clarify the requirements of delegated
385 supervisors and will update the registration and renewal process, including two new
386 forms which are being incorporated by reference.
387

388 This package was noticed for the initial 45-day comment period on June 7, 2022. The
389 comment period for this rulemaking file ended on August 2, 2022. During this comment
390 period, the Board received no comments.
391

392 On September 14, 2022, this package was noticed for a 15-day comment period as staff
393 requested to add and delete underlying documents from the rulemaking file, ensuring
394 that the correct minutes were referenced. The comment period for this correction to the
395 rulemaking file ended on September 30, 2022, and the Board received no comments.

396
397 Mr. Glasspiegel provided the staff recommendation: Staff recommends that the Board
398 adopt the regulation text with no changes with the following motion:

399
400 Adopt the text as noticed; Delegate to the Executive Officer the ability to make any
401 technical or non-substantive edits to the text in order to secure final approval from the
402 Office of Administrative Law.

403
404 It was M/(Foo)/S(Phillips)/C to adopt the text as noticed; Delegate to the Executive
405 Officer the ability to make any technical or non-substantive edits to the text in order to
406 secure final approval from the Office of Administrative Law.

407
408 There was no Board or public comment offered.

409
410 Votes: 9 Ayes (Casuga, Cervantes, Foo, Harb Sheets, Nystrom, Phillips, Rescate,
411 Rodgers, Tate), 0 Noes

412
413 The approved regulatory text was as follows:

414
415 Title 16. California Board of Psychology Department of Consumer Affairs

416
417 Proposed Text Concerning Psychological Associate Registration

418
419 Newly proposed language is shown as underlined. Newly proposed deletions are shown
420 as stricken.

421
422 **Title 16. California Board of Psychology**
423 **Department of Consumer Affairs**

424
425 **Proposed Text Concerning Psychological Associate Registration**
426

427 **Newly proposed language is shown as underlined. Newly**
428 **proposed deletions are shown as ~~stricken~~.**
429

430 **1. Amend Section 1391.1, Article 5.1, Division 13.1, Title 16, of the**
431 **California Code of Regulations to read:**

432
433 **§1391.1. Registration; Limitation of Registration Period.**

434
435 (a) Any person who meets the requirements of section 2913 of the Code ~~desiring to~~
436 ~~supervise~~ may apply for registration as a registered psychological associate by
437 submitting to the Board shall submit an application, on a form PSB 100, entitled
438 “Application For Registration As A Psychological Associate” (New 2021), which is
439 hereby incorporated by reference provided by the Board. If applying for a

440 registration with more than one supervisor, the applicant shall also submit form
441 PSB 101,
442 entitled "Notification To Add Or Change Supervisor Or Service Location For A
443 Psychological Associate" (New 2021), which is hereby incorporated by reference,
444 for each additional supervisor.

445 (b) Registration as a registered psychological associate shall be limited to a
446 cumulative total of six years (72 months). ~~Each~~ A registration shall be subject to
447 annual renewal pursuant to section 1391.12.

448 (c) For any registered psychological associate registered prior to ~~the effective date~~
449 ~~of this subdivision~~ October 23, 2011, subsequent renewals or registrations shall
450 be limited to a cumulative total of six years (72 months) from the date of the
451 registered psychological associate's next registration or renewal, whichever
452 occurs first.

453 (d) Upon showing of good cause as determined by the Board, these specified
454 time limitations may be reasonably ~~modified~~ extended.

455

456 ***NOTE: Authority cited: Sections 2913 and 2930, Business and Professions Code. Reference:***
457 ***Sections 27, 30, 114.5, 115.4, 144, 651, 2913, and 17500, Business and Professions Code.***

2. Amend Section 1391.2, of Article 5.1, Division 13.1, Title 16 of the California Code of Regulations to read:

§ 1391.2. Withdrawal of Applications.

~~An a~~Applications for registration ~~which that~~ has~~ve~~ not been completed within ninety (90) days after additional information has been requested by the Board shall be deemed ~~to~~ be withdrawn.

NOTE: Authority cited: Sections 2913 and 2930, Business and Professions Code.

Reference: Section 2913, Business and Professions Code.

3. Amend Section 1391.5, Article 5.1, Division 13.1, of Title 16 of the California Code of Regulations to read:

§ 1391.5. ~~Statement of Purpose; Supervision Required.~~

- (a) A registered psychological associate shall be under the direction and supervision of a licensed psychologist pursuant to section 1387.1, who is employed licensed to practice pursuant to Division 2 of the Code, and who works in the same setting in which the registered psychological associate ~~is employed~~ performs psychological functions. A licensed psychologist who is supervising registered psychological associates must comply with the supervision course requirements set forth in section 1387.1.
- (b) The supervisor shall provide a minimum of one (1) hour per week of individual face-to-face supervision to the registered psychological associate, unless more such supervision is required under Section 1387 or by the nature of the psychological functions performed by the registered psychological associate.
- (c) A registered psychological associate ~~employed by one of the organizations specified in section 2913 of the Code~~ may receive delegated supervision pursuant to section 1387(c) from a qualified psychologist other than a the primary supervisor to whom they are registered only if the delegated supervisor is also employed works within the same ~~organization~~ setting as the primary supervisor and registered psychological associate. ~~Otherwise, supervision may not be delegated under a registered psychological associate registration.~~

Note: Authority cited: Sections 2913 and 2930, Business and Professions Code.

Reference: Section 2913, Business and Professions Code.

4. Amend Section 1391.6, Article 5.1, Division 13.1, of Title 16 of the California Code of Regulations to read:

§1391.6. Supervisor's Responsibility.

- (a) Every supervisor of a registered psychological associate shall ~~have~~ be responsible for supervising the psychological functions performed by the registered psychological associate and ensuring that the education, training, and experience in the areas of psychological practice for which they will supervise, and shall be responsible for supervising the psychological functions performed by the psychological associate extent, kind and quality of the psychological functions performed by the associate are consistent with the supervisor's training and experience, and ensure that the associate complies with the provisions of the Code, the Board's regulations, and the ethical standards established by the American Psychological Association.
- (b) The supervisor shall ~~inform~~ ensure that each client or patient is informed, prior to the rendering of services by the registered psychological associate, that the associate is unlicensed and is under the direction and supervision of the supervisor, ~~as an employee~~ Each client or patient shall also be informed and that the supervisor shall have access to the client or patient's chart in fulfilling their supervisory ~~or~~ duties.
- (c) The supervisor shall be available to the registered psychological associate 100% of the time the associate is performing psychological functions. The availability can be in-person, by telephone, by pager or by other appropriate technology.
- (d) The supervisor shall ensure that a plan is in place to protect the client or patient or ~~client~~ in the event a client or patient/~~client~~ crisis or emergency occurs during any time the supervisor is not physically present at the established site at which the supervisee is working. The supervisor shall ensure that the supervisee thoroughly understands the plan in the event a client or patient crisis or emergency occurs.

Note: Authority cited: Sections 2913 and 2930, Business and Professions Code.

Reference: Section 2913, Business and Professions Code.

5. Amend Section 1391.8, Article 5.1, Division 13.1, Title 16 of the California Code of Regulations to read:

§ 1391.8. Employer Supervisor-Employee Registered Psychological Associate Business Relationship.

- (a) ~~No supervisor or employer of a registered psychological associate may charge pay a fee, monetary or otherwise, require monetary payment in consideration for the employment or supervision provided of a registered psychological associate. The supervisor or employer shall supply all provisions necessary to function as a registered psychological associate.~~
- (b) The registered psychological associate shall have no proprietary interest in the business of the supervisor or the employer.
- (c) The registered psychological associate shall not rent, lease, sublease, or lease-purchase office space from any entity for purposes of functioning as a registered psychological associate.

Note: Authority cited: Sections 2913 and 2930, Business and Professions Code.

Reference: Section 2913, Business and Professions Code.

6. Repeal Section 1391.10, Article 5.1, Division 13.1, Title 16 of the California Code of Regulations to read:

§ 1391.10. Annual Reports.

~~On or before the expiration of a registration, every supervisor of a registered psychological associate shall submit to the Board on a form provided by the Board a report for the registration period showing:~~

- ~~(a) The nature of the psychological functions performed by the registered psychological associate being supervised.~~
- ~~(b) Certification of employment.~~
- ~~(c) The locations at which the registered psychological associate provided the psychological functions and the type, extent and amount of supervision.~~
- ~~(d) A certification that the psychological functions performed by the registered psychological assoc were performed at a level satisfactory to ensure safety to the public.~~

Note: Authority cited: Section 2930, Business and Professions Code. Reference: Section 2913, Business and Professions Code.

7. Amend Section 1391.11, Article 5.1, Division 13.1, Title 16 of the California Code of Regulations to read:

§ 1391.11. Notification of ~~Termination~~ Change of Primary Supervisor or Location

- (a) A registered psychological associate shall submit to the Board, in writing, a request for any change of or addition of a primary supervisor, on form PSB 101 (New 2021), entitled "Notification To Add Or Change Supervisor Or Service Location For A Psychological Associate", incorporated by reference in 1391.1. Board approval of the request is required prior to rendering psychological services under the supervision of the new primary supervisor. A new supervision agreement is required, pursuant to section 1387, if there has been a change of supervisor and the registered psychological associate is accruing supervised professional experience.
- (b) Within thirty (30) days after the termination of the supervision between a primary supervisor and the employment of a registered psychological associate, or any change or addition of the location where services are being rendered by a registered psychological associate with the same primary supervisor, the employer registered psychological associate shall notify the Board in writing of such termination or change, on form PSB 101, as described in subsection (a) and incorporated by reference in 1391.1 setting forth the date thereof.

NOTE: Authority cited: Sections 2913 and 2930, Business and Professions Code.

Reference: Sections 27, 30, 144, 651, 2913, and 17500, Business and Professions Code.

8. Amend Section 1391.12, Article 5.1, Division 13.1, Title 16 of the California Code of Regulations to read:

§ 1391.12. Registered Psychological Associate Renewals.

- (a) A new registration shall expire annually, beginning one year after issuance. The registration of a registered psychological associate shall be renewed by the employer annually, on or before its expiration, and the following information shall be provided:
- (1) Name and registration number of the registered psychological associate, registration expiration date;
 - (2) Disclosure of whether the registered psychological associate has been convicted or has had a license or registration disciplined since the last renewal;
 - (3) Telephone number and email (if any) of the registered psychological associate; and

1 (4) A signed declaration under penalty of perjury that the information provided is
2 true and correct;

3 (b) The annual renewal fee required in section 1392.1 must be submitted to renew
4 the registration. A registration renewed 30 days after its expiration must be
5 accompanied by the delinquency fee required in section 1392.1 in order to be
6 renewed;

7 (c) A registered psychological associate who has been registered with the Board but
8 whose registration has expired and has not been renewed ~~by the employer~~ shall
9 not function as a registered psychological associate;

10 (d) ~~A registered psychological associate employed and registered by more than~~
11 ~~one employer shall have their registration renewed by each employer.~~

12 ~~(de) A registration not renewed by the registered psychological associate within 60~~
13 ~~days after its expiration shall become void be cancelled and shall not be reinstated~~
14 ~~and a new application for registration shall be submitted by the employer. A new~~
15 ~~registration must be obtained to perform psychological functions as a registered~~
16 ~~psychological associate.~~

17
18 **NOTE: Authority cited:** Sections 2913 and 2930, Business and Professions Code.

19 **Reference:** Section 2913, Business and Professions Code.

20
21 **9. Amend Section 1392.1, Article 5.1, Division 13.1, Title 16 of the**
22 **California Code of Regulations to read:**

23
24 **§ 1392.1. Registered Psychological Associate Fees.**

25
26 (a) The application fee for registration ~~as of~~ a registered psychological associate ~~which~~
27 ~~is payable by the supervisor~~ is \$40.00.

28 (b) The annual renewal fee for registration of a registered psychological associate is
29 \$40.00.

30 (c) The delinquency fee for a registered psychological associate is \$20.00.
31

32 **Note: Authority cited:** Sections 2913, 2930 and 2940, Business and Professions Code.

33 **Reference:** Sections ~~2688~~2948 and ~~2689~~2987, Business and Professions Code.
34
35
36
37
38
39

40 **Agenda Item 25: Regulatory Update, Review, and Consideration of Additional**
41 **Changes**

42
43 This item was postponed in the interest of time. Information was included in the meeting
44 materials.

45
46 **Agenda Item 26: Update on Implementation of Approved Continuing Professional**
47 **Development regulations -- 16 CCR sections 1381.9, 1397.60, 1397.61, 1397.62,**
48 **1397.67**

49
50 This item was postponed in the interest of time. Information was included in the meeting
51 materials.

52
53 **Agenda Item 27: Enforcement Committee Report and Consideration of Possible**
54 **Action on Committee Recommendations**

55
56 This item was postponed in the interest of time. Information was included in the meeting
57 materials.

58
59 **Agenda Item 28: Election of Officers**

60
61 Ms. Marks led the election of officers.

62
63 Dr. Phillips nominated Dr. Tate for the position of President. There were no other
64 nominations for President.

65
66 There was no Board or public comment offered.

67
68 Votes: 9 Ayes (Casuga, Cervantes, Foo, Harb Sheets, Nystrom, Phillips, Rescate,
69 Rodgers, Tate), 0 Noes

70
71 Mr. Foo nominated Dr. Rodgers for the position of Vice-President. There were no other
72 nominations for Vice-President.

73 There was no Board or public comment offered.

74
75 Votes: 9 Ayes (Casuga, Cervantes, Foo, Harb Sheets, Nystrom, Phillips, Rescate,
76 Rodgers, Tate), 0 Noes

77
78 Dr. Tate was re-elected as Board President and Dr. Rodgers was elected as Vice-
79 President.

80
81 **Agenda Item 29: Recommendations for Agenda Items for Future Board Meetings.**
82 **Note: The Board May Not Discuss or Take Action on Any Matter Raised During**
83 **This Public Comment Section, Except to Decide Whether to Place the Matter on**

84 **the Agenda of a Future Meeting [Government Code Sections 11125 and**
85 **11125.7(a)].**

86

87 There was no Board or public comment offered.

88

89 The meeting adjourned at 4:56 p.m.

90

DRAFT

MEMORANDUM

DATE	January 11, 2023
TO	Board of Psychology
FROM	Jonathan Burke Assistant Executive Officer
SUBJECT	Agenda Item #8 - Budget Presentation

Background:

In the Governor's 2022-23 budget after the January 10, 2023 changes, the Board has an appropriation of \$7,970,000. When fiscal year 2022-23 closes, the Board is estimated to revert 8.33% of its budget, or \$659,944.

Action Requested:

This item is informational purposes only. No action is required.

Attachment A: Budget Report: FY 2022-2023 through Fiscal Month 5

Attachment B: Fund Condition

Attachment C: Projected versus actual expenditures and revenue

0310 - Board of Psychology's Fund Analysis of Fund Condition
(Dollars in Thousands)
2023-24 Governor's Budget w/FM5 Projections

Prepared 1.20.2023

	Actual 2021-22	CY 2022-23	BY 2023-24	BY +1 2024-25	BY +2 2025-26
BEGINNING BALANCE	\$ 8,666	\$ 6,296	\$ 4,350	\$ 1,219	\$ -2,157
Prior Year Adjustment	\$ 119	\$ 0	\$ 0	\$ 0	\$ 0
Adjusted Beginning Balance	\$ 8,785	\$ 6,296	\$ 4,350	\$ 1,219	\$ -2,157
REVENUES, TRANSFERS AND OTHER ADJUSTMENTS					
Revenues					
4121200 - Delinquent fees	\$ 69	\$ 66	\$ 67	\$ 67	\$ 67
4127400 - Renewal fees	\$ 3,785	\$ 4,905	\$ 4,590	\$ 4,590	\$ 4,590
4129200 - Other regulatory fees	\$ 167	\$ 145	\$ 102	\$ 102	\$ 102
4129400 - Other regulatory licenses and permits	\$ 512	\$ 704	\$ 808	\$ 808	\$ 808
4143500 - Miscellaneous Services to the Public	\$ 1	\$ 2	\$ 0	\$ 0	\$ 0
4150500 - Interest Income from Interfund Loans	\$ 0	\$ 12	\$ 12	\$ 12	\$ 12
4163000 - Income from surplus money investments	\$ 29	\$ 35	\$ 22	\$ 22	\$ 22
4171400 - Escheat of unclaimed checks and warrants	\$ 2	\$ 1	\$ 0	\$ 0	\$ 0
4172500 - Miscellaneous revenues	\$ 0	\$ 2	\$ 2	\$ 2	\$ 2
Totals, Revenues	\$ 4,565	\$ 5,872	\$ 5,603	\$ 5,603	\$ 5,603
GF Loan Repayment Per Item 1111-011-0310 BA of 2020	\$ 0	\$ 900	\$ 0	\$ 0	\$ 0
Operating transfers to GF per EO E 21/22 -276	\$ -277	\$ 0	\$ 0	\$ 0	\$ 0
Totals, Transfers and Other Adjustments	\$ -277	\$ 900	\$ 0	\$ 0	\$ 0
TOTALS, REVENUES, TRANSFERS AND OTHER ADJUSTMENTS	\$ 4,288	\$ 6,772	\$ 5,603	\$ 5,603	\$ 5,603
TOTAL RESOURCES	\$ 13,073	\$ 13,068	\$ 9,953	\$ 6,822	\$ 3,446
Expenditures:					
1111 Department of Consumer Affairs Regulatory Boards, Bureaus, Divisions (S	\$ 6,334	\$ 7,259	\$ 8,159	\$ 8,404	\$ 8,656
9892 Supplemental Pension Payments (State Operations)	\$ 94	\$ 94	\$ 94	\$ 94	\$ 0
9900 Statewide General Administrative Expenditures (Pro Rata) (State Opera	\$ 349	\$ 456	\$ 481	\$ 481	\$ 481
TOTALS, EXPENDITURES AND EXPENDITURE ADJUSTMENTS	\$ 6,777	\$ 7,809	\$ 8,734	\$ 8,979	\$ 9,137
FUND BALANCE					
Reserve for economic uncertainties	\$ 6,296	\$ 5,259	\$ 1,219	\$ -2,157	\$ -5,691
Months in Reserve	9.7	7.2	1.6	-2.8	-7.5

NOTES:

Assumes workload and revenue projections are realized in BY +1 and ongoing.
 Expenditure growth projected at 3% beginning BY +1.

Department of Consumer Affairs
Expenditure Projection Report
 Board of Psychology
 Reporting Structure(s): 11112100 Support
 Fiscal Month: 5
 Fiscal Year: 2022 - 2023
 Run Date: 01/17/2023

PERSONAL SERVICES

Fiscal Code	Line Item	PY FM13	Budget	YTD + Encumbrance	Projections to Year End	Balance
5100	PERMANENT POSITIONS	\$1,892,210	\$1,753,000	\$673,719	\$1,811,248	-\$58,248
5100	TEMPORARY POSITIONS	\$22,783	\$47,000	\$21,014	\$59,751	-\$12,751
5105-5108	PER DIEM, OVERTIME, & LUMP SUM	\$29,628	\$22,000	\$6,327	\$31,000	-\$9,000
5150	STAFF BENEFITS	\$1,092,984	\$1,212,000	\$417,926	\$1,125,526	\$86,474
	PERSONNEL SERVICES	\$3,037,604	\$3,034,000	\$1,118,986	\$3,027,526	\$6,474

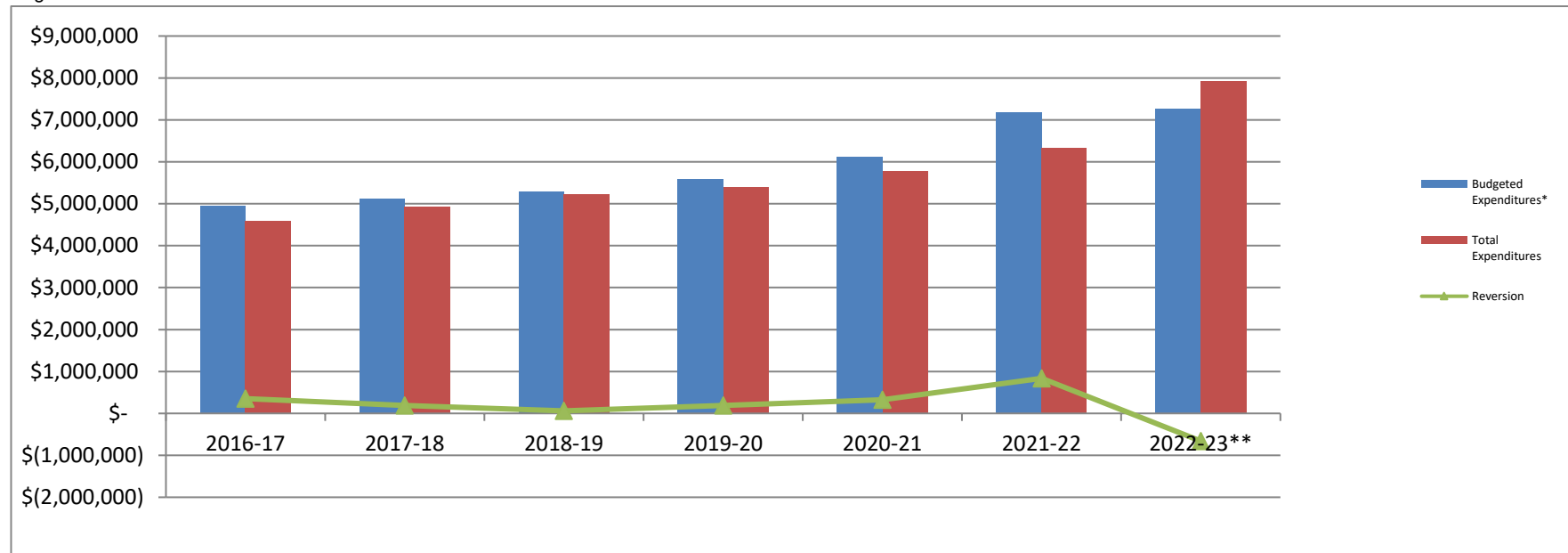
OPERATING EXPENSES & EQUIPMENT

Fiscal Code	Line Item	PY FM13	Budget	YTD + Encumbrance	Projections to Year End	Balance
5301	GENERAL EXPENSE	\$28,020	\$107,000	\$36,307	\$52,875	\$54,125
5302	PRINTING	\$12,896	\$55,000	\$19,560	\$19,672	\$35,328
5304	COMMUNICATIONS	\$6,337	\$31,000	\$1,055	\$6,600	\$24,400
5306	POSTAGE	\$5,358	\$19,000	\$360	\$5,500	\$13,500
5308	INSURANCE	\$48	\$0	\$0	\$50	-\$50
53202-204	IN STATE TRAVEL	\$1,077	\$25,000	\$0	\$1,100	\$23,900
5322	TRAINING	\$460	\$18,000	\$0	\$1,500	\$16,500
5324	FACILITIES	\$226,125	\$153,000	\$229,732	\$239,468	-\$86,468
53402-53403	C/P SERVICES (INTERNAL)	\$1,224,887	\$1,353,000	\$240,142	\$977,926	\$375,074
5340310000	Legal - Attorney General	\$1,003,021	\$974,000	\$240,142	\$852,726	\$121,274
5340320000	Office of Adminis Hearings	\$221,688	\$116,000	\$0	\$125,000	-\$9,000
53404-53405	C/P SERVICES (EXTERNAL)	\$396,246	\$633,000	\$273,530	\$425,600	\$207,400
5342	DEPARTMENT PRORATA	\$1,612,011	\$2,431,000	\$1,127,500	\$2,431,000	\$0
5342	DEPARTMENTAL SERVICES	\$48,986	\$54,000	\$23,685	\$49,240	\$4,760
5344	CONSOLIDATED DATA CENTERS	\$0	\$15,000	\$0	\$25,000	-\$10,000
5346	INFORMATION TECHNOLOGY	\$2,325	\$7,000	\$1,455	\$2,800	\$4,200
5362-5368	EQUIPMENT	\$8,337	\$35,000	\$33,605	\$41,200	-\$6,200
54	SPECIAL ITEMS OF EXPENSE	\$2,673	\$0	\$82	\$3,000	-\$3,000
	OPERATING EXPENSES & EQUIPMENT	\$3,575,786	\$4,936,000	\$1,987,012	\$4,282,531	\$653,469

Total, Personnel Services + OEE	\$3,575,786	\$7,970,000	\$3,105,998	\$7,310,056	\$659,944
Reimbursements		\$51,000		\$51,000	\$0
Total, Net Reimbursements		\$7,919,000		\$7,259,056	\$659,944
					8.33%

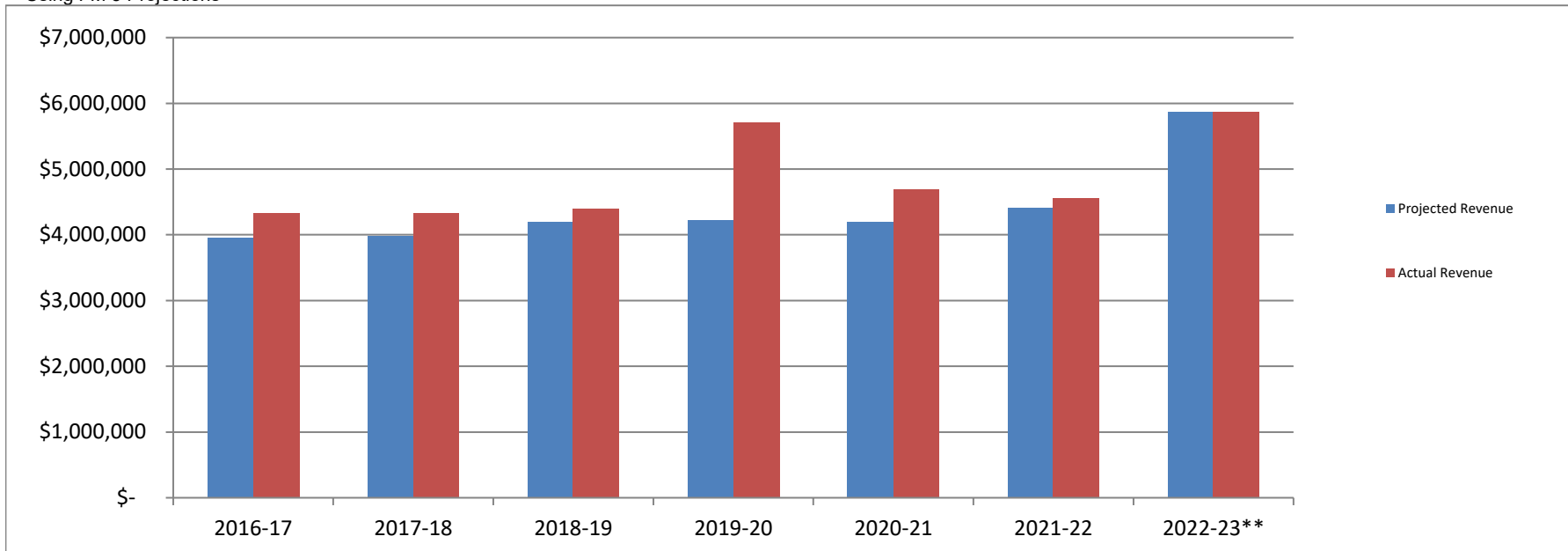
	Psychology Expenditure Comparison (Budgeted vs. Actual)						
	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23**
Budgeted Expenditures*	\$4,938,000	\$5,107,000	\$ 5,290,000	\$ 5,586,000	\$6,111,000	\$7,171,000	\$ 7,259,056
Total Expenditures	\$4,585,000	\$4,919,000	\$ 5,232,000	\$ 5,396,000	\$5,783,000	\$6,334,000	\$ 7,919,000
Reversion	\$ 353,000	\$ 188,000	\$ 58,000	\$ 190,000	\$ 328,000	\$ 837,000	\$ (659,944)

*Figures include reimbursements



Psychology Revenue Comparison (Projected vs. Actual)							
	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23**
Projected Revenue	\$3,951,000	\$3,981,000	\$ 4,195,000	\$ 4,219,000	\$4,201,689	\$4,411,000	\$ 5,872,000
Actual Revenue	\$4,337,000	\$4,328,000	\$ 4,404,000	\$ 5,716,000	\$4,690,000	\$4,565,000	\$ 5,872,000
Difference	\$ 386,000	\$ 347,000	\$ 209,000	\$ 1,497,000	\$ 488,311	\$ 154,000	\$ -

**Using FM 5 Projections



MEMORANDUM

DATE	January 17, 2023
TO	Psychology Board Members
FROM	Sandra Monterrubio, Enforcement Program Manager Board of Psychology
SUBJECT	Enforcement Report, Agenda Item 9

Please find attached the Overview of Enforcement Activity conveying complaint, investigation, and discipline statistics to date for the current fiscal year.

The Enforcement Unit has filled their vacancies except once because the employee is on leave and will return to the Board in May. New staff has completed their training and have been assigned a full caseload.

Complaint Program

Since July 1, 2022, the Board has received 526 complaints. All complaints received are opened and assigned to an enforcement analyst. We usually see a steady trend of 80-83 cases per month. However, we do see fewer cases submitted during November-December and that is most likely due to the holidays.

Citation Program

Since July 1, 2022, the Board has issued 20 (twenty) enforcement citations. Citation and fines are issued for minor violations.

Discipline Program

Since July 1, 2022, the Board has referred 17 (seventeen) cases to the Office of the Attorney General for formal discipline.

Probation Program

Enforcement staff is currently monitoring 46 active probationers. Of the 46 probationers, three (3) are out of compliance. Being out of compliance can result in a citation and fine or further disciplinary action through the Office of the Attorney General. There are currently 19 tolled probationers.

Attachments:

Overview of Enforcement Activity

Action Requested

This item is for informational purposes only.

BOARD OF PSYCHOLOGY

Overview of Enforcement Activity

LICENSES	18/19	19/20	20/21	21/22	22/23
Psychologist	21,329	18,763	22,058	22,289	22,523
Psychological Associates	1,361	1,344	1,348	1,450	1,701
COMPLAINTS					
Complaints Received ¹	1,093	1,092	1,130	742	526
Arrest Reports Received	40	43	32	34	9
Investigations Opened ²	862	829	788	761	381
ENFORCEMENT OUTCOMES					
Total Citations Issued	47	35	37	31	20
Total Cases Referred to AG	56	75	60	52	17
Accusations	31	47	32	29	13
Statement of Issues	4	10	1	4	1
Petition to Revoke Probation	3	2	2	0	0
Petitions for Penalty Relief	5	4	8	4	3
Petition for Reinstatement	5	3	3	3	1
Total Filings	48	66	46	28	
Accusations Withdrawn/Dismissed	7	1	3	3	0
Statement of Issues Withdrawn	0	3	2	0	0
Total Filings Withdrawn/Dismissed	7	4	5	3	0
Revocations	1	9	1	4	0
Probation	11	16	14	12	3
Surrender	9	12	12	7	8
Reprovals	1	2	6	7	2
Interim Orders	1	2	0	1	0
Statement of Issues-License Denied	0	0	1	1	0
Total Disciplinary Decisions	23	41	34	32	13
Petitions for Penalty Relief Denied	7	3	2	3	0
Petitions for Penalty Relief Granted	3	2	0	1	0
Petition for Reinstatement Granted	1	0	0	0	0
Petition for Reinstatement Denied	1	1	0	3	0
Total Other Decisions	12	6	2	7	0
VIOLATION TYPES					
Gross Negligence/Incompetence	20	28	29	24	13
Repeated Negligent Acts	13	15	25	17	11
Self-Abuse of Drugs or Alcohol	3	1	12	7	2
Dishonest/Corrupt/Fraudulent Act	6	10	6	7	7
Mental Illness	2	1	0	2	0
Aiding Unlicensed Practice	0	0	1	3	1
General Unprofessional Conduct	8	25	26	25	12
Probation Violation	12	6	7	5	0
Sexual Misconduct	3	4	7	8	3
Conviction of a Crime	8	7	10	8	1
Discipline by Another State Board	0	0	2	2	2
Misrepresentation of License Status	0	3	1	3	0

**Enforcement data pulled on August 1, 2022

¹ Complaints Received-refers to all complaints submitted to the Board even if the complaint does not fall within the Board's jurisdiction or if multiple complaints are filed regarding a single incident.

² Investigations Opened-refers to complaints where a desk investigation is initiated.

MEMORANDUM

DATE	January 5, 2023
TO	Board Members
FROM	Jon Burke Assistant Executive Office
SUBJECT	Agenda Item 10 Licensing Timeframes Update – Short-Term and Long-Term Solutions to the Application Backlogs

Background:

At the August 2022 Board Meeting, the Board was provided a snapshot of the current timeframes and the short-term and long-term plan to address the lengthened times observed in the beginning of the year. The Board was provided a subsequent update at the November 2022 Board Meeting. This is to provide another update about the status of the short-term temporary and long-term permanent solutions.

a) Short-Term Temporary Solutions

The Board acquires temporary help to assist with the review and processing of licensing and registration applications. Status of additional temporary personnel as follows: -

Temporary Personnel Positions	Status
1. Retired Annuitant	Onboarded since April 2022
2. Additional Retired Annuitant	Onboarded in mid-October 2022
3. Special Projects Coordinator	Onboarded since May 2022

b) Long-Term Permanent Solutions

The Board's long-term plan includes legislative and regulatory efforts, seeking additional resources through budget change proposal and redirecting personnel within the Board, and the ongoing evaluation and improvement of our business processes to drive enhancement changes of the BreEZe system.

Various Long-Term Solutions	Status
1a. Pathways to Licensure – Statutory changes	Complete
1b. Pathways to Licensure – Regulatory changes	Next up for drafting
2. Budget Change Proposal	Prepare for submission in Spring 2023
3. Redirecting Office Technician (OT) Position to the Licensing Unit	Onboarded in late October 2022
4. Review and prepare for PaperLite transition	Scheduled for Q1 2023

5. BreEZe changes	Ongoing
-------------------	---------

By putting in place the long-term and short-term solutions, the Board aims for positive impacts through shortening the processing timeframes compared to the beginning of the year. This reference information is updated approximately every two weeks. We are hopeful to maintain these improved timeframes as we continue to implement the above solutions.

Attachment:

Application Processing Timeframes

Action Requested:

For informational purposes only. No action is required.

The Board is currently processing applications received on the following dates as of January 6, 2023.

Type of Application/Request	Date Received*
Psychologist	
Application EPPP Eligibility/Out-of-State Applicants	November 22, 2022
CPLEE Request	December 2, 2022
Request for Initial Licensure	December 16, 2022
Supporting Documents/Correspondence	December 1, 2022
Psychological Associate	
Application	January 3, 2023
Notification to Add/Change Primary Supervisor(s)	December 27, 2022
Supporting Documents/Correspondence	January 5, 2023

**All applicants are notified when the Board receives their application. CPLEE Request, Request for Initial Licensure, Notification, and any subsequent documents/information received will be added to the processing queue automatically – Applicants will be notified regarding the status of their application when the review is complete.*

MEMORANDUM

DATE	January 17, 2023
TO	Psychology Board Members
FROM	Jon Burke, Assistant Executive Officer
SUBJECT	Organizational Improvement Office – Internal Process Improvement Review of Licensing, Central Services, and Enforcement Units – Status and Improvements Identified

Background:

The Board is working with the Department of Consumer Affairs Organizational Improvement Office (OIO) to review all our internal processes in enforcement, central services, and licensing.

- Part 1 - Identifying all processes and whether they are good or need improvement.
- Part 2 - Identify areas of process improvement.
- Part 3 – Implement recommendations

All Units have completed Parts 1 and 2. Board staff will deliver a presentation to the Board on the OIO process and what improvements have been implemented as a result.

Action Requested

This is an informational item. No action is requested

Attachments

OIO Presentation Slides



**Organizational Improvement Office –
Internal Process Improvement Review of
Licensing, Central Services, and
Enforcement Units – Status and
Improvements Identified**





Strategic Plan Goals

- 6.2 Collaborate with DCA to review internal processes and implement recommended improvements to better serve the stakeholders of the board.
- 6.3 Advance transition to reduce the use of paper documents to promote environmental friendliness and reduce costs over time





DCA's Organizational Improvement Office (OIO)

- OIO collaborates with DCA boards, bureaus and centralized services to identify opportunities for effective change and process improvement through business analysis. These include;
 - business process documentation and mapping,
 - development of system requirements for IT projects,
 - and providing support for special projects.





Purpose of the Project

- The purpose of the project was to modify business documentation in support of the Board's efficiency.
- The initial business activities phase consisted of identifying improvement opportunities in five main areas.





Business Activities Phase

- Create/update documentation for current processes.
- Create To-Be business process documentation.
- Identify opportunities and recommend improvements within the Board's Units.
- Address and recommend ways to fully utilize BreEZe capabilities.
- Identify opportunities and recommend strategies for going paper-light.





Process Mapping

- Central Services Unit - Reviewed 20 processes
- Licensing – Reviewed 19 processes
- Enforcement – Reviewed 32 processes





Project Outcomes; Central Services

- All Breeze related tasks were mapped and quantified in “personnel years”.
- Information justified a Budget Change Proposal to request two Office Technician (typing) positions to work in the Unit. (one was subsequently transferred to Licensing).
- Narrative descriptions of processes created with OIO have helped create job aids that retain knowledge once staff have left the Board.





Project Outcomes; Licensing

- Provided process mapping and time study for the licensing unit. This was helpful when staff prepared the Fee Analysis.
- Utilized BreEZe system to its full potential, worked with OIS to incorporate all application types into BreEZe.
- Unit was able to visualize and capture the details of our business processes and make changes to specific processes to meet program needs





Project Outcomes Enforcement

- Vacant positions had their processes documented which can be used to onboard new enforcement staff.
- Special investigations process was eliminated when the staff member left and now the process is done by DOI.
- The elimination of redundant steps in processes has reduced the time required to perform tasks.





Questions?



MEMORANDUM

DATE	January 11, 2023
TO	Board Members
FROM	Mai Xiong Licensing/BreEZe Coordinator
SUBJECT	Agenda Item 12(a) Licensing Unit Report

BreEZe Update:

On January 5, 2023, the new Application for Psychologist Requesting Retired Status has been made available online via BreEZe. The new application allows licensees, who hold a “Current” or “Inactive” license status, to apply to place their license in “Retired” status with an online payment option for the application fee. Also, requests to make conforming changes relating to Continuing Professional Development, previously known as Continuing Education, regarding psychologist renewal have been updated in BreEZe.

License/Registration Data by Fiscal Year:

License & Registration	13/14	14/15	15/16	16/17	17/18	18/19	19/20	20/21	21/22	22/23**
Psychologist*	***	20,575	20,227	20,024	20,580	21,116	22,005	22,218	22,289	22,507
Psychological Associate	***	1,701	1,580	1,446	1,446	1,361	1,344	1,348	1,450	1,703

*Includes licensees who are in Current and Inactive status

**As of January 11, 2023

***Statistics unavailable

On the Licensing Population Report (Attachment A), we added an additional column to reflect the new “Retired” license status that became effective January 1, 2023. As of January 11, 2023, there is a total of 11 psychologists in “Retired” license status.

As of January 13, 2023, there are 22,507 licensed psychologists and 1,703 registered psychological associates that are overseen by the Board. This includes 20,010 licensed psychologists who are in the “current” status and 2,497 licensed psychologists who are in the “inactive” status, which is provided in the Licensing Population Report. This report also provides a snapshot of the number of psychologists and psychological associates (formerly known as psychological assistants) in each status at the time it was generated.

Application Workload Reports:

The attached reports provide statistics from July 2022 through December 2022 on the application status by month for psychologist license and psychological associate registration (see Attachment B). On each report, the type of transaction is indicated on the x-axis of the graphs. The different types of transactions and the meaning of the transaction status are explained below for the Board's reference.

Psychologist Application Workload Report

"Exam Eligible for EPPP" (Examination for Professional Practice in Psychology) is the first step towards licensure. In this step, an applicant has applied to take the EPPP. An application with an "open" status means it is deficient or pending initial review.

"Exam Eligible for CPLEE" is the second step towards licensure. In this step, the applicant has successfully passed the EPPP and has applied to take the CPLEE. An application with an "open" status means it is deficient or pending review.

"CPLEE Retake Transaction" is a process for applicants who need to retake the CPLEE due to an unsuccessful attempt. This process is also created for licensees who are required to take the CPLEE due to probation. An application with an "open" status means it is deficient, pending review, or an applicant is waiting for approval to re-take the examination when the new form becomes available in the next quarter.

"Initial App for Psychology Licensure" is the last step of licensure. This transaction captures the number of licenses that are issued if the status is "approved" or pending additional information when it has an "open" status.

Psychological Associate Application Workload Report

Psychological Associate registration application is a single-step process. The "Initial Application" transaction provides information regarding the number of registrations issued as indicated by an "approved" status, and any pending application that is deficient or pending initial review is indicated by an "open" status.

Since all psychological associates hold a single registration number, an additional mechanism, the "Change of Supervisor" transaction, is created to facilitate the process for psychological associates who wish to practice with more than one primary supervisor or to change primary supervisor. A transaction is opened and processed when all information is received, thus there is no open status for this transaction type.

Applications and Notifications Received

Attachment C provides the number of new applications and notifications received in the last 12-month period. In comparison to the same 12-month period in 2021/2022, there is an increase of 238 psychologist applications, 21 psychological associate applications and 247 notifications.

Average Application Processing Timeframes

Attachment D (Average Application Processing Timeframes) provides a 6-month overview of average application processing timeframes in business days. The processing timeframes are collected and posted on the Board's website approximately every two weeks. The monthly average application processing timeframes provided on Attachment D are based on the first set of data collected for that month.

The average processing timeframes show a decrease trend for the six months timeframe provided in Attachment D for both psychologist and psychological associate applications and requests. The Board believes that with the implementation of the short-term and the beginning stage of the long-term solutions previously presented at the August and November 2022 Board meeting has contributed to the reduced average processing timeframes.

Attachments:

- A. Licensing Population Report as of January 11, 2023
- B. Application Workload Reports July 2022 – December 2022 as of January 11, 2023
- C. Applications and Notifications Received January 2022 – December 2022 as of January 11, 2023
- D. Average Application Processing Timeframes – August 2022 to January 2023 as of January 11, 2023

Action:

This is for informational purposes only. No action is required.



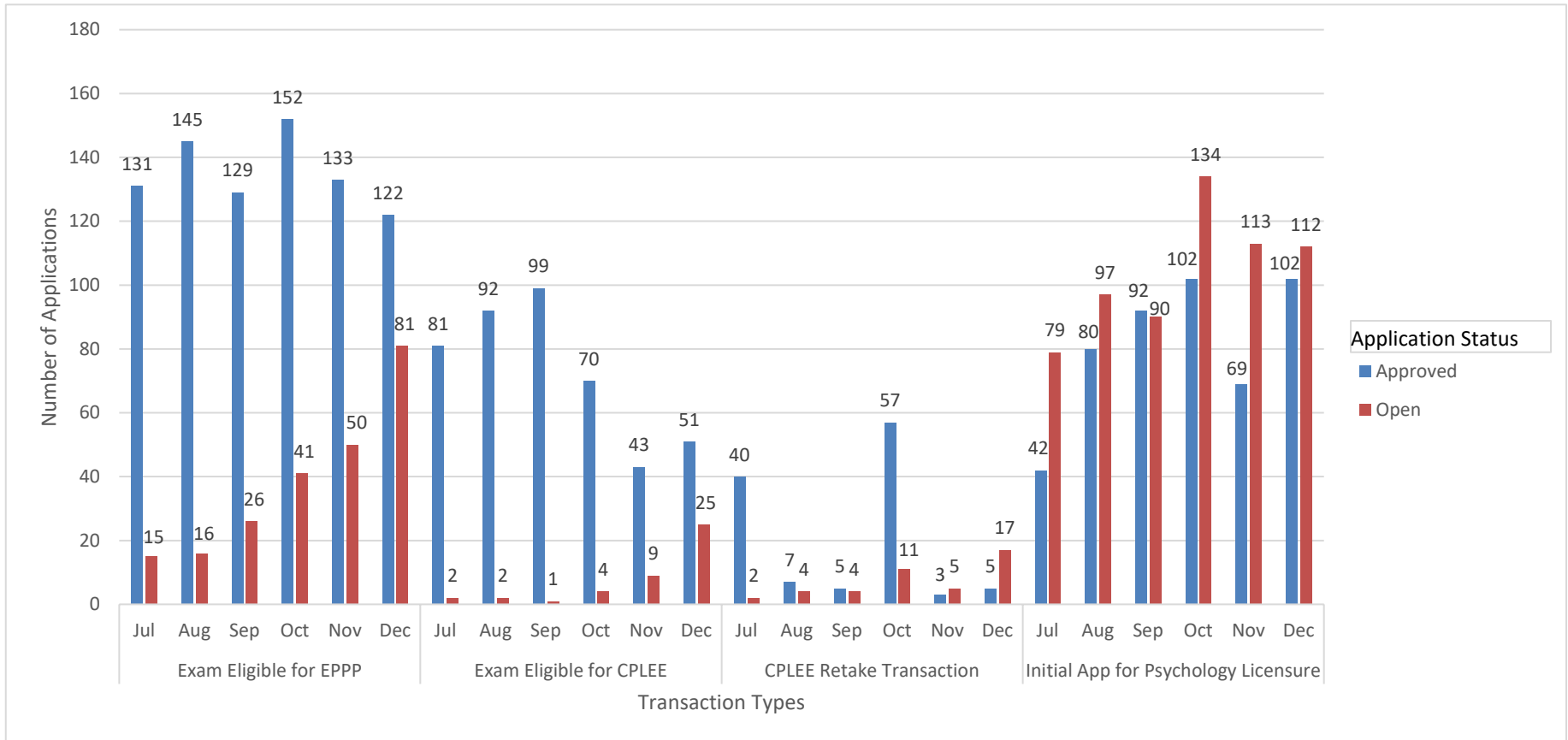
STATE DEPARTMENT OF CONSUMER AFFAIRS
BREEZE SYSTEM



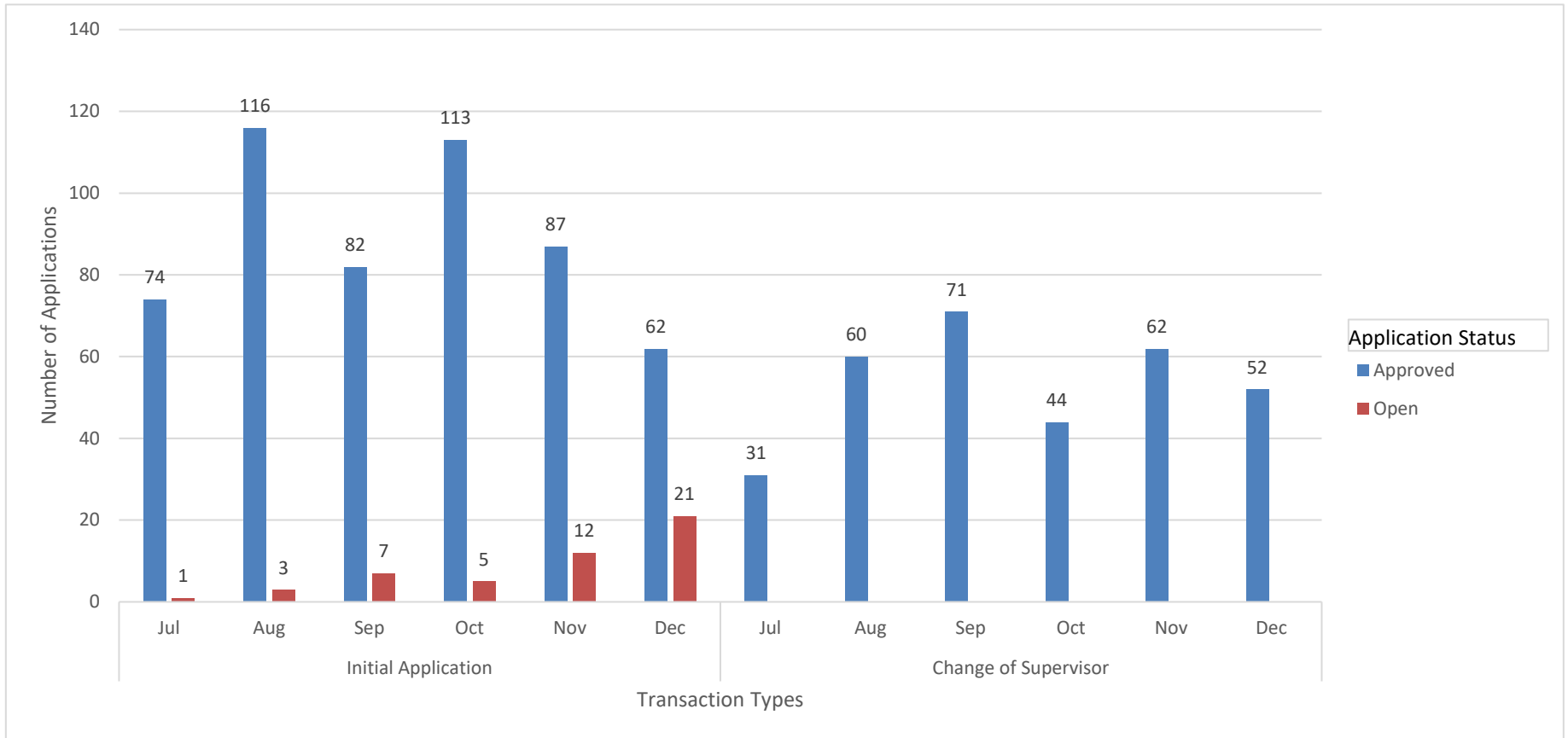
LICENSING POPULATION REPORT
BOARD OF PSYCHOLOGY
AS OF 1/11/2023

License Type	License Status									Total
	Licensing						Enforcement			
	Current	Inactive	Delinquent	Cancelled	Retired	Deceased	Surrendered	Revoked	Revoked, Stayed, Probation	
Psychologist	20,010	2,497	1,837	7,366	11	1,067	261	162	113	33,324
Psychological Associate	1,703	0	60	23,416	0	8	13	8	18	25,226
Total	21,713	2,497	1,897	30,782	11	1,075	274	170	131	58,550

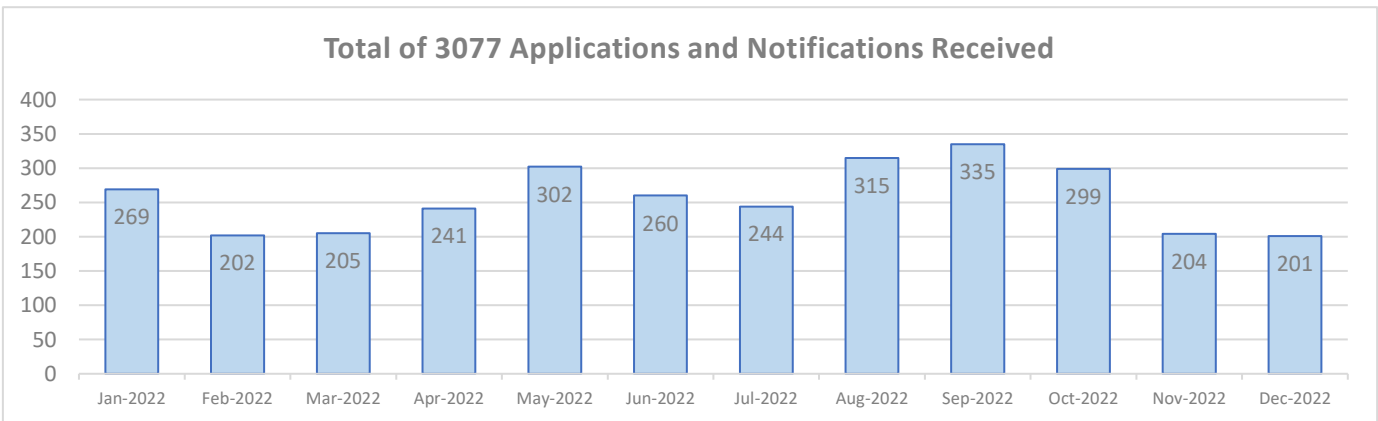
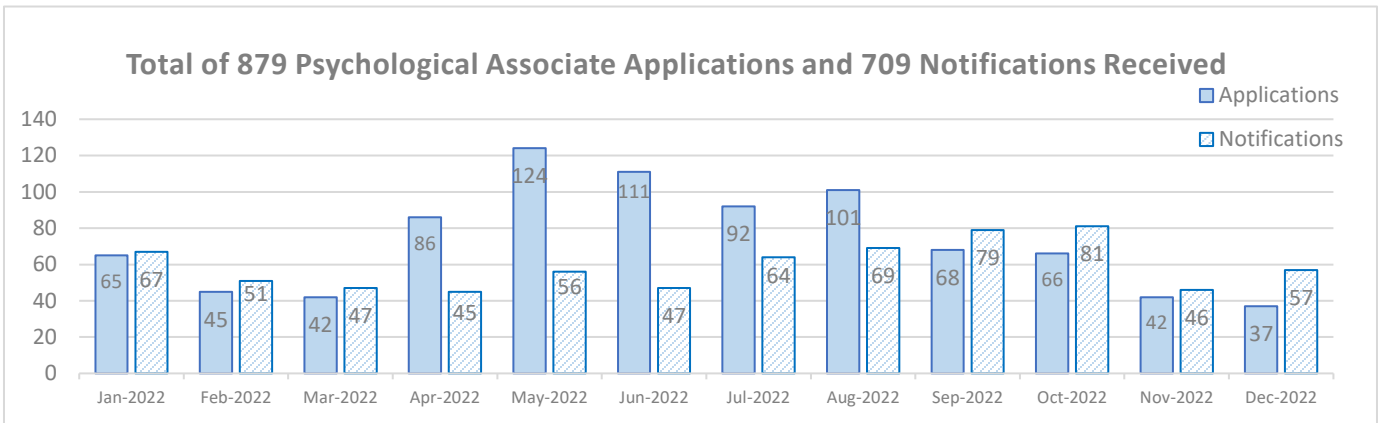
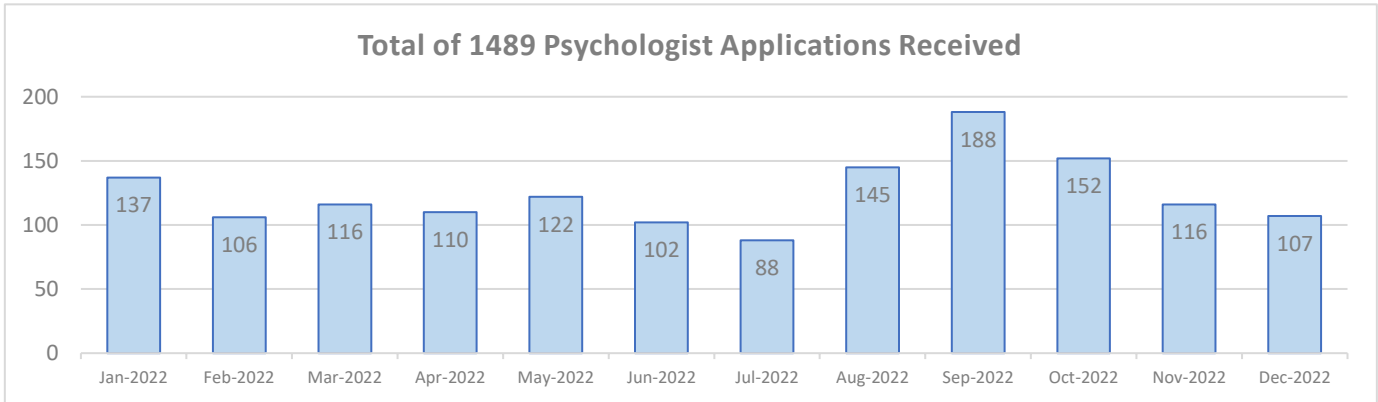
Psychologist Application Workload Report
 July 1, 2022 to December 31, 2022
 As of January 11, 2023



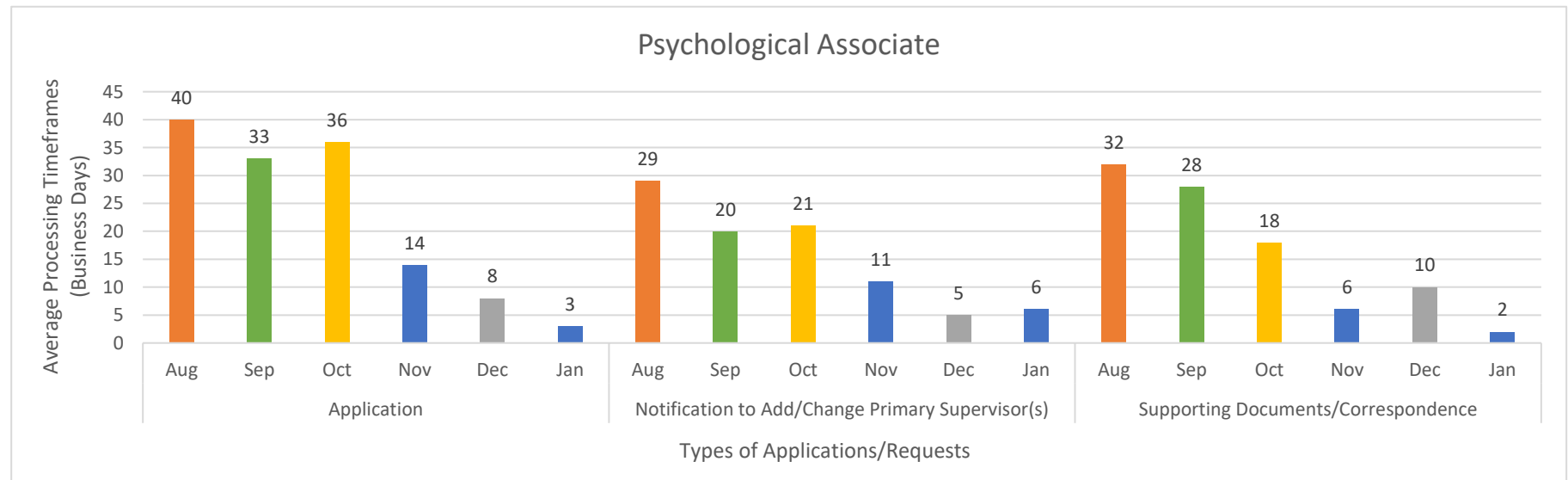
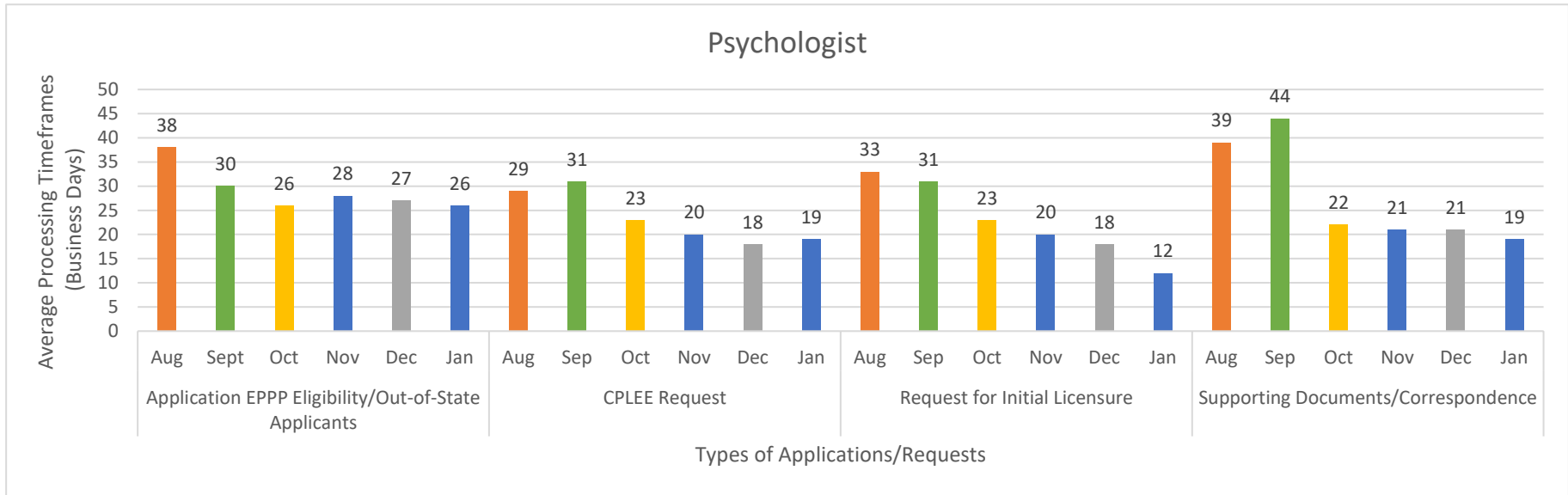
Psychological Associate Application Workload Report
 July 1, 2022 to December 31, 2022
 As of January 11, 2023



Applications and Notifications Received from January 2022 to December 2022
As of January 11, 2023



Average Application Processing Timeframes from August 2022 to January 2023 As of January 11, 2023



MEMORANDUM

DATE	January 13, 2022
TO	Board of Psychology
FROM	Liezel McCockran Continuing Professional Development and Renewals Coordinator
SUBJECT	Agenda Item #12(b) – Continuing Professional Development (CPD) and Renewals Report

The pass rate for January 2022 through June 2022 CE audits is 73 percent with 27 percent of psychologists failing the CE audit. The main reason cited for failing the audit was mostly related to concerns around the COVID-19 pandemic, such as office closures and inability to access or reproduce certificates, or an assumption that the live/live-interactive requirement was waived. The pass rate from 2017-2021 has been consistently over 80 percent. The pass rate for 2nd audits has been over 80 percent since 2017, with a 100 percent pass rate in 2021 and 2022.

For renewals, between January 2022 through December 2022, 82 percent of Psychologists renewed as Active. Approximately 91 percent of Psychologists and Psychological Associates renewed their license online using BreEZe per month.

The following shows the Board's plan of action to notify licensees and stakeholders to the new CPD requirements.

1. The Order of Adoption and stamped form 400, along with our CPD Advisory which includes a link to the optional CPD reporting form, has been added to the regulatory page of our website here:
https://www.psychology.ca.gov/laws_regs/regulations.shtml
2. Staff has emailed the link to the Advisory to the Board's licensees and stakeholders as well as posted on social media.
3. Staff has updated the Board's CPD page here:
<https://www.psychology.ca.gov/licensees/ce.shtml> to be in line with the new CPD requirements. Any reference to CE on the Board's website has been updated to reflect CPD requirements and language.
4. A Frequently Asked Questions (FAQ) will be created after the CPD regulations go into effect. The FAQ will be used to further clarify these requirements, using questions from licensees and information gathered from CPD audits. Once this document is created, it will be added to the Board's regulatory page referenced above and notification will be sent to the Board's licensees and stakeholders.

5. On August 10, 2022, staff attended a CPD informational webinar hosted by the California Psychological Association's (CPA).
6. Staff will be hosting two CPD informational webinars on February 27, 2023, and March 3, 2023. During the webinars staff will explain the new CPD requirement and time will be allotted for a Q&A.

Action Requested:

These items are for information purposes only. No action requested

Attachments:

Attachment A: CE Audits for 2022

Attachment B: Pass and Fail Rate for CE Audits for 2022

Attachment C: Reasons for Not Passing CE Audit

Attachment D: Pass and Fail Rate for 1st Audits 2017-2022

Attachment E: Pass and Fail Rates for 2nd Audits

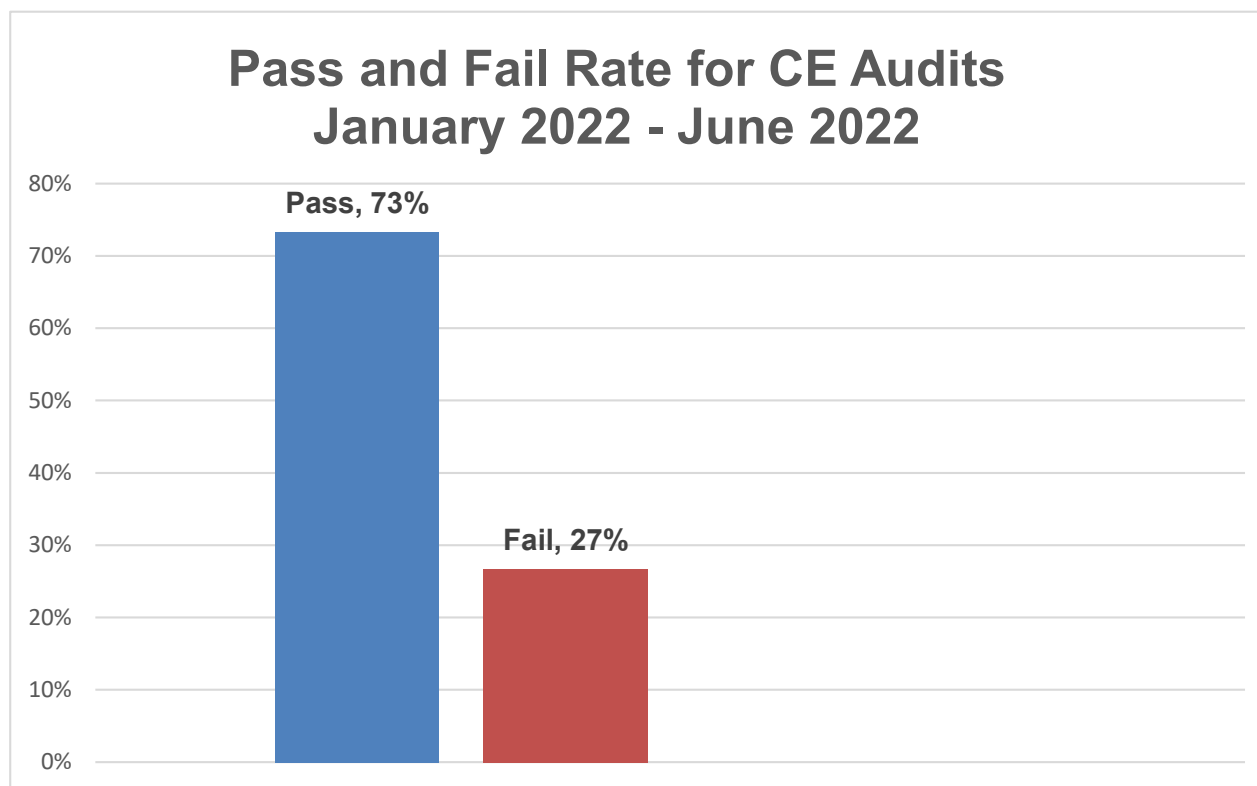
Attachment F: Online vs. Mailed in Renewals Processed

Attachment G: Psychologist and Psychological Associate Renewal Applications Processed:
January 2022 – December 2022

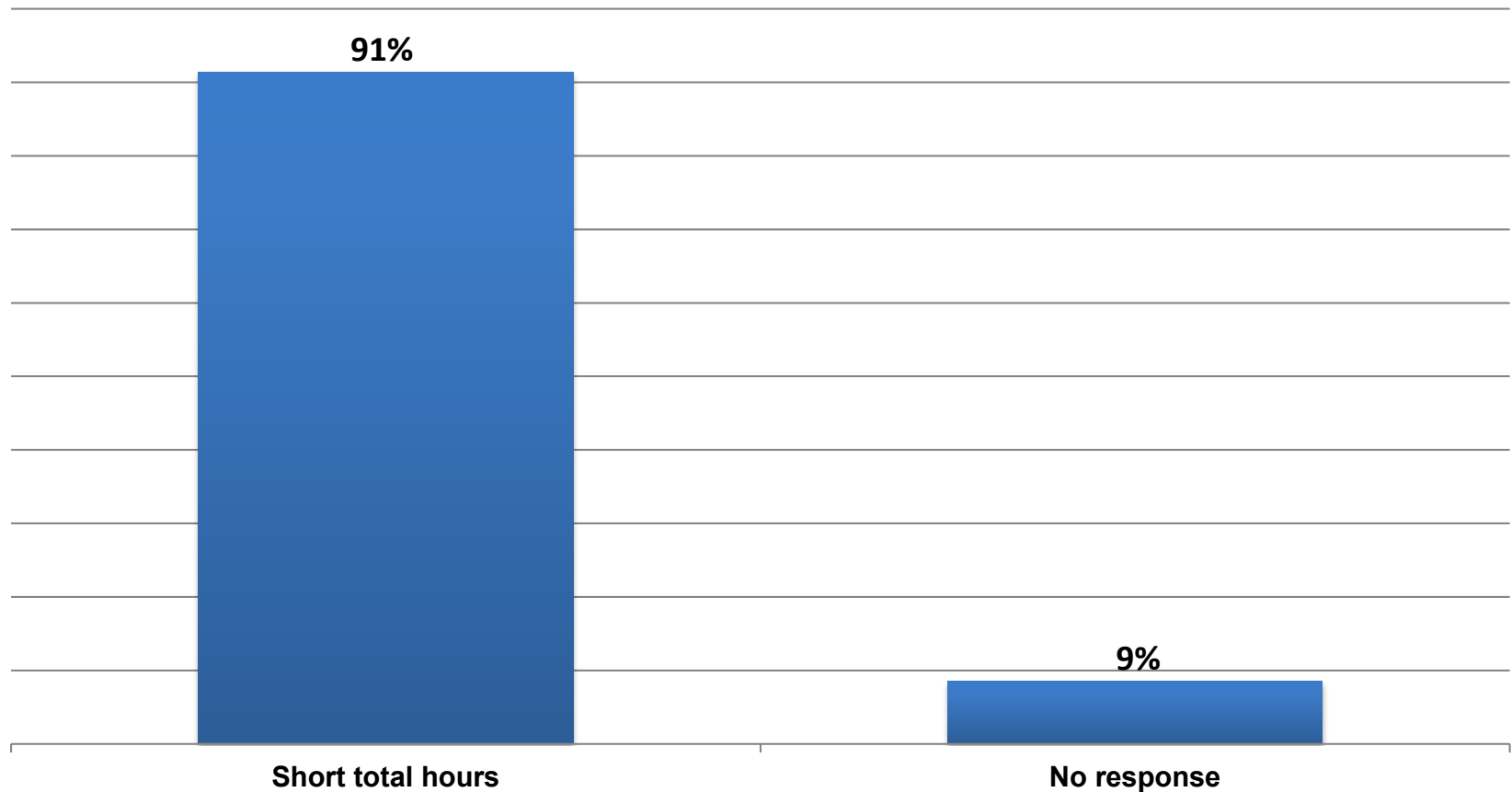
Continuing Education Audits

Month	Total # of Licensees Selected for Audit:	% Passed:	% Deficient	% Not Yet Received:	% Failed:
January	24	83%	0%	0%	17%
February	18	67%	0%	0%	33%
March	24	88%	0%	0%	13%
April	22	59%	0%	0%	41%
May	22	64%	0%	0%	36%
June	21	76%	0%	0%	24%
Totals:	131	73%	0%	0%	27%

A total of 131 audits haven been sent out in 2022. The pass rate is 73%. Failures account for 27% of audits.



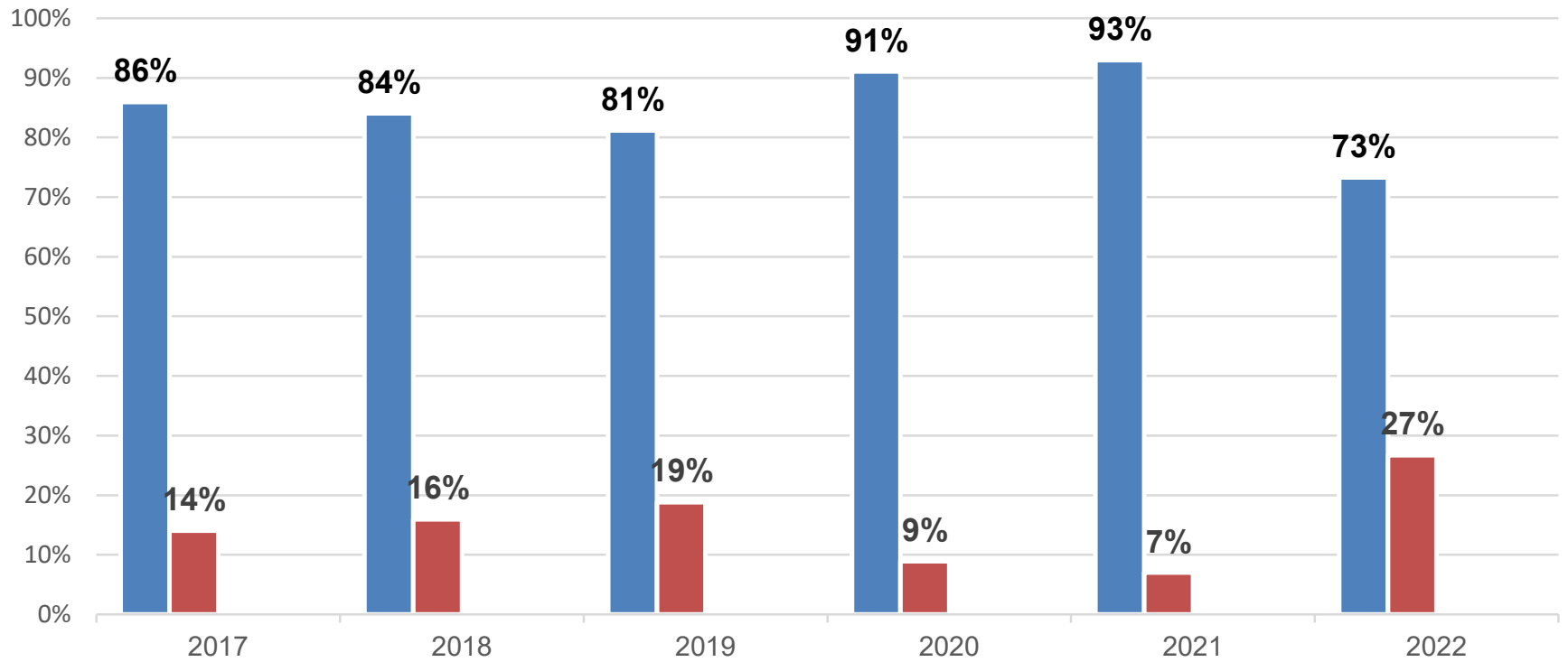
Reasons for Not Passing CE Audit January 2022 - June 2022



Out of the 131 audits sent, 34 licensees failed. 90% of of the 35 licensees failed because they did not have the required 36 hours. 10% of licensees failed because they did not respond to the audit before the deadline. Licensees are given 60 days to respond to the audit.

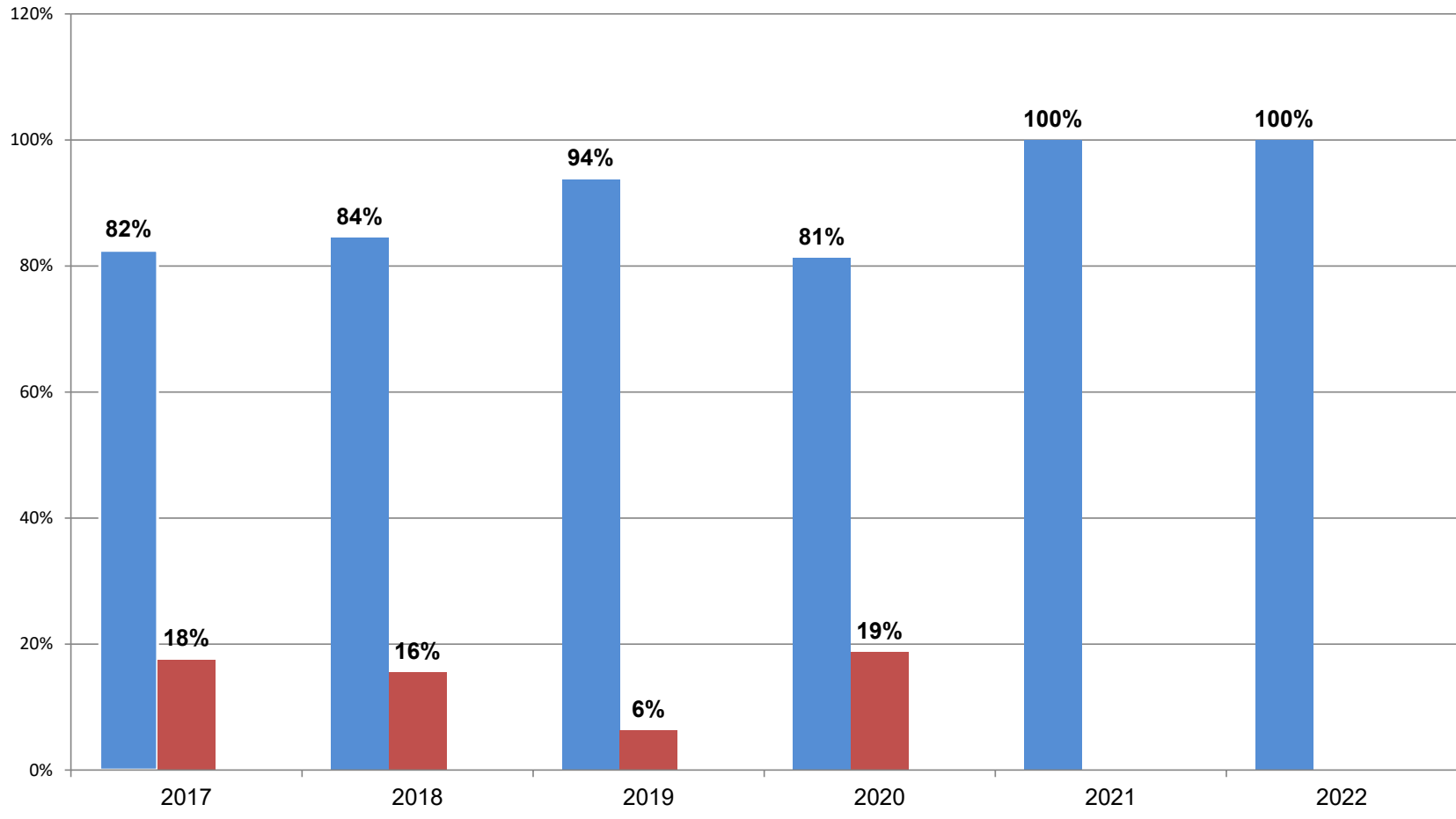
Audit Pass and Fail Rates 2017 - 2022

■ Pass ■ Fail ■ Deficient ■ Not Yet Received



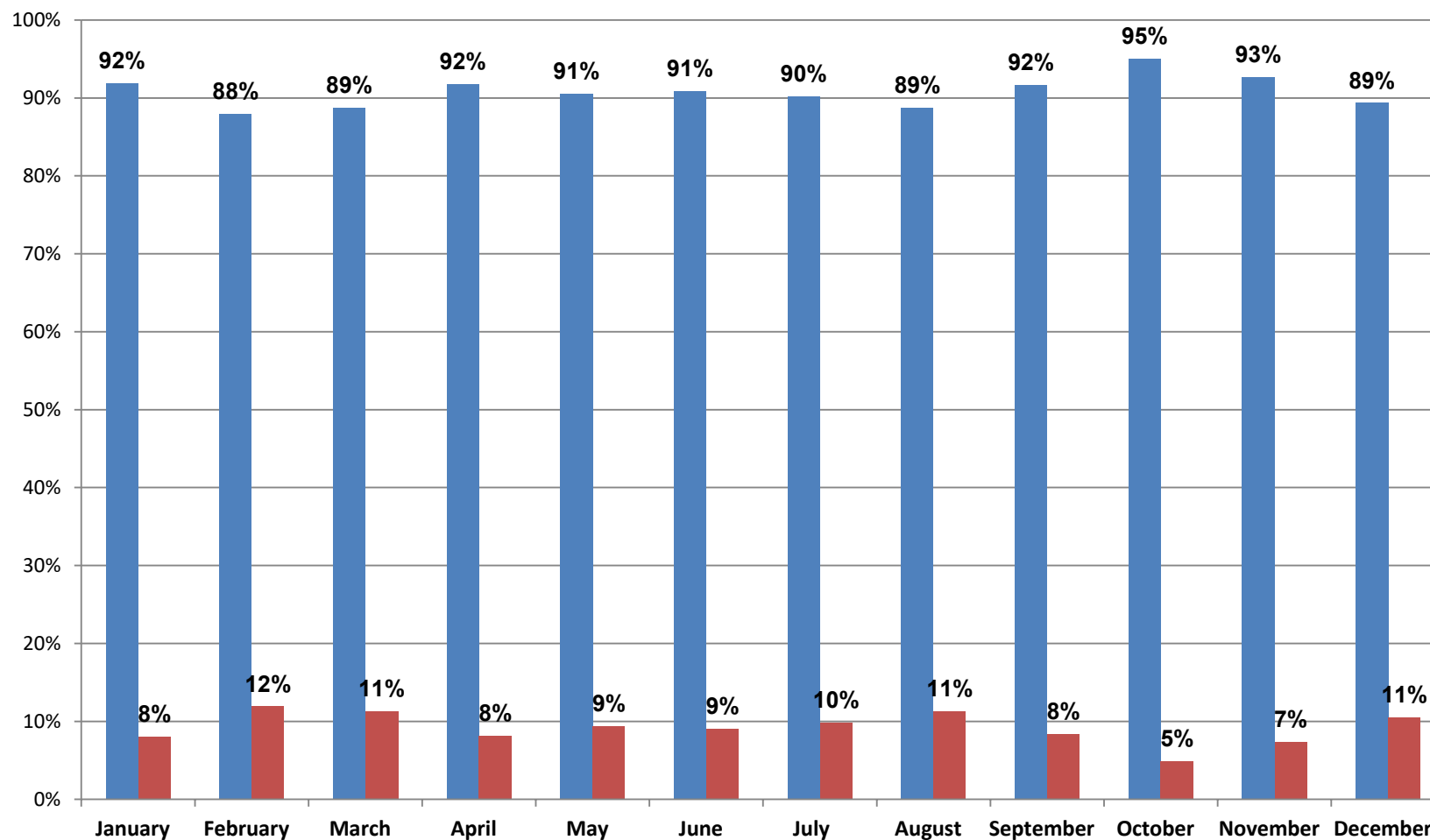
2nd Audit Pass and Fail Rates for 2017 - 2022

■ Pass ■ Fail ■ Pending



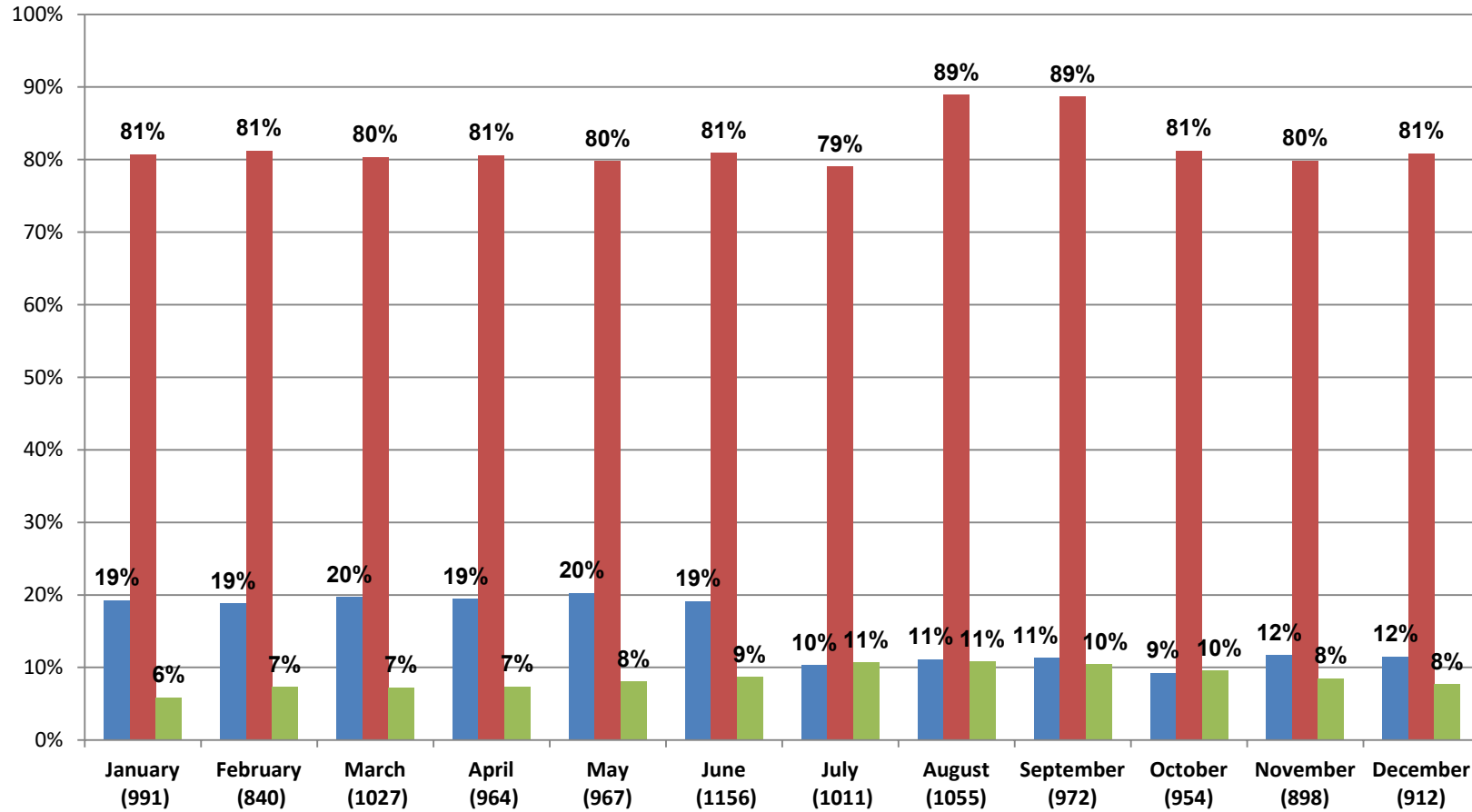
Online vs. Mailed In Renewals January 2022 - December 2022

■ Online ■ Mailed In



Renewal Applications Processed January 2022 - December 2022

■ Inactive ■ Active ■ Psych Associates



Every month, on average, 82% of Psychologists renew as Active, and 15% of Psychologists renew as Inactive. Additionally, an average of 8% of renewal applications submitted every month are from Psychological Associates.

MEMORANDUM

DATE	January 13, 2023
TO	Board Members
FROM	Stephanie Cheung Licensing Manager
SUBJECT	Agenda Item 12(d) Board Response to Psychologist Applications – Correspondence Review

Background:

On June 9, 2022, Board Member, Dr. Marisela Cervantes requested board staff present on how we are communicating to applicants regarding their applications.

Board staff use correspondence templates to provide important information and guidance to applicants via email after the review of an application is complete. The information provided in the Board's correspondence is crucial to an applicant's success in providing the necessary information to be eligible to take the required exams and ultimately become licensed with the Board.

The Licensure Committee (Committee) reviewed the templates and provided their feedback at the 2022 July meeting. Staff incorporated the feedback provided by the Committee and presented them to the Board for feedback at the 2022 August Board meeting.

Drs. Cervantes and Harb Sheets were tasked by the Board to work with staff to further improve the templates. With the guidance and additional feedback provided, staff made further amendments to restructure and clarify information regarding the licensure process.

The Committee provided additional input for the templates at their 2023 January meeting. Staff has incorporated the changes and added updated verbiage regarding information on Continuing Professional Development on the Request of Initial License (RIL) Approval. The correspondence template is provided in Attachment A.

Staff also worked with Mr. Brady Oppenheim from the Office of Publications, Design and Editing of the Department of Consumer Affairs, to create supplementary resources on the licensure and examination process, which includes an illustration on how to qualify for a psychology license and a flow chart on how to apply for a psychology license. These new resources about the [overview of licensure and examination process](#) have been posted on the Applicant Information page on the Board's website. A copy is provided in Attachment B for the Board's review.

Attachments:

A: Psychologist Application – Correspondence Templates

B: Overview of Licensure and Examination Process – Qualifying for a California Psychology License and Applying for a California Psychology License

Action Requested:

Review and provide any feedback.

EPPP- Approval

Dear Dr. **[ENTER NAME]**,

I am your assigned licensing analyst who will be assisting you throughout your licensure process. Please send all future communication to me directly using the contact information provided in my signature. You will be expected to read this message in its entirety and retain this email for reference throughout your licensure process.

File ID #:

You are now **approved** to take the Examination for Professional Practice in Psychology (EPPP), and you are at the first step towards licensure. See the flowchart [Overview of Licensure and Examination Process](#) for information. Eligibility is submitted once per week on Thursday morning to Certemy and is valid for 12 months from **[ENTER DATE]** through **[ENTER DATE]**. You will receive email communication from Certemy after your eligibility is submitted.

To Register and Schedule for the Exam:

1. Complete the account registration process via the email sent by Certemy.
2. Read and follow the instructions in the Certemy portal to complete exam registration, payment, and scheduling for the exam.

See links below for additional information:

- FAQs: [Upcoming New ASPPB Registration Portal Transition - California Board of Psychology](#)
- How-to videos: [ASPPB Exam Candidate Information Page | Certemy](#)
- Contact Certemy at support@certemy.com for technical issues with the Certemy portal
- [Important COVID-related testing information | Pearson VUE](#)

To Request for Exam Accommodation:

Complete a [Request for Accommodation form](#) and return it to the Board via email to Ms. Lavinia Snyder at Lavinia.Snyder@dca.ca.gov for review. Reviews can take anywhere from 1-2 weeks depending on the request. Once approved, candidates will receive notification of their approval via email. Candidates registering for the EPPP on CERTEMY must respond “yes” to the accommodation question. This will allow the Board the ability to apply accommodations to your transaction. This is required for every registration transaction.

Accommodation approvals cannot be applied to an existing scheduled exam. Prior approval of accommodation is required before scheduling the examination. For further accommodation inquiries, please contact Ms. Lavinia Snyder, the Board’s examination coordinator.

Expiration of Application:

If you do not take the exam within 12 months of your approval, or within the eligibility period, your application will expire pursuant to the [California Code of Regulations \(CCR\) §1381.4](#). You will be required to reapply by submitting a new [Application for Licensure as a Psychologist](#) along with the fee via mail. Re-applications must be mailed and cannot be done online as an existing file has been established.

Exam Results and Next Steps:

The EPPP passing score is 500. Upon completion of the exam, Pearson VUE will provide an “unofficial score” to candidates. Scores are electronically transferred to the Board on Wednesdays. Official score reports are generated on Thursdays and will be sent to the address of record via mail or email address on file.

Pass: Proceed to the next step of the licensure process by requesting to take the CPLEE: -

- Complete and mail the [CPLEE Request form](#) with a \$235.20 check payable to the Board. (Use the File ID # provided above)
- Submit any additional supervision agreement form(s) and verification of experience form(s).

Additional information: To be eligible for the California Psychology Laws and Ethics Examination (CPLEE), verification of 3000 hours of Supervised Professional Experience (SPE) completed with at least 1500 hours accrued post-doctoral is required.

- Currently, the Board has approved [#] of predoctoral hours and [#] of postdoctoral hours.

Fail: Wait for Certemy’s email communication and follow instructions to complete the scheduling process to retake and pay for the exam in Certemy’s portal.

Additional information:

- Certemy’s email communication regarding retake is sent out on Fridays after re-eligibility is generated on Thursdays.
- The eligibility period to retake the exam is 12 months from the last date the exam was taken.
- To be eligible for retaking the exam, a candidate must have taken the EPPP within the designated 12-month eligibility period and their application has not expired. Otherwise, re-eligibility will not be generated.
- Eligibility period is governed by the state regulations, and cannot be extended.

Additional Pending Licensure Requirements:

Below are additional pending licensure requirements that must be processed prior to licensure. Submit them as instructed unless otherwise specified.

Note: Prelicensure coursework certificates can be emailed directly to your assigned analyst. Submit all other documentation to the Board via mail. Do not upload additional documentation to BreZE.

Pre-Licensure Coursework: Submit proof of completion along with the Request for Initial Licensure form (the last step for licensure) that you will receive once you pass the CPLEE. The requirements for proof of pre-licensure coursework vary. Refer to the Business and Professions Code (BPC) and the California Code of Regulations (CCR) for the specific requirements for each course below: -

- Human Sexuality – 10 hours [[BPC §25](#) & [CCR §1382](#)]
- Child Abuse Assessment and Reporting – 7 hours [[BPC §28](#) & [CCR §1382.4](#)]
- Alcoholism/Chemical Substance Dependency Detection and Treatment – 15 hours, must be completed at an academic institution [BPC §2914\(e\)](#) & [CCR §1382.3](#)]
- Spousal/Partner Abuse Assessment, Detection and Intervention – 15 hours [[BPC §2914\(f\)](#) & [CCR §1382.5](#)]
- Aging/Long Term Care – 6 hours [[BPC §2915.5](#)]
- Suicide Risk Assessment and Intervention - 6 hours [[BPC §2915.4](#)]

Pre-Licensure Coursework: Proof of all pre-licensure coursework is accepted. No further action is needed. **(If all coursework completed)**

Fingerprints: Submit a set of fingerprints using the Live Scan service for licensure after you have passed the CPLEE. See the [Fingerprint Procedures](#) page for the Live Scan form and information. Mail a copy of the completed Live Scan form to the Board.

Note: Previous fingerprints done for the purpose of a Psychological Associate registration or an earlier Psychologist application, will not satisfy the fingerprint requirement for licensure.

Processing Timeframes:

Fees are processed by the Department of Consumer Affairs's cashiering unit and they are processed before the review of application materials takes place.

All requests and supporting documentation are processed by date received order. When additional applications and supporting documents are received by the Board, they will be added to the processing queue automatically. You will be notified of the status of your application when the review is complete. Please reference the Board's website for the [current processing timeframes](#); this information is updated approximately every two weeks.

Sincerely,

[INSERT SIGNATURE]

EPPP- Deficiencies

Dear Dr. [ENTER NAME],

I am your assigned licensing analyst who will be assisting you throughout the licensure process. An initial review of your Application for Licensure as a Psychologist along with documents, if any, in our central files is complete.

Your application is **deficient**, and the following document(s) must be received before the Board can continue to process your request to take the Examination for Professional Practice in Psychology (EPPP): -

- Official Doctoral Transcript
 - Transcripts must reflect the degree conferred or awarded date.
 - Mail directly to the Board by your educational institution or submitted electronically to boplicensing@dca.ca.gov.

- Original Supervision Agreement Form
 - Must be completed, signed, and dated by all parties prior to the commencement of the supervised professional experience (SPE) gained within the State of California.
 - Mail to the Board in a sealed envelope signed across the seal by your primary supervisor.
 - Not required if applying with SPE gained outside of the State of California.

- Verification of Experience (VOE)
 - At least 1,500 hours of qualifying supervised professional experience is required.
 - Experience gained within the State of California: Complete page one of the [VOE form](#).
 - Experience gained outside of the State of California or experience accrued prior to January 1, 2005. Complete both pages of the [VOE form](#).
 - Mail to the Board in a sealed envelope signed across the seal by your primary supervisor.

Note: The primary supervisor is required to provide the completed supervision agreement and/or VOE(s) with original signatures in a sealed envelope, signed across the seal, for submission to the Board by the supervisee. Alternatively, the primary supervisor may mail the original documents to the Board directly.

Review for Completeness for Submission:

Review for completeness before submission as missing information is a common cause of unnecessary processing delay. If you have already sent the document(s) and they are in transit to the Board, they will be assigned to the processing queue directly upon receipt - no further action is needed.

To View Deficiencies in BreZE Profile:

You may view application deficiencies through your online BreEZe profile if you applied online initially. Deficiencies will be cleared once requested documents are processed.

Expiration of Application:

If the requested documents are not received by [DATE], your application will expire and be withdrawn and a new application is necessary to be submitted via mail if you would like to resume with the licensure process.

Processing Timeframes:

Fees are processed by the Department of Consumer Affairs' cashiering unit and they are processed before the review of application materials takes place.

All application materials are processed by date received order. When you submit documents or information in response to this deficiency notice, they will be added to the processing queue automatically when they are received by the Board. You will be notified of the status of your application when the review is complete. Please reference the Board's website for [current processing timeframes](#); this information is updated approximately every two weeks.

Sincerely,

[INSERT SIGNATURE]

SAMPLE

CPLÉE – Approval

Dear Dr. [ENTER NAME],

This email is to notify you that your eligibility for the California Psychology Law and Ethics Examination (CPLÉE) was **approved** today. You will be expected to read this message in its entirety and retain this email for reference throughout your licensure process. You will receive email communication from Psychological Services Inc. (PSI) of your eligibility to schedule an appointment to take the exam in about 24-48 hours.

To Schedule for the Exam:

1. Wait for the email notification regarding your eligibility sent to you from PSI.
2. After receiving the email notification, visit <https://candidate.psiexams.com/> to schedule and pay for your exam, or you may schedule over the phone by calling (877) 392-6422.

Additional information:

- Review the Handbook: [California Psychology Law and Ethics Examination Candidate Information Bulletin](#)
- The CPLÉE will contain 75 scored items and 25 non-scored test questions. Candidates will have 2.5 hours to complete the exam.
- For this version of the exam, the passing score is set at **[58]** out of 75. Please note the passing score changes with each new version of the exam.

Exam Accommodation:

To Submit a New Request: Complete a [Request for Accommodation form](#) and return it to the Board via email to Ms. Lavinia Snyder at Lavinia.Snyder@dca.ca.gov for review. Review can take 1-2 weeks depending on the request.

Existing Approved Accommodation: Email a copy of this CPLÉE approval to Lavinia.Snyder@dca.ca.gov to report your accommodations to PSI. PSI will require at least 24 to 48 hours to process an accommodation approval.

The Board cannot apply accommodations to an existing scheduled exam until the exam date is cancelled by the candidate. Prior approval of accommodation is required before scheduling the examination. For further accommodation inquiries, please contact Ms. Lavinia Snyder, the Board's examination coordinator.

Expiration of Application:

If you do not take the exam within 12 months of your approval, or within the eligibility period, your application will expire pursuant to the [California Code of Regulations \(CCR\) §1381.4](#). You will be required to reapply by submitting a new [Application for Licensure as a Psychologist](#) and a [CPLÉE Request form](#) along with the fees via mail. Re-

applications must be mailed and cannot be done online as an existing file has been established.

Exam Results and Next Steps:

Pass: Proceed to the last step of licensure by submitting a request for your initial license: -

- Complete and mail the Request For Initial Licensure Form that you will receive at the exam site with a \$500 check payable to the Board.
- Submit any outstanding items listed below under Additional Pending Licensure Requirements.

Fail: Request for a retake when you are ready: -

- Complete and mail the [CPLEE Request form](#) with a \$235.20 check payable to the Board.
- You will receive approval to retake in the email.

Additional information:

- You can only take the CPLEE once per version which is offered quarterly (Jan 1st, April 1st, July 1st, Oct 1st).
- With every attempt, a \$235.20 fee is necessary to be submitted along with the request form.
- When the payment is clear, the Board will approve the retake request after the new version of exam becomes available.
- You will receive the retake approval via email.

Additional Pending Licensure Requirements:

Below are additional pending licensure requirements that must be processed prior to licensure. Submit them as instructed unless otherwise specified.

Note: Prelicensure coursework certificates can be emailed directly to your assigned analyst. Submit all other documentation to the Board via mail. Do not upload additional documentation to BreZE.

Pre-Licensure Coursework: Submit proof of completion along with the Request for Initial Licensure form (the last step for licensure) that you will receive once you pass the CPLEE. The requirements for proof of pre-licensure coursework vary. Refer to the Business and Professions Code (BPC) and the California Code of Regulations (CCR) for the specific requirements for each course below: -

- Human Sexuality – 10 hours [[BPC §25](#) & [CCR §1382](#)]
- Child Abuse Assessment and Reporting – 7 hours [[BPC §28](#) & [CCR §1382.4](#)]
- Alcoholism/Chemical Substance Dependency Detection and Treatment – 15 hours, must be completed at an academic institution [[BPC §2914\(e\)](#) & [CCR §1382.3](#)]

- Spousal/Partner Abuse Assessment, Detection and Intervention – 15 hours [[BPC §2914\(f\)](#) & [CCR §1382.5](#)]
- Aging/Long Term Care – 6 hours [[BPC §2915.5](#)]
- Suicide Risk Assessment and Intervention - 6 hours [[BPC §2915.4](#)]

Pre-Licensure Coursework: Proof of all pre-licensure coursework is accepted. No further action is needed. **(If all coursework completed)**

Fingerprints: Submit a set of fingerprints using the Live Scan service for licensure after you have passed the CPLEE. See the [Fingerprint Procedures](#) page for the Live Scan form and information. Mail a copy of the completed Live Scan form to the Board.

Note: Previous fingerprints done for the purpose of a Psychological Associate registration or an earlier Psychologist application, will not satisfy the fingerprint requirement for licensure.

Processing Timeframes:

Fees are processed by the Department of Consumer Affairs's cashiering unit and they are processed before the review of application materials takes place.

All requests and supporting documentation are processed by date received order. When additional applications and supporting documents are received by the Board, they will be added to the processing queue automatically. You will be notified of the status of your application when the review is complete. Please reference the Board's website for the [current processing timeframes](#); this information is updated approximately every two weeks.

Sincerely,
[INSERT SIGNATURE]

CPLEE- Deficiencies

Dear Dr. **[ENTER NAME]**,

The review of your Application for Licensure as a Psychologist and California Psychology Law and Ethics Examination (CPLEE) request along with documents, if any, in our central files is complete.

Your application is **deficient**, and the following document(s) must be received before the Board can continue to process your request to take the CPLEE: -

- CPLEE Request Form and Exam Fee
 - Mail to the Board a completed [CPLEE request form](#).
 - Submit a check or money order for \$235.20 payable to the Board of Psychology via mail.
- Official Doctoral Transcript
 - Transcripts must reflect the degree conferred or awarded date.
 - Mail directly to the Board by your educational institution or submitted electronically to boplicensing@dca.ca.gov.
- EPPP Score Transfer submitted directly from ASPPB
 - Request verification from of Examination for Professional Practice in Psychology (EPPP) score from, and to be submitted by, the Association of State and Provincial Psychology Boards ([ASPPB](#)).
- Certificate of Professional Qualification (CPQ)
 - Request verification of your CPQ from, and to be submitted by, the ASPPB. See [CPQ Program Info](#) page on the ASPPB website for information.
- Certified by National Register of Health Service Providers in Psychology (NRHSPP)
 - Request verification of your credential from, and to be submitted by, the NRHSPP. See [NRHSPP website](#) for information.
- Certified by American Board of Professional Psychology (ABPP)
 - Submit ABPP verification letter to the Board by attaching the letter as a response to this email.
- Letter of Good standing from Current State's Licensing Board
 - Mail an official certification of licensure from the applicant's licensing Board to the Board
- Original Supervision Agreement Form
 - Must be completed, signed, and dated by all parties prior to the commencement of the supervised professional experience (SPE) gained within the State of California.

- Mail to the Board in a sealed envelope signed across the seal by your primary supervisor.
- Not required if applying with SPE gained outside of the State of California.
- **Verification of Experience (VOE):**
 - A total of 3,000 hours of qualifying supervised professional experience is required.
 - Experience gained within the State of California: Complete page one of the [VOE form](#).
 - Experience gained outside of the State of California or experience accrued prior to January 1, 2005. Complete both pages of the [VOE form](#).
 - Mail to the Board in a sealed envelope signed across the seal by your primary supervisor.

Note: The primary supervisor is required to provide the completed supervision agreement and/or VOE(s) with original signatures in a sealed envelope, signed across the seal, for submission to the Board by the supervisee. Alternatively, the primary supervisor may mail the original documents to the Board directly.

Review for Completeness for Submission:

Review for completeness before submission as missing information is a common cause of unnecessary processing delay. If you have already sent the document(s) and they are in transit to the Board, they will be assigned to the processing queue directly upon receipt - no further action is needed.

To View Deficiencies in BreEZe Profile:

You may view application deficiencies through your online BreEZe profile if you applied online initially. Deficiencies will be cleared once requested documents are processed.

Expiration of Application:

If the requested documents are not received by [DATE], your application will expire and be withdrawn and a new application is necessary to be submitted via mail if you would like to resume with the licensure process.

Processing Timeframes:

All application materials are processed by date received order. When you submit documents or information in response to this deficiency notice, they will be added to the processing queue automatically when they are received by the Board. You will be notified of the status of your application when the review is complete. Please reference the Board's website for [current processing timeframes](#); this information is updated approximately every two weeks.

Sincerely,

[INSERT SIGNATURE]

SAMPLE

PSY License – Approval

Congratulations! You are now licensed with the California Board of Psychology. I hope you will consider taking the Board's Customer Service survey https://www.dca.ca.gov/webapps/psychboard/licensing_survey.php.

Your license information is as follows:

License Name:

License Number:

Issue Date:

Expiration/Renewal Date:

Pocket License and Wall Certificate:

You should receive your pocket license and wall certificate in separate mailings in approximately four weeks. You can verify the status of your license, address of record, expiration date, etc. on the [DCA License Search](#) page.

Address of Record:

Pursuant to the California Code of Regulations Section 1380.5, you are required to notify the Board of any changes to your address of record and your e-mail address. Please note that the address of record will be available to the public by phone, in writing, or through the Department of Consumer Affairs License Search website.

Continuing Professional Development (CPD):

For every 2-year renewal period a total of 36 hours of Continuing Professional Development (CPD) is required to renew. Licensees due for renewal must complete four hours of Law and Ethics training and four hours of Cultural Diversity and/or Social Justice training. Those hours can be completed among any of the four CPD categories: Professional Activities: Academic, Sponsored Continuing Education, and Board Certification. The only exception to this requirement is licensees with 100 percent American Board of Professional Psychology Board Certification. Please review the information provided in the following link regarding the CPD requirement for renewal. It is your responsibility to understand what is required of you to keep your license in good standing: http://www.psychology.ca.gov/licensees/ce_faqs.shtml.

License Renewal:

Your license will be valid for a period of 24 months from the date of issuance and will require subsequent renewals every two years. You will receive a courtesy renewal postcard reminder approximately ten weeks prior to the expiration date. Please note that it is your responsibility to renew your license prior to the expiration date even if you may not receive the courtesy renewal reminder in the mail. You will have to complete one of the following options to renew your license:

Renew Online (Recommended):

Renew license and submit \$530 renewal fee: <https://www.breeze.ca.gov/>

Instructions: http://www.psychology.ca.gov/licensees/renewal_instructions.pdf

Renew by Mail:

Download and complete the License Renewal Application. Mail completed form and \$530 renewal fee to 1625 N. Market Blvd., Ste. N-215, Sacramento, CA 95834. Additionally, it is your responsibility to understand and be familiar with the laws and regulations relating to the practice of psychology.

Subscribe to the Board of Psychology Email List:

It is recommended that you subscribe to the Board's email lists at: <https://www.dca.ca.gov/webapps/psychboard/subscribe.php>. Once you subscribe, you will receive email alerts regarding Disciplinary Actions and General Information (e.g., meeting agendas, regulatory and statutory changes, and quarterly newsletter).

Contact Information for License Renewals:

If you require additional information about license renewals, please send an e-mail to boprenewals@dca.ca.gov. Be sure to include your license number in all communications with the Board.

Sincerely,

[INSERT SIGNATURE]

SAMPLE

PSY – License Deficiencies

Dear Dr. [ENTER NAME],

The review of your Request for Initial Licensure is complete. Your application is **deficient**, and the following document(s) must be received before the Board can continue to process your request for initial licensure: -

- Pre-Licensure Coursework: Submit proof of completion of the following coursework. The requirements for proof of pre-licensure coursework vary and are governed by the statute and regulations. Refer to the Business and Professions Code (BPC) and the California Code of Regulations (CCR) for the specific requirements for each course below: -
 - Human Sexuality – 10 hours [[BPC §25](#) & [CCR §1382](#)]
 - Child Abuse Assessment and Reporting – 7 hours [[BPC §28](#) & [CCR §1382.4](#)]
 - Alcoholism/Chemical Substance Dependency Detection and Treatment – 15 hours, must be completed at an academic institution [BPC §2914\(e\)](#) & [CCR §1382.3](#)]
 - Spousal/Partner Abuse Assessment, Detection and Intervention – 15 hours [[BPC §2914\(f\)](#) & [CCR §1382.5](#)]
 - Aging/Long Term Care – 6 hours [[BPC §2915.5](#)]
 - Suicide Risk Assessment and Intervention - 6 hours [[BPC §2915.4](#)]
- Fingerprints: Submit a set of fingerprints using the Live Scan service. See the [Fingerprint Procedures](#) page for the Live Scan form and information. Mail a copy of the completed Live Scan form to the Board.

Note: Previous fingerprints done for the purpose of a Psychological Associate registration or an earlier Psychologist application, will not satisfy the fingerprint requirement for licensure.

Processing Timeframes:

Fees are processed by the Department of Consumer Affairs's cashiering unit and they are processed before the review of application materials takes place.

All requests and supporting documentation are processed by date received order. When additional applications and supporting documents are received by the Board, they will be added to the processing queue automatically. You will be notified of the status of your application when the review is complete. Please reference the Board's website for the [current processing timeframes](#); this information is updated approximately every two weeks.

Sincerely,

[INSERT SIGNATURE]

SAMPLE

HOW TO QUALIFY FOR A PSYCHOLOGY LICENSE



EPPP

Apply for the
Examination for Professional
Practice in Psychology



CPLEE

Apply for the California
Psychology Law and Ethics
Examination



REQUEST

for initial license



LICENSURE



PRELICENSURE COURSES

In addition to education and experience requirements, you will need these prelicensure courses:

- Human sexuality.
- Alcohol/chemical dependency detection and treatment.
- Child abuse assessment.
- Spousal/partner abuse assessment, detection, and intervention strategies.
- Aging and long-term care.
- Suicide risk intervention and assessment.



1,500

Hours of Supervised Professional Experience (SPE) earned pre-/post-doctorally for EPPP

3,000

Total hours of SPE with at least 1,500 hours earned post-doctorally for CPLEE

For both EPPP and CPLEE, submit original signed Supervision Agreement and Verification of Experience forms in a sealed envelope signed across the seal by your primary supervisor.

Apply Online Through BreEZe www.breeze.ca.gov

HOW TO APPLY FOR A PSYCHOLOGY LICENSE



EPPP

- Application
- Submit fees:
 - \$50 application fee
 - \$687.50 exam fee to exam vendor
- Official transcripts
- Supervision agreement and verification of experience

EPPP APPROVAL

The Board will contact you via email if you are approved to take the EPPP. If your application is deficient, the Board will request additional information in order to proceed with the review. The Board submits eligibility to the Association of State and Provincial Psychology Boards (ASPPB) on a weekly basis. Once your eligibility has been submitted, ASPPB will email you instructions on how to schedule your examination. Your application will be withdrawn if you do not take the examination within one year upon approval.

EPPP RESULTS

Unofficial scores will be provided to you at the test site. The Board will mail the examination results to your Address of Record (AOR) on file. If you do not pass, your eligibility will remain valid as long as you retake the examination within a year.



CPLÉE

- Request CPLÉE form
- Submit fee: \$235.20
- Additional supervision agreement and verification of experience
- Mail completed form and check

CPLÉE APPROVAL

The Board will contact you via email if you are approved to take the CPLÉE examination. If your application is incomplete, the Board will request additional information from you in order to proceed with the review. The examination vendor, Psychological Services, Inc. (PSI), will notify you within 48 hours regarding how to schedule your examination.

CPLÉE RESULTS

Examination results are provided on site after completing the examination. If you do not pass, you must submit the \$235.20 fee to the Board to retake. You can only take each version of the examination once. New versions of the examinations are available on the first of January, April, July, and October.



REQUEST FOR INITIAL LICENSURE

- Request for initial licensure form
- Submit fee: \$500
- Fingerprints
- Pay rolling fees (vary) to Live Scan operator

INITIAL LICENSURE

The Board will contact you via email with your license number if the request for initial licensure is approved. If your application is incomplete, the Board will request additional information from you in order to proceed with the review.

FINGERPRINTS

Complete the Request for Live Scan Services form and take it to a Live Scan site to submit fingerprints to Department of Justice (DOJ) and Federal Bureau of Investigation (FBI) for a criminal history background check. After submitting your fingerprints, send a copy of the Request for Live Scan Services to the Board.



MEMORANDUM

DATE	January 12, 2023
TO	Board of Psychology
FROM	Jonathan Burke Assistant Executive Officer
SUBJECT	Agenda Item # 16(a)(1) – Fee Schedule: Business and Professions Code section 2987

Background:

The Board of Psychology is currently facing a budget structural deficit, with expenditures outpacing revenue streams. The Board has not increased its initial application or renewal fees since 1992 and as operating costs have increased, it has resulted in the structural imbalance.

Current levels of service cannot be maintained as the revenue generated by applications, renewals, examinations, and the Board's enforcement Unit do not equal the costs of administering services. The proposed legislative change will allow the Board to not continue its existing operations without becoming insolvent. The proposed fee levels are based on covering the costs of existing Board operations and current and anticipated costs.

To address the Board's structural imbalance and pending insolvency, on January 26, 2022, the newly formed Budget Ad Hoc Committee (Budget Committee) met with Board staff and were presented with application and renewal transaction cost options that will eliminate the Board's structural imbalance and rebuild its fund reserves.

On February 25, 2022, the Budget Committee held a public meeting, moderated by DCA's SOLID Training and Planning Solutions Unit to present stakeholders of the Board of Psychology with options that will eliminate the Board's structural imbalance. Public comment was provided by the California Psychological Association.

On April 29, 2022, the Board voted to accept the recommendation of the Budget Ad Hoc Committee allowing staff to provide a legislative proposal to the Assembly Committee on Business and Professions.

Staff have provided the legislative proposal to the Assembly Committee on Business and Professions as well as the Legislative Affairs Division within the Department of Consumer Affairs. As of the date of this memo, Staff have not received any questions

related to this proposal. The next step will be working with the committee to assist with a committee bill or to help the board find an author

Action Requested:

This is for informational purposes only. No action is required at this time.

Attachment A: Fee Change Proposed Text

CHAPTER 6.6. Psychologists [2900 - 2999]

(Chapter 6.6 repealed and added by Stats. 1967, Ch. 1677.)

ARTICLE 7. Revenue [2980 - 2989]

(Article 7 added by Stats. 1967, Ch. 1677.)

2987.

The amount of the fees prescribed by this chapter shall be determined by the board, and shall be as follows:

(a) The application fee for a psychologist shall ~~be not be more than fifty dollars (\$50)~~two hundred and thirty-six dollars (\$236).

(b) The examination and reexamination fees for the examinations shall be the actual cost to the board of developing, purchasing, and grading of each examination, plus the actual cost to the board of administering each examination.

(c) The application fee for the California Psychology Law and Ethics Examination (CPLEE) shall be one hundred and twenty-seven dollars (\$127).

~~(d)(c) The initial license fee is an amount equal to the renewal fee in effect on the last regular renewal date before the date on which the license is issued. The initial license fee for a psychologist shall be two hundred and thirty-one dollars (\$231).~~

~~(e)(d) The biennial renewal fee for a psychologist shall be four hundred dollars (\$400)~~seven hundred and ninety-five dollars (\$795). The board may increase the renewal fee to an amount not to exceed five hundred dollars (\$500). The board may adopt regulations to set the fee at a higher amount, up to a maximum of one thousand one hundred dollars (\$1,100).

~~(f)(e) The application fee for registration as a registered psychological associate under Section 2913 shall not be more than seventy-five dollars (\$75).~~be four hundred and twenty-four dollars (\$424).

~~(g)(f) The annual renewal fee for registration of a psychological assistant shall be not be more than seventy-five dollars (\$75).~~two hundred and twenty four dollars (\$224). The board may adopt regulations to set the fee at a higher amount, up to a maximum of three hundred dollars (\$400).

~~(h)(g) The duplicate license or registration fee is five dollars (\$5).~~

~~(i)(h) The delinquency fee is 50 percent of the renewal fee for each license type, not to exceed one hundred fifty dollars (\$150).~~

~~(j)(i) The endorsement fee is five dollars (\$5).~~

~~(k)(j) The file transfer fee is ten dollars (\$10).~~

(l) The fee for Fingerprint Hard Card Processing for Out of State Applicants shall be one hundred and eighty-four dollars (\$184). Applicants shall also pay the actual cost to the

board of processing the fingerprint hard card with the Department of Justice and Federal Bureau of Investigation.

(m) The fee for a psychological associate to add or change their supervisor shall be two hundred and ten dollars (\$210). The fee shall be the actual cost to the board of processing the addition or change.

Notwithstanding any other provision of law, the board may reduce any fee prescribed by this section, when, in its discretion, the board deems it administratively appropriate.

(Amended by Stats. 2021, Ch. 647, Sec. 19. (SB 801) Effective January 1, 2022.)

2988.

A licensed psychologist who for reasons, including, but not limited to, retirement, ill health, or absence from the state, is not engaged in the practice of psychology, may apply to the board to request that his or her license be placed on an inactive status. A licensed psychologist who holds an inactive license shall pay a biennial renewal fee, fixed by the board, ~~of no more than forty dollars (\$40)~~ of two hundred and twenty one dollars (\$221). The board may adopt regulations to set the fee at a higher amount, up to a maximum of three hundred dollars (\$400). A psychologist holding an inactive license shall be exempt from continuing education requirements specified in Section 2915, but shall otherwise be subject to this chapter and shall not engage in the practice of psychology in this state. Licensees on inactive status who have not committed any acts or crimes constituting grounds for denial of licensure and have completed the continuing education requirements specified in Section 2915 may, upon their request have their license to practice psychology placed on active status.

MEMORANDUM

DATE	January 12, 2023
TO	Board of Psychology
FROM	Jonathan Burke Assistant Executive Officer
SUBJECT	Agenda Item # 16(a)(2) – Suicide Risk Assessment and Intervention Coursework and Aging and Long-Term Care Coursework: Business and Professions Code sections 2915.4 and 2915.5

Background:

The Board's current statutory provisions relating to coursework specify that applicants for licensure shall submit to the Board a written certification from the registrar or training director of the graduating educational institution stating that the coursework completed satisfies prelicensure educational requirements. The Board requires applicants for licensure to complete coursework in six specific subject areas in order to obtain licensure as a psychologist.

The Board believes that the application process could be streamlined if statute were amended to allow verification following review of a transcript that clearly indicated in the course title that the specified coursework had been completed. Additionally, the Board believes that to allow the department chair to act as an additional entity who could provide written certification would be an added convenience for applicants, in cases where the course title did not adequately indicate the coursework completed.

On August 19, 2022, the Board voted to support the Licensure Committee request to approve the proposed amendments and delegate authority to the Executive Officer to seek an author for legislation regarding these requirements.

Action Requested:

This is for informational purposes only. No action is required at this time.

Attachment A: Proposed Text Provided to the Senate Committee on Business, Professions, and Economic Development

1 **2915.4.**

2 (a) Effective January 1, 2020, an applicant for licensure as a psychologist shall show, as
3 part of the application, that he or she has completed a minimum of six hours of
4 coursework or applied experience under supervision in suicide risk assessment and
5 intervention. This requirement shall be met in one of the following ways:
6

7 (1) Obtained as part of ~~his or her~~ the applicant's qualifying graduate degree
8 program. To satisfy this requirement, the applicant shall submit to the board a
9 transcript indicating completion of this coursework. In absence of this coursework
10 title in the transcript, the applicant shall submit a written certification from the
11 registrar, department chair, or training director of the educational institution or
12 program from which the applicant graduated stating that the coursework required
13 by this section is included within the institution's curriculum required for
14 graduation at the time the applicant graduated, or within the coursework that was
15 completed by the applicant.
16

17 (2) Obtained as part of ~~his or her~~ the applicant's applied experience. Applied
18 experience can be met in any of the following settings: practicum, internship, or
19 formal postdoctoral placement that meets the requirement of Section 2911, or
20 other qualifying supervised professional experience. To satisfy this requirement,
21 the applicant shall submit to the board a written certification from the director of
22 training for the program or primary supervisor where the qualifying experience
23 has occurred stating that the training required by this section is included within
24 the applied experience.
25

26 (3) By taking a continuing education course that meets the requirements of
27 subdivision (e) or (f) of Section 2915 and that qualifies as a continuing education
28 learning activity category specified in paragraph (2) or (3) of subdivision (c) of
29 Section 2915. To satisfy this requirement, the applicant shall submit to the board
30 a certification of completion.
31

32 (b) Effective January 1, 2020, as a one-time requirement, a licensee prior to the time of
33 his or her first renewal after the operative date of this section, or an applicant for
34 reactivation or reinstatement to an active license status, shall have completed a
35 minimum of six hours of coursework or applied experience under supervision in suicide
36 risk assessment and intervention, as specified in subdivision (a). Proof of compliance
37 with this section shall be certified under penalty of perjury that he or she is in
38 compliance with this section and shall be retained for submission to the board upon
39 request.
40

41 *(Added by Stats. 2017, Ch. 182, Sec. 1. (AB 89) Effective January 1, 2018.)*
42

43 **2915.5.**

44 (a) Any applicant for licensure as a psychologist as a condition of licensure, a minimum
45 of six contact hours of coursework or applied experience in aging and long-term care,
46 which may include, but need not be limited to, the biological, social, and psychological

1 aspects of aging. This coursework shall include instruction on the assessment and
2 reporting of, as well as treatment related to, elder and dependent adult abuse and
3 neglect.

4
5 (b) In order to satisfy the coursework requirement of this section, the applicant shall
6 submit to the board a transcript indicating completion of this coursework. In absence of
7 this coursework title in the transcript, the applicant shall submit a written certification
8 from the registrar, department chair, or training director of the educational institution or
9 program from which the applicant graduated stating that the coursework required by this
10 section is included within the institution's required curriculum for graduation at the time
11 the applicant graduated, or within the coursework, that was completed by the applicant.

12
13 (c) (1) If an applicant does not have coursework pursuant to this section, the applicant
14 may obtain evidence of compliance as part of their applied experience in a practicum,
15 internship, or formal postdoctoral placement that meets the requirement of Section
16 2911, or other qualifying supervised professional experience.

17
18 (2) To satisfy the applied experience requirement of this section, the applicant shall
19 submit to the board a written certification from the director of training for the program
20 or primary supervisor where the qualifying experience occurred stating that the
21 training required by this section is included within the applied experience.

22
23 (d) If an applicant does not meet the curriculum or coursework requirement pursuant to
24 this section, the applicant may obtain evidence of compliance by taking a continuing
25 education course that meets the requirements of subdivision (d) or (e) of Section 2915
26 and that qualifies as a learning activity category specified in paragraph (2) or (3) of
27 subdivision (c) of Section 2915. To satisfy this requirement, the applicant shall submit to
28 the board a certification of completion.

29
30 (e) A written certification made or submitted pursuant to this section shall be done under
31 penalty of perjury.

32
33 *(Amended by Stats. 2021, Ch. 647, Sec. 10. (SB 801) Effective January 1, 2022.)*

MEMORANDUM

DATE	January 17, 2023
TO	Board of Psychology
FROM	Jonathan Burke Assistant Executive Officer
SUBJECT	Agenda Item # 16(a)(3) – Patient Privilege: Business and Professions Code section 2918

Background:

The Board of Psychology’s (Board) investigations of licensee misconduct often require obtaining psychotherapy records, which an expert then reviews to opine on potential misconduct.

If the Board has an investigation in which a client’s psychotherapy records are relevant, it may request to review the records. As is their right, patients may agree or object to the Board’s request for a release. If the client objects, the Board’s only recourse for obtaining the records is to formally request them with a subpoena duces tecum (also known as a subpoena for the production of evidence), and then obtain a civil court order enforcing the subpoena (there is no means to enforce such subpoenas through the Office of Administrative Hearings—a civil order from a superior court is required).

As a solution to this dead-end to enforcement of the Board’s investigatory subpoenas, the Board proposed creating an exception to the psychotherapy-client privilege for Board investigations. In 1980, the Medical Board enacted such an exception to the physician-patient privilege, on which it relies to overcome patient objections to obtaining medical records relevant to its investigations. As a result of this exception, codified in the Medical Board’s statute.

In September 2020, the Board of Psychology Enforcement Committee recommended changes to the Business and Professions Code as well as the Evidence Code to the Board of Psychology.

In May 2021, the Board approved an exception to the psychotherapist-client privilege set forth in Evidence Code, sections 1010-1015, and Business and Professions Code, section 2918, authorizing the Board to obtain psychotherapy records, where such records are needed in an investigation. Attached to this proposal is a proposed revised Business and Professions Code section 2918 creating such an exception.

Action Requested:

This is for informational purposes only. No action is required at this time.

Attachment A: Proposed Text Provided to the Assembly Committee on Business and Professions Committee as an Unbacked Bill.

Proposed Revised Business and Professions Code Section 2918

(a) The confidential relations and communications between psychologist and client shall be privileged as provided by Article 7 (commencing with Section 1010) of Chapter 4 of Division 8 of the Evidence Code, except as set forth in subdivisions (b) through (f), herein.

(b) Exception to Psychotherapist-Client Patient Privilege for Investigatory and Disciplinary Purposes. Neither the privilege established in California Evidence Code Section 1014 nor any other law making a communication between a psychotherapist and their client patient privileged or confidential shall apply to investigations or proceedings conducted under this chapter. Such communications shall include, but are not limited to, recordings of the same, in physical or electronic format, in treatment records, progress notes, psychotherapy notes, correspondence, audio or video recordings, or any other record.

(c) Applicability. This exception shall only be available to the Board and its agents and representatives, as related to an investigation into any alleged violation of this chapter or any other state or federal law, regulation, or rule relevant to the practice of psychology, a disciplinary hearing, or any other proceeding under this chapter, or any other chapter under which proceedings may be brought on behalf of the Board, including but not limited to a proceeding for interim license suspension under Business and Professions Code section 494, and an appearance by or on behalf of the Board in a criminal proceeding against a licensee to recommend practice restriction under Penal Code section 23.

(d) Procedures for Accessing or Obtaining Records Subject to the Exception to the Psychotherapist-Patient Client Privilege. In accordance with this section, documents and records relevant to an alleged violation of the Psychology Licensing Law, or any other federal or state law, regulation, or rule relevant to the practice of psychology, may be inspected and obtained for investigatory or disciplinary purposes in accordance with the following procedures:

1. Any psychotherapist-patient-client communication, or other relevant document or record, may be inspected, and copies may be obtained, where the holder of the privilege gives consent. If the patient-client is deceased, consent may be obtained from the patient-client's beneficiary or authorized representative. If the beneficiary or authorized representative of a deceased patient-client cannot be located after reasonable efforts, the records may be inspected and copied without consent of the beneficiary or authorized representative, if the Board provides a written request to the recordholder that includes a declaration that the Board has been unsuccessful in locating or contacting the deceased patient's-client's beneficiary or authorized representative after reasonable efforts.

2. Regardless of ~~patient~~ ~~client~~ consent, the Board and its agents may issue an investigatory subpoena duces tecum for psychotherapist-~~patient~~ ~~client~~ communications, pursuant to Article 2 (commencing with Section 11180) of Chapter 2 of Part 1 of Division 3 of Title 2 of the Government Code.

i. Prior to the date called for in the subpoena duces tecum for the production of records, the Board must make a reasonable effort to give notice of the subpoena to the ~~patient~~ ~~client~~ who is the subject of the records, or if the ~~patient~~ ~~client~~ is a minor, to the ~~patient's~~ ~~client's~~ parent(s) or guardian(s), or if the ~~patient~~ ~~client~~ is deceased, to the beneficiary or authorized representative of the deceased ~~patient~~ ~~client~~. ii. Where a party fails to produce subpoenaed communications, the Board or its agents may seek a court order compelling compliance, pursuant to Sections 11187 and 11188 of the Government Code.

3. Any document or record relevant to the business operations of a licensee, and not involving psychotherapy records attributable to identifiable ~~patients~~ ~~clients~~, may be inspected, and copies may be obtained, if relevant to an investigation or proceeding under this chapter.

4. Any records related to a court-ordered or court-related evaluation will be subject to the exception as specified in this section. Examples of records include but are not limited to client notes, recordings, evaluation records – both current and previous, if appropriate, research, and test results. This section shall not be construed to create a psychotherapist-client relationship in a court-ordered or court-related evaluation where one does not otherwise exist.

(e) Protection of Patient ~~Client~~ Privacy. The names and identifying information of any ~~patients~~ ~~clients~~ whose communications are reviewed shall be kept in confidence, except as is necessary during the course of an investigation and proceeding. If proceedings are instituted, reasonable efforts shall be made to keep ~~patient~~ names in confidence.

(f) Rights of Recordholders

1. When requested documents or records are inspected or copies ~~made or~~ received under this section, their acquisition and review shall not unnecessarily disrupt the operations or recordkeeping of the licensee or facility where the records are kept.

2. Psychotherapists otherwise obligated to assert the psychotherapist-~~patient~~ ~~client~~ privilege for psychotherapist-~~patient~~ ~~client~~ communications under Evidence Code Section 1015 have no such obligation with respect



January 10, 2023

Lea Tate, PsyD
President, Board of Psychology
C/o Board of Psychology
1625 North Market Blvd. Ste N-215
Sacramento CA 95834

RE: Licensing Process Improvement Legislation

Dear Dr. Tate,

CPA is sponsoring legislation intended to modify the licensure process at the Board of Psychology (BOP) in order to promote efficiency in the overall process for becoming licensed as a psychologist.

A member survey conducted by CPA in 2022 found significant wait times at each step in the licensing process at the BOP, resulting in delays to consumers accessing treatment and creating a financial burden for applicants due to lost opportunities for income. Survey results indicated that each sequential step in the licensure process typically took 2-4 months to process, for a total wait time often lasting about one year. In addition, almost 60% reported that the delays created financial hardship and over 30% reported the delays caused interruptions in patient care.

To reduce delays, CPA will propose amending B & P § 2914 to allow applicants for psychology licensure to take the required examinations (CPLEE and EPPP) at any time after completing all coursework for a qualifying doctoral degree, rather than in a set sequence with each step requiring review and approval by BOP staff.

The intent of this legislation is to streamline the licensure process to reduce burdensome wait times for applicants and to improve access to care. It could also reduce the workload for licensing staff at the BOP.

In addition, the bill would require the Board of Psychology to revise CCR § 1388 (Examinations), consistent with our bill, to clarify that licensure examinations can be taken at any time after completing the required coursework for a qualifying doctoral degree.

We look forward to discussing this legislative proposal and request that this be placed on the agenda for the next Board of Psychology meeting.

Cordially,

A handwritten signature in black ink that reads "Jo Linder-Crow, PhD".

Jo Linder-Crow, PhD
CEO
California Psychological Association

Attch: Proposed Language

Proposed CPA Language

2914

(a) An applicant for licensure shall not be subject to denial of licensure under Division 1.5 (commencing with Section 475).

(b) (1) On and after January 1, 2020, an applicant for licensure shall possess an earned doctoral degree in any of the following:

(A) Psychology with the field of specialization in clinical, counseling, school, consulting, forensic, industrial, or organizational psychology.

(B) Education with the field of specialization in counseling psychology, educational psychology, or school psychology.

(C) A field of specialization designed to prepare graduates for the professional practice of psychology.

(2) (A) Except as provided in subparagraph (B), the degree or training obtained pursuant to paragraph (1) shall be obtained from a college or institution of higher education that is accredited by a regional accrediting agency recognized by the United States Department of Education.

(B) Subparagraph (A) does not apply to any student who was enrolled in a doctoral program in psychology with the field of specialization in clinical, counseling, school, consulting, forensic, industrial, or organizational psychology or in education with the field of specialization in counseling psychology, educational psychology, or school psychology at a nationally accredited or approved institution as of December 31, 2016.

(3) The board shall make the final determination as to whether a degree meets the requirements of this subdivision.

(4) Until January 1, 2020, the board may accept an applicant who possesses a doctoral degree in psychology, educational psychology, or in education with the field of specialization in counseling psychology or educational psychology from an institution that is not accredited by an accrediting agency recognized by the United States Department of Education, but is approved to operate in this state by the Bureau for Private Postsecondary Education on or before July 1, 1999, and has not, since July 1, 1999, had a new location, as described in Section 94823.5 of the Education Code.

(5) An applicant for licensure trained in an educational institution outside the United States or Canada shall demonstrate to the satisfaction of the board that the applicant possesses a doctoral degree in psychology or education as specified in paragraphs (1) and (2) that is equivalent to a degree earned from a regionally accredited academic institution in the United States or Canada by providing the board with an evaluation of the degree by a foreign credential evaluation service that is a member of the National Association of Credential Evaluation Services (NACES), or by the National Register of Health Services Psychologists (NRHSP), and any other documentation the board deems necessary. The member of the NACES or the NRHSP shall submit the evaluation to the board directly and shall include in the evaluation all of the following:

(A) A transcript in English, or translated into English by the credential evaluation service, of the degree used to qualify for licensure.

(B) An indication that the degree used to qualify for licensure is verified using primary sources.

(C) A determination that the degree is equivalent to a degree that qualifies for licensure pursuant to paragraphs (1) and (2).

(c) (1) An applicant for licensure shall have engaged for at least two years in supervised professional experience under the direction of a licensed psychologist, the specific requirements of which shall be defined by the board in its regulations, or under suitable alternative supervision as determined by the board in regulations duly adopted under this chapter, at least one year of which shall have occurred after the applicant was awarded the qualifying doctoral degree. Any supervision may be provided in real time, which is defined as through in-person or synchronous audiovisual means, in compliance with federal and state laws related to patient health confidentiality. The supervisor shall submit verification of the experience to the trainee as prescribed by the board. If the supervising licensed psychologist fails to provide verification to the trainee in a timely manner, the board may establish alternative procedures for obtaining the necessary documentation. Absent good cause, the failure of a supervising licensed psychologist to provide the verification to the board upon request shall constitute unprofessional conduct.

(2) The board shall establish qualifications by regulation for supervising psychologists.

(d) An applicant for licensure shall take and pass the examination required by Section 2941 unless otherwise exempted by the board under this chapter. An applicant for licensure who has completed all coursework required for a doctoral degree as required by paragraph (b), as documented by a written certification from the registrar of their educational institution or program, shall be eligible to take any and all examinations required for licensure.

(e) An applicant for licensure shall complete coursework or provide evidence of training in the detection and treatment of alcohol and other chemical substance dependency.

(f) An applicant for licensure shall complete coursework or provide evidence of training in spousal or partner abuse assessment, detection, and intervention.

2023 TENTATIVE LEGISLATIVE CALENDAR

COMPILED BY THE OFFICE OF THE SECRETARY OF THE SENATE AND THE OFFICE OF THE ASSEMBLY CHIEF CLERK
Revised 11/4/2022

DEADLINES

JANUARY						
S	M	T	W	TH	F	S
<u>1</u>	2	3	<u>4</u>	5	6	7
8	9	<u>10</u>	11	12	13	14
15	<u>16</u>	17	18	19	<u>20</u>	21
22	23	24	25	26	27	28
29	30	31				

- [Jan. 1](#) Statutes take effect (Art. IV, Sec. 8(c)).
- [Jan. 4](#) Legislature **reconvenes** (J.R. 51(a)(1)).
- [Jan. 10](#) Budget must be submitted by Governor (Art. IV, Sec. 12(a)).
- [Jan. 16](#) Martin Luther King, Jr. Day
- [Jan. 20](#) Last day to submit **bill requests** to the Office of Legislative Counsel

FEBRUARY						
S	M	T	W	TH	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	<u>17</u>	18
19	<u>20</u>	21	22	23	24	25
26	27	28				

- [Feb. 17](#) Last day for bills to **be introduced** (J.R. 61(a),(1)(J.R. 54(a)).
- [Feb. 20](#) Presidents' Day.

MARCH						
S	M	T	W	TH	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	<u>30</u>	<u>31</u>	

- [Mar. 30](#) **Spring recess** begins upon adjournment of this day's session (J.R. 51(a)(2)).
- [Mar. 31](#) Cesar Chavez Day.

APRIL						
S	M	T	W	TH	F	S
						1
2	3	4	5	6	7	8
9	<u>10</u>	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	<u>28</u>	29
30						

- [Apr. 10](#) Legislature reconvenes from **Spring recess** (J.R. 51(a)(2)).
- [Apr. 28](#) Last day for **policy committees** to hear and report to **fiscal committees** **fiscal bills** introduced in their house (J.R. 61(a)(2)).

MAY						
S	M	T	W	TH	F	S
	1	2	3	4	<u>5</u>	6
7	8	9	10	11	<u>12</u>	13
14	15	16	17	18	<u>19</u>	20
21	22	23	24	25	26	27
28	<u>29</u>	<u>30</u>	<u>31</u>			

- [May 5](#) Last day for **policy committees** to hear and report to the floor **non-fiscal bills** introduced in their house (J.R. 61(a)(3))
- [May 12](#) Last day for **policy committees** to meet prior to June 5 (J.R. 61(a)(4)).
- [May 19](#) Last day for **fiscal committees** to hear and report to the Floor bills introduced in their house (J.R. 61(a)(5)).
Last day for **fiscal committees** to meet prior to June 5 (J.R. 61(a)(6)).
- [May 29](#) Memorial Day.
- [May 30-June 2](#) **Floor Session Only.** No committees, other than conference or Rules committees, may meet for any purpose (J.R. 61(a)(7)).

*Holiday schedule subject to Senate Rules committee approval

2023 TENTATIVE LEGISLATIVE CALENDAR

COMPILED BY THE OFFICE OF THE SECRETARY OF THE SENATE AND THE OFFICE OF THE ASSEMBLY CHIEF CLERK
Revised 11/4/2022

JUNE						
S	M	T	W	TH	F	S
				<u>1</u>	<u>2</u>	3
4	<u>5</u>	6	7	8	9	10
11	12	13	14	<u>15</u>	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

June 2 Last day for each house to pass bills introduced in that house (J.R. 61(a)(8)).

June 5 Committee meetings may resume (J.R. 61(a)(9)).

June 15 Budget must be passed by **midnight** (Art. IV, Sec. 12(c)(3)).

JULY						
S	M	T	W	TH	F	S
						1
2	3	<u>4</u>	5	6	7	8
9	10	11	12	13	<u>14</u>	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

July 4 Independence Day.

July 14 Last day for **policy committees** to meet and report bills (J.R. 61(a)(10)).

Summer Recess begins upon adjournment of session provided Budget Bill has been passed (J.R. 51(a)(3)).

AUGUST						
S	M	T	W	TH	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	<u>14</u>	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

Aug. 14 Legislature reconvenes from **Summer Recess** (J.R. 51(a)(3)).

SEPTEMBER						
S	M	T	W	TH	F	S
					<u>1</u>	2
3	<u>4</u>	<u>5</u>	<u>6</u>	<u>7</u>	<u>8</u>	9
10	<u>11</u>	<u>12</u>	<u>13</u>	<u>14</u>	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

Sept. 1 Last day for **fiscal committees** to meet and report bills to Floor (J.R. 61(a)(11)).

Sept. 4 Labor Day.

Sept. 5-14 **Floor session only.** No committees, other than conference or Rules committees, may meet for any purpose (J.R. 61(a)(12)).

Sept. 8 Last day to **amend** on the floor (J.R. 61(a)(13)).

Sept. 14 Last day for **each house to pass bills** (J.R. 61(a)(14)).
Interim Study Recess begins at the end of this day's session (J.R. 51(a)(4)).

*Holiday schedule subject to Senate Rules committee approval

IMPORTANT DATES OCCURRING DURING INTERIM STUDY RECESS

2023

Oct. 14

Last day for Governor to sign or veto bills passed by the Legislature on or before Sept. 14 and in his possession after Sept. 14 (Art. IV, Sec.10(b)(1)).

2024

Jan. 1

Statutes take effect (Art. IV, Sec. 8(c)).

Jan. 3

Legislature reconvenes (J.R. 51(a)(4)).

MEMORANDUM

DATE	January 11, 2023
TO	Board of Psychology
FROM	Jonathan Burke Assistant Executive Officer
SUBJECT	Agenda Item #16(c) – Regulatory Update

The following is a list of the Board's remaining regulatory packages, and their status in the regulatory process:

1. Update on 16 CCR sections 1391.13, and 1391.14 – Inactive Psychological Associate Registration and Reactivating a Psychological Associate Registration

Preparing Regulatory Package	Initial Departmental Review	Notice with OAL and Hearing	Notice of Modified Text and Hearing	Preparation of Final Documentation	Final Departmental Review	Submission to OAL for Review	OAL Approval and Board Implementation
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This package is in the Initial Review Stage. Staff received feedback from Legal Counsel on September 17, 2019, and have incorporated the recommended changes. Staff is waiting to submit the package back to Board Counsel until the Sunset Psychological Associate regulatory package is farther through the regulatory process. Upon approval by Board Legal Counsel, the package will be submitted for the Initial Departmental Review which involves reviews by DCA Legal Affairs Division, DCA Budget Office, DCA's Division of Legislative Affairs, DCA Chief Counsel, DCA Director, and the Business Consumer Services and Housing Agency.

2. Addition to 16 CCR section 1395.2 – Disciplinary Guidelines and Uniform Standards Related to Substance-Abusing Licensees

Preparing Regulatory Package	Initial Departmental Review	Notice with OAL and Hearing	Notice of Modified Text and Hearing	Preparation of Final Documentation	Final Departmental Review	Submission to OAL for Review	OAL Approval and Board Implementation
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Drafting Phase. This phase includes preparation of the regulatory package and collaborative reviews by Board staff and legal counsel.

3. Update on 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

Preparing Regulatory Package	Initial Departmental Review	Notice with OAL and Hearing	Notice of Modified Text and Hearing	Preparation of Final Documentation	Final Departmental Review	Submission to OAL for Review	OAL Approval and Board Implementation
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Drafting Phase. This phase includes preparation of the regulatory package and collaborative reviews by Board staff and legal counsel.

4. Update on 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

Preparing Regulatory Package	Initial Departmental Review	Notice with OAL and Hearing	Notice of Modified Text and Hearing	Preparation of Final Documentation	Final Departmental Review	Submission to OAL for Review	OAL Approval and Board Implementation
------------------------------	-----------------------------	-----------------------------	-------------------------------------	------------------------------------	---------------------------	------------------------------	---------------------------------------

Drafting Phase. This phase includes preparation of the regulatory package and collaborative reviews by Board staff and legal counsel.

Action Requested:

No action required at this time. This is for informational purposes only.

MEMORANDUM

DATE	January 11, 2023
TO	Board of Psychology
FROM	Jonathan Burke Assistant Executive Officer
SUBJECT	Agenda Item 16(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

Background

Governor Brown signed Senate Bill 1193 (SB 1193) (Hill, Chapter 484, Statutes of 2016) on September 22, 2016, and Senate Bill 547 (SB 547) (Hill, Chapter 429, Statutes of 2017), on October 2, 2017. These bills made changes to the psychological assistant registration, discussed below. In addition, Senate Bill 801 (SB 801) (Archuleta, Chapter 647, Statutes of 2021), was signed October 7, 2021, which changed the name “psychological assistant” to “registered psychological associates” and made further changes to the psychological associate registration, also discussed below.

SB 1193 amended Business and Professions Code (BPC) section 2913. First, prior law specified employment settings where a psychological assistant was permitted to perform psychological services, under supervision, and limited the number of psychological assistants that could be employed in these settings. The amendments deleted the referenced settings where employment is permitted, as a psychological assistant, and deleted the limitation on psychological assistants that could be employed in these settings. Second, prior law required the employer of the psychological assistant to submit, to the Board of Psychology (Board), an application to employ the psychological assistant and to renew the psychological assistant registration. These amendments require the psychological assistant to apply to the Board, directly, for the psychological assistant’s registration and to renew the registration annually. Lastly, prior law specified the number of psychological assistants a supervisor could supervise, limiting the number to three.

SB 547 amended BPC section 2987, effective January 1, 2018, removed the supervisor as the person responsible for the renewal of the psychological assistant registration.

SB 801 amended BPC section 2913, effective January 1, 2022, which modified the

name “psychological assistant” to “registered psychological associate.” The Board promulgated a rulemaking without regulatory effect (1 CCR 100), which became effective concurrent with the SB 801 changes, to correct much of this non-discretionary language usage.

This rulemaking file brings the Board in compliance with the changes enacted by Senate Bill 1193 (SB 1193) (Hill, Chapter 484, Statutes of 2016), Senate Bill 547 (SB 547) (Hill, Chapter 429, Statutes of 2017), and Senate Bill 801 (SB 801) (Archuleta, Chapter 647, Statutes of 2021). The amendments to the Board’s regulations will clarify the requirements of delegated supervisors and will update the registration and renewal process, including two new forms which are being incorporated by reference.

This package was noticed for the initial 45-day comment period on June 7, 2022. The comment period for this rulemaking file ended on August 2, 2022. During this comment period, the Board received no comments.

On September 14, 2022, this package was noticed for a 15-day comment period as staff requested to add and delete underlying documents from the rulemaking file, ensuring that the correct minutes were referenced. The comment period for this correction to the rulemaking file ended on September 30, 2022, and the Board received no comments.

On November 18, 2022, the Board reviewed and adopted this regulatory text as noticed, and delegated authority to the Executive Officer to make any technical or non-substantive edits in order to secure final approval from the Office of Administrative Law.

On December 12, 2022, this package was filed with OAL. OAL had until January 25, 2023, to complete their review of this package.

Action Requested:

This is for informational purposes only, unless OAL requires the Board to make any substantive changes. Such information will be provided via hand carry documents, if appropriate.

MEMORANDUM

DATE	January 17, 2023
TO	Psychology Board Members
FROM	Sandra Monterrubio, Enforcement Program Manager
SUBJECT	Agenda Item 17(a) Consideration of and Possible Action on Committee Recommendations

The Enforcement Committee and staff began a comprehensive review of all enforcement-related sections of the Business and Professions Code (BPC). Attached are sections 2995-2999.

Attachments:

BPC section 2995 – Psychological corporation
BPC section 2996 – Violation of unprofessional conduct
BPC section 2996.1 – Conduct of practice
BPC section 2996.2 – Accrual of income to shareholder while disqualified prohibited
BPC section 2997 – Shareholders, directors and officers to be licensees
BPC section 2998 – Name
BPC section 2999 – Regulation by committee

Action Requested

The Enforcement Committee requests the Board approve the Committee's recommended changes to the BPC sections related to enforcement and direct staff to seek an author for the proposed language.

1 **BUSINESS AND PROFESSIONS CODE - BPC**
2 **DIVISION 2. HEALING ARTS [500 - 4999.129]**
3 *(Division 2 enacted by Stats. 1937, Ch. 399.)*

4
5 **CHAPTER 6.6. Psychologists [2900 - 2999]**
6 *(Chapter 6.6 repealed and added by Stats. 1967, Ch. 1677.)*
7

8
9 **ARTICLE 9. PSYCHOLOGICAL CORPORATIONS [2995 - 2999]**
10 *(Article 1 added by Stats. 1980, Ch. 1314.)*
11

12
13 **2995.**

14 A psychological corporation is a corporation that is authorized to render professional
15 services, as defined in Section 13401 of the Corporations Code, so long as that
16 corporation and its shareholders, officers, directors, and employees rendering
17 professional services who are licensed as psychologists, podiatrists, registered nurses,
18 optometrists, marriage and family therapists, licensed professional clinical counselors,
19 licensed clinical social workers, chiropractors, acupuncturists, ~~or~~ physicians and
20 surgeons, naturopathic doctors, or licensed midwives are in compliance with the
21 Moscone-Knox Professional Corporation Act, this article, and all other statutes and
22 regulations now or hereafter enacted or adopted pertaining to that corporation and the
23 conduct of its affairs.

24 *(Amended by Stats. 2018, Ch. 389, Sec. 2. (AB 2296) Effective January 1, 2019.)*

25 [February 25, 2020] [12/13/21][11/28/2022]
26

27 **2996.**

28 It shall constitute unprofessional conduct and a violation of this chapter for any person
29 licensed under this chapter to violate, attempt to violate, directly or indirectly, or assist in
30 or abet the violation of, or conspire to violate, any provision or term of this article, the
31 Moscone-Knox Professional Corporation Act, or any regulations duly adopted under
32 those laws.

33 *(Repealed and added by Stats. 1980, Ch. 1314, Sec. 15.)*
34

35 **2996.1.**

36 A psychological corporation shall not do or fail to do any act the doing of which or the
37 failure to do which would constitute unprofessional conduct under any statute or
38 regulation now or hereafter in effect. In the conduct of its practice, it shall observe and
39 be bound by such statutes and regulations to the same extent as a person licensed
40 under this chapter.

41 *(Added by Stats. 1980, Ch. 1314, Sec. 15.)*
42

43 **2996.2.**

44 The income of a psychological corporation attributable to professional services rendered
45 while a shareholder is a disqualified person, as defined in Section 13401 of the

1 Corporations Code, shall not in any manner accrue to the benefit of such shareholder or
2 his or her shares in the psychological corporation.

3 *(Repealed and added by Stats. 1980, Ch. 1314, Sec. 15.)*
4

5 **2997.**

6 Except as provided in Sections 13401.5 and 13403 of the Corporations Code, each
7 shareholder, director and officer of a psychological corporation, except an assistant
8 secretary and an assistant treasurer, shall be a licensed person as defined in Section
9 13401 of the Corporations Code.

10 *(Added by Stats. 1980, Ch. 1314, Sec. 15.)*
11

12 **2998.**

13 The name of a psychological corporation and any name or names under which it may
14 render professional services shall contain one of the words specified in subdivision (c)
15 of Section 2902, and wording or abbreviations denoting corporate existence.

16 *(Added by Stats. 1980, Ch. 1314, Sec. 15.)*
17

18 **2999.**

19 The board may adopt and enforce regulations to carry out the purposes and objectives
20 of this article, including regulations requiring (a) that the bylaws of a psychological
21 corporation shall include a provision whereby the capital stock of that corporation owned
22 by a disqualified person, as defined in Section 13401 of the Corporations Code, or a
23 deceased person, shall be sold to the corporation or to the remaining shareholders of
24 that corporation within any time as those regulations may provide, and (b) that a
25 psychological corporation shall provide adequate security by insurance or otherwise for
26 claims against it by its patients or clients arising out of the rendering of professional
27 services.

28 *(Amended by Stats. 1989, Ch. 888, Sec. 46.)*

MEMORANDUM

DATE	January 17, 2023
TO	Psychology Board Members
FROM	Sandra Monterrubio, Enforcement Program Manager
SUBJECT	Agenda Item 17(b) Corporations Code sections 13401-13410

The Enforcement Committee and staff began a comprehensive review of the Corporations Code sections 13401-13410. The Committee does not have any recommended changes to these sections.

Attachments:

- 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

Action Requested

The Committee requests the Board review and approve its recommendation that no changes be made to these sections

1 CORPORATIONS CODE - CORP
2 TITLE 1. CORPORATIONS [100 - 14631]
3 (Title 1 enacted by Stats. 1947, Ch. 1038.)

4 DIVISION 3. CORPORATIONS FOR SPECIFIC PURPOSES [12000 - 14631]
5 (Division 3 enacted by Stats. 1947, Ch. 1038.)

6
7 PART 4. PROFESSIONAL CORPORATIONS [13400 - 13410]
8 (Part 4 added by Stats. 1968, Ch. 1375.)

9
10 **13401.**

11 As used in this part:

12 (a) "Professional services" means any type of professional services that may be lawfully
13 rendered only pursuant to a license, certification, or registration authorized by the
14 Business and Professions Code, the Chiropractic Act, or the Osteopathic Act.

15 (b) "Professional corporation" means a corporation organized under the General
16 Corporation Law or pursuant to subdivision (b) of Section 13406 that is engaged in
17 rendering professional services in a single profession, except as otherwise authorized in
18 Section 13401.5, pursuant to a certificate of registration issued by the governmental
19 agency regulating the profession as herein provided and that in its practice or business
20 designates itself as a professional or other corporation as may be required by statute.
21 However, any professional corporation or foreign professional corporation rendering
22 professional services by persons duly licensed by the Medical Board of California or any
23 examining committee under the jurisdiction of the board, the California Board of
24 Podiatric Medicine, the Osteopathic Medical Board of California, the Dental Board of
25 California, the Dental Hygiene Board of California, the California State Board of
26 Pharmacy, the California Board of Psychology, the Veterinary Medical Board, the
27 California Architects Board, the Court Reporters Board of California, the Board of
28 Behavioral Sciences, the Speech-Language Pathology and Audiology Board, the Board
29 of Registered Nursing, or the State Board of Optometry shall not be required to obtain a
30 certificate of registration in order to render those professional services.

31 (c) "Foreign professional corporation" means a corporation organized under the laws of
32 a state of the United States other than this state that is engaged in a profession of a
33 type for which there is authorization in the Business and Professions Code for the
34 performance of professional services by a foreign professional corporation.

35 (d) "Licensed person" means any natural person who is duly licensed under the
36 provisions of the Business and Professions Code, the Chiropractic Act, or the
37 Osteopathic Act to render the same professional services as are or will be rendered by
38 the professional corporation or foreign professional corporation of which he or she is, or
39 intends to become, an officer, director, shareholder, or employee.

40 (e) "Disqualified person" means a licensed person who for any reason becomes legally
41 disqualified (temporarily or permanently) to render the professional services that the
42 particular professional corporation or foreign professional corporation of which he or she
43 is an officer, director, shareholder, or employee is or was rendering.
44

1 **13401.3.**

2 As used in this part, “professional services” also means any type of professional
3 services that may be lawfully rendered only pursuant to a license, certification, or
4 registration authorized by the Yacht and Ship Brokers Act (Article 2 (commencing with
5 Section 700) of Chapter 5 of Division 3 of the Harbors and Navigation Code).

6
7 **13401.5.**

8 Notwithstanding subdivision (d) of Section 13401 and any other provision of law, the
9 following licensed persons may be shareholders, officers, directors, or professional
10 employees of the professional corporations designated in this section so long as the
11 sum of all shares owned by those licensed persons does not exceed 49 percent of the
12 total number of shares of the professional corporation so designated herein, and so long
13 as the number of those licensed persons owning shares in the professional corporation
14 so designated herein does not exceed the number of persons licensed by the
15 governmental agency regulating the designated professional corporation. This section
16 does not limit employment by a professional corporation designated in this section to
17 only those licensed professionals listed under each subdivision. Any person duly
18 licensed under Division 2 (commencing with Section 500) of the Business and
19 Professions Code, the Chiropractic Act, or the Osteopathic Act may be employed to
20 render professional services by a professional corporation designated in this section.

21 (a) Medical corporation.

- 22 (1) Licensed doctors of podiatric medicine.
- 23 (2) Licensed psychologists.
- 24 (3) Registered nurses.
- 25 (4) Licensed optometrists.
- 26 (5) Licensed marriage and family therapists.
- 27 (6) Licensed clinical social workers.
- 28 (7) Licensed physician assistants.
- 29 (8) Licensed chiropractors.
- 30 (9) Licensed acupuncturists.
- 31 (10) Naturopathic doctors.
- 32 (11) Licensed professional clinical counselors.
- 33 (12) Licensed physical therapists.
- 34 (13) Licensed pharmacists.
- 35 (14) Licensed midwives.

- 1 (b) Podiatric medical corporation.
- 2 (1) Licensed physicians and surgeons.
- 3 (2) Licensed psychologists.
- 4 (3) Registered nurses.
- 5 (4) Licensed optometrists.
- 6 (5) Licensed chiropractors.
- 7 (6) Licensed acupuncturists.
- 8 (7) Naturopathic doctors.
- 9 (8) Licensed physical therapists.
- 10 (c) Psychological corporation.
- 11 (1) Licensed physicians and surgeons.
- 12 (2) Licensed doctors of podiatric medicine.
- 13 (3) Registered nurses.
- 14 (4) Licensed optometrists.
- 15 (5) Licensed marriage and family therapists.
- 16 (6) Licensed clinical social workers.
- 17 (7) Licensed chiropractors.
- 18 (8) Licensed acupuncturists.
- 19 (9) Licensed nNaturopathic doctors.
- 20 (10) Licensed professional clinical counselors.
- 21 (11) Licensed midwives.
- 22 (d) Speech-language pathology corporation.
- 23 (1) Licensed audiologists.
- 24 (e) Audiology corporation.
- 25 (1) Licensed speech-language pathologists.
- 26 (f) Nursing corporation.
- 27 (1) Licensed physicians and surgeons.
- 28 (2) Licensed doctors of podiatric medicine.
- 29 (3) Licensed psychologists.
- 30 (4) Licensed optometrists.

- 1 (5) Licensed marriage and family therapists.
- 2 (6) Licensed clinical social workers.
- 3 (7) Licensed physician assistants.
- 4 (8) Licensed chiropractors.
- 5 (9) Licensed acupuncturists.
- 6 (10) Naturopathic doctors.
- 7 (11) Licensed professional clinical counselors.
- 8 (12) Licensed midwives.

9 (g) Marriage and family therapist corporation.

- 10 (1) Licensed physicians and surgeons.
- 11 (2) Licensed psychologists.
- 12 (3) Licensed clinical social workers.
- 13 (4) Registered nurses.
- 14 (5) Licensed chiropractors.
- 15 (6) Licensed acupuncturists.
- 16 (7) Naturopathic doctors.
- 17 (8) Licensed professional clinical counselors.
- 18 (9) Licensed midwives.

19 (h) Licensed clinical social worker corporation.

- 20 (1) Licensed physicians and surgeons.
- 21 (2) Licensed psychologists.
- 22 (3) Licensed marriage and family therapists.
- 23 (4) Registered nurses.
- 24 (5) Licensed chiropractors.
- 25 (6) Licensed acupuncturists.
- 26 (7) Naturopathic doctors.
- 27 (8) Licensed professional clinical counselors.

28 (i) Physician assistants corporation.

- 29 (1) Licensed physicians and surgeons.
- 30 (2) Registered nurses.

- 1 (3) Licensed acupuncturists.
- 2 (4) Naturopathic doctors.
- 3 (5) Licensed midwives.
- 4 (j) Optometric corporation.
- 5 (1) Licensed physicians and surgeons.
- 6 (2) Licensed doctors of podiatric medicine.
- 7 (3) Licensed psychologists.
- 8 (4) Registered nurses.
- 9 (5) Licensed chiropractors.
- 10 (6) Licensed acupuncturists.
- 11 (7) Naturopathic doctors.
- 12 (k) Chiropractic corporation.
- 13 (1) Licensed physicians and surgeons.
- 14 (2) Licensed doctors of podiatric medicine.
- 15 (3) Licensed psychologists.
- 16 (4) Registered nurses.
- 17 (5) Licensed optometrists.
- 18 (6) Licensed marriage and family therapists.
- 19 (7) Licensed clinical social workers.
- 20 (8) Licensed acupuncturists.
- 21 (9) Naturopathic doctors.
- 22 (10) Licensed professional clinical counselors.
- 23 (11) Licensed midwives.
- 24 (l) Acupuncture corporation.
- 25 (1) Licensed physicians and surgeons.
- 26 (2) Licensed doctors of podiatric medicine.
- 27 (3) Licensed psychologists.
- 28 (4) Registered nurses.
- 29 (5) Licensed optometrists.
- 30 (6) Licensed marriage and family therapists.

- 1 (7) Licensed clinical social workers.
- 2 (8) Licensed physician assistants.
- 3 (9) Licensed chiropractors.
- 4 (10) Naturopathic doctors.
- 5 (11) Licensed professional clinical counselors.
- 6 (12) Licensed midwives.
- 7 (m) Naturopathic doctor corporation.
- 8 (1) Licensed physicians and surgeons.
- 9 (2) Licensed psychologists.
- 10 (3) Registered nurses.
- 11 (4) Licensed physician assistants.
- 12 (5) Licensed chiropractors.
- 13 (6) Licensed acupuncturists.
- 14 (7) Licensed physical therapists.
- 15 (8) Licensed doctors of podiatric medicine.
- 16 (9) Licensed marriage and family therapists.
- 17 (10) Licensed clinical social workers.
- 18 (11) Licensed optometrists.
- 19 (12) Licensed professional clinical counselors.
- 20 (13) Licensed midwives.
- 21 (n) Dental corporation.
- 22 (1) Licensed physicians and surgeons.
- 23 (2) Dental assistants.
- 24 (3) Registered dental assistants.
- 25 (4) Registered dental assistants in extended functions.
- 26 (5) Registered dental hygienists.
- 27 (6) Registered dental hygienists in extended functions.
- 28 (7) Registered dental hygienists in alternative practice.
- 29 (o) Professional clinical counselor corporation.
- 30 (1) Licensed physicians and surgeons.

- 1 (2) Licensed psychologists.
- 2 (3) Licensed clinical social workers.
- 3 (4) Licensed marriage and family therapists.
- 4 (5) Registered nurses.
- 5 (6) Licensed chiropractors.
- 6 (7) Licensed acupuncturists.
- 7 (8) Naturopathic doctors.
- 8 (9) Licensed midwives.
- 9 (p) Physical therapy corporation.
- 10 (1) Licensed physicians and surgeons.
- 11 (2) Licensed doctors of podiatric medicine.
- 12 (3) Licensed acupuncturists.
- 13 (4) Naturopathic doctors.
- 14 (5) Licensed occupational therapists.
- 15 (6) Licensed speech-language therapists.
- 16 (7) Licensed audiologists.
- 17 (8) Registered nurses.
- 18 (9) Licensed psychologists.
- 19 (10) Licensed physician assistants.
- 20 (11) Licensed midwives.
- 21 (q) Registered dental hygienist in alternative practice corporation.
- 22 (1) Registered dental assistants.
- 23 (2) Licensed dentists.
- 24 (3) Registered dental hygienists.
- 25 (4) Registered dental hygienists in extended functions.
- 26 (r) Licensed midwifery corporation.
- 27 (1) Licensed physicians and surgeons.
- 28 (2) Licensed psychologists.
- 29 (3) Registered nurses.
- 30 (4) Licensed marriage and family therapists.

- 1 (5) Licensed clinical social workers.
- 2 (6) Licensed physician assistants.
- 3 (7) Licensed chiropractors.
- 4 (8) Licensed acupuncturists.
- 5 (9) Licensed naturopathic doctors.
- 6 (10) Licensed professional clinical counselors.
- 7 (11) Licensed physical therapists.

8

9 **13402.**

10 (a) This part shall not apply to any corporation now in existence or hereafter organized
11 which may lawfully render professional services other than pursuant to this part, nor
12 shall anything herein contained alter or affect any right or privilege, whether under any
13 existing or future provision of the Business and Professions Code or otherwise, in terms
14 permitting or not prohibiting performance of professional services through the use of any
15 form of corporation permitted by the General Corporation Law.

16 (b) The conduct of a business in this state by a corporation pursuant to a license or
17 registration issued under any state law, except laws relating to taxation, shall not be
18 considered to be the conduct of a business as a professional corporation if the business
19 is conducted by, and the license or registration is issued to, a corporation which is not a
20 professional corporation within the meaning of this part, whether or not a professional
21 corporation could conduct the same business, or portions of the same business, as a
22 professional corporation.

23

24 **13403.**

25 The provisions of the General Corporation Law shall apply to professional corporations,
26 except where such provisions are in conflict with or inconsistent with the provisions of
27 this part. A professional corporation which has only one shareholder need have only
28 one director who shall be such shareholder and who shall also serve as the president
29 and treasurer of the corporation. The other officers of the corporation in such situation
30 need not be licensed persons. A professional corporation which has only two
31 shareholders need have only two directors who shall be such shareholders. The two
32 shareholders between them shall fill the offices of president, vice president, secretary
33 and treasurer.

34 A professional medical corporation may establish in its articles or bylaws the manner in
35 which its directors are selected and removed, their powers, duties, and compensation.
36 Each term of office may not exceed three years. Notwithstanding the foregoing, the
37 articles or bylaws of a professional medical corporation with more than 200
38 shareholders may provide that directors who are officers of the corporation or who are

1 responsible for the management of all medical services at one or more medical centers
2 may have terms of office, as directors, of up to six years; however, no more than 50
3 percent of the members of the board, plus one additional member of the board, may
4 have six-year terms of office.

5

6 **13404.**

7 A corporation may be formed under the General Corporation Law or pursuant to
8 subdivision (b) of Section 13406 for the purposes of qualifying as a professional
9 corporation in the manner provided in this part and rendering professional services. The
10 articles of incorporation of a professional corporation shall contain a specific statement
11 that the corporation is a professional corporation within the meaning of this part. Except
12 as provided in subdivision (b) of Section 13401, no professional corporation shall render
13 professional services in this state without a currently effective certificate of registration
14 Misc. issued by the governmental agency regulating the profession in which such
15 corporation is or proposes to be engaged, pursuant to the applicable provisions of the
16 Business and Professions Code or the Chiropractic Act expressly authorizing such
17 professional services to be rendered by a professional corporation.

18

19 **13404.5.**

20 (a) A foreign professional corporation may qualify as a foreign corporation to transact
21 intrastate business in this state in accordance with Chapter 21 (commencing with
22 Section 2100) of Division 1. A foreign professional corporation shall be subject to the
23 provisions of the General Corporation Law applicable to foreign corporations, except
24 where those provisions are in conflict with or inconsistent with the provisions of this part.
25 The statement and designation filed by the foreign professional corporation pursuant to
26 Section 2105 shall contain a specific statement that the corporation is a foreign
27 professional corporation within the meaning of this part.

28 (b) No foreign professional corporation shall render professional services in this state
29 without a currently effective certificate of registration issued by the governmental
30 agency regulating the profession in which that corporation proposes to be engaged,
31 pursuant to the applicable provisions of the Business and Professions Code expressly
32 authorizing those professional services to be rendered by a foreign professional
33 corporation.

34 (c) If the California board, commission, or other agency that prescribes the rules or
35 regulations governing a particular profession either now or hereafter requires that the
36 shareholders of the professional corporation bear any degree of personal liability for the
37 acts of the corporation, either by personal guarantee or in some other form that the
38 governing agency prescribes, the shareholders of a foreign corporation that has been
39 qualified to do business in this state in the same profession shall, as a condition of
40 doing business in this state, be subject, with regard to the rendering of professional
41 services by the professional corporation in California, or for California residents, to the
42 same degree of personal liability, if any, as is prescribed by the governing agency for

1 shareholders of a California professional corporation rendering services in the same
2 profession.

3 (d) Each application by a foreign professional corporation to qualify to do business in
4 this state shall contain the following statement: "The shareholders of the undersigned
5 foreign professional corporation shall be subject, with regard to the rendering of
6 professional services by the professional corporation in California, or for California
7 residents, to the same degree of personal liability, if any, in California as is from time to
8 time prescribed by the agency governing the profession in this state for shareholders in
9 a California professional corporation rendering services in the same profession. This
10 application accordingly constitutes a submission to the juris- diction of the courts of
11 California to the same extent, but only to the same extent, as applies to the
12 shareholders of a California professional corporation in the same profession. The
13 foregoing submission to jurisdiction is a condition of qualification to do business in this
14 state."

15

16 **13405.**

17 (a) Subject to the provisions of Section 13404, a professional corporation may lawfully
18 render professional services in this state, but only through employees who are licensed
19 persons. The corporation may employ persons not so licensed, but such persons shall
20 not render any professional services rendered or to be rendered by that corporation in
21 this state. A professional corporation may render professional services outside of this
22 state, but only through employees who are licensed to render the same professional
23 services in the jurisdiction or jurisdictions in which the person practices. Nothing in this
24 section is intended to prohibit the rendition of occasional professional services in
25 another jurisdiction as an incident to the licensee's primary practice, so long as it is
26 permitted by the governing agency that regulates the particular profession in the
27 jurisdiction. Nothing in this section is intended to prohibit the rendition of occasional
28 professional services in this state as an incident to a professional employee's primary
29 practice for a foreign professional corporation qualified to render professional services
30 in this state, so long as it is permitted by the governing agency that regulates the
31 particular profession in this state.

32 (b) Subject to Section 13404.5, a foreign professional corporation qualified to render
33 professional services in this state may lawfully render professional services in this state,
34 but only through employees who are licensed persons, and shall render professional
35 services outside of this state only through persons who are licensed to render the same
36 professional services in the jurisdiction or jurisdictions in which the person practices.
37 The foreign professional corporation may employ persons in this state who are not
38 licensed in this state, but those persons shall not render any professional services
39 rendered or to be rendered by the corporation in this state.

40 (c) Nothing in this section or in this part is intended to, or shall, augment, diminish or
41 otherwise alter existing provisions of law, statutes or court rules relating to services by a
42 California attorney in another jurisdiction, or services by an out-of-state attorney in
43 California. These existing provisions, including, but not limited to, admission pro hac

1 vice and the taking of depositions in a jurisdiction other than the one in which the
2 deposing attorney is admitted to practice, shall remain in full force and effect.

3

4 **13406.**

5 (a) Subject to the provisions of subdivision (b), shares of capital stock in a professional
6 corporation may be issued only to a licensed person or to a person who is licensed to
7 render the same professional services in the jurisdiction or jurisdictions in which the
8 person practices, and any shares issued in violation of this restriction shall be void.
9 Unless there is a public offering of securities by a professional corporation or by a
10 foreign professional corporation in this state, its financial statements shall be treated by
11 the Commissioner of Business Oversight as confidential, except to the extent that such
12 statements shall be subject to subpoena in connection with any judicial or administrative
13 proceeding, and may be admissible in evidence therein. A shareholder of a professional
14 corporation or of a foreign professional corporation qualified to render professional
15 services in this state shall not enter into a voting trust, proxy, or any other arrangement
16 vesting another person (other than another person who is a shareholder of the same
17 corporation) with the authority to exercise the voting power of any or all of the
18 shareholder's shares, and any purported voting trust, proxy, or other arrangement shall
19 be void.

20 (b) A professional law corporation may be incorporated as a nonprofit public benefit
21 corporation under the Nonprofit Public Benefit Corporation Law under either of the
22 following circumstances:

23 (1) The corporation is a qualified legal services project or a qualified support
24 center within the meaning of subdivisions (a) and (b) of Section 6213 of the
25 Business and Professions Code.

26 (2) The professional law corporation otherwise meets all of the requirements and
27 complies with all of the provisions of the Nonprofit Public Benefit Corporation
28 Law, as well as all of the following requirements:

29 (A) All of the members of the corporation, if it is a membership
30 organization as described in the Nonprofit Corporation Law, are persons
31 licensed to practice law in California.

32 (B) All of the members of the professional law corporation's board of
33 directors are persons licensed to practice law in California.

34 (C) Seventy percent of the clients to whom the corporation provides legal
35 services are lower income persons as defined in Section 50079.5 of the
36 Health and Safety Code, and to other persons who would not otherwise
37 have access to legal services.

38 (D) The corporation shall not enter into contingency fee contracts with
39 clients.

1 (c) A professional law corporation incorporated as a nonprofit public benefit corporation
2 that is a recipient in good standing as defined in subdivision (c) of Section 6213 of the
3 Business and Professions Code shall be deemed to have satisfied all of the filing
4 requirements of a professional law corporation under Sections 6161.1, 6162, and 6163
5 of the Business and Professions Code.

6
7 **13407.**

8 Shares in a professional corporation or a foreign professional corporation qualified to
9 render professional services in this state may be transferred only to a licensed person,
10 to a shareholder of the same corporation, to a person licensed to practice the same
11 profession in the jurisdiction or jurisdictions in which the person practices, or to a
12 professional corporation, and any transfer in violation of this restriction shall be void,
13 except as provided herein. A professional corporation may purchase its own shares
14 without regard to any restrictions provided by law upon the repurchase of shares, if at
15 least one share remains issued and outstanding. If a professional corporation or a
16 foreign professional corporation qualified to render professional services in this state
17 shall fail to acquire all of the shares of a shareholder who is disqualified from rendering
18 professional services in this state or of a deceased shareholder who was, on his or her
19 date of death, licensed to render professional services in this state, or if such a
20 disqualified shareholder or the representative of such a deceased shareholder shall fail
21 to transfer said shares to the corporation, to another shareholder of the corporation, to a
22 person licensed to practice the same profession in the jurisdiction or jurisdictions in
23 which the person practices, or to a licensed person, within 90 days following the date of
24 disqualification, or within six months following the date of death of the shareholder, as
25 the case may be, then the certificate of registration of the corporation may be
26 suspended or revoked by the governmental agency regulating the profession in which
27 the corporation is engaged. In the event of such a suspension or revocation, the
28 corporation shall cease to render professional services in this state.

29 Notwithstanding any provision in this part, upon the death or incapacity of a dentist, any
30 individual named in subdivision (a) of Section 1625.3 of the Business and Professions
31 Code may employ licensed dentists and dental assistants and charge for their
32 professional services for a period not to exceed 12 months from the date of death or
33 incapacity of the dentist. The employment of licensed dentists and dental assistants
34 shall not be deemed the practice of dentistry within the meaning of Section 1625 of the
35 Business and Professions Code, provided that all of the requirements of Section 1625.4
36 of the Business and Professions Code are met. If an individual listed in Section 1625.3
37 of the Business and Professions Code is employing licensed persons and dental
38 assistants, then the shares of a deceased or incapacitated dentist shall be Misc.
39 transferred as provided in this section no later than 12 months from the date of death or
40 incapacity of the dentist.

41
42 **13408.**

1 The following shall be grounds for the suspension or revocation of the certificate of
2 registration of a professional corporation or a foreign professional corporation qualified
3 to render professional services in this state: (a) if all shareholders who are licensed
4 persons of such corporation shall at any one time become disqualified persons, or (b) if
5 the sole shareholder shall become a disqualified person, or (c) if such corporation shall
6 knowingly employ or retain in its employment a disqualified person, or (d) if such
7 corporation shall violate any applicable rule or regulation adopted by the governmental
8 agency regulating the profession in which such corporation is engaged, or (e) if such
9 corporation shall violate any statute applicable to a professional corporation or to a
10 foreign professional corporation, or (f) any ground for such suspension or revocation
11 specified in the Business and Professions Code relating to the profession in which such
12 corporation is engaged. In the event of such suspension or revocation of its certificate of
13 registration such corporation shall cease forthwith to render professional services in this
14 state.

15

16 **13408.5**

17 A professional corporation shall not be formed so as to cause any violation of law, or
18 any applicable rules and regulations, relating to fee splitting, kick-backs, or other similar
19 practices by physicians and surgeons or psychologists, including, but not limited to,
20 Section 650 or subdivision (e) of Section 2960 of the Business and Professions Code. A
21 violation of any such provisions shall be grounds for the suspension or revocation of the
22 certificate of registration of the professional corporation. The Commissioner of Business
23 Oversight or the Director of the Department of Managed Health Care may refer any
24 suspected violation of those provisions to the governmental agency regulating the
25 profession in which the corporation is, or proposes to be engaged.

26

27 **13409.**

28 (a) Subject to Section 201, a professional corporation may adopt any name permitted by
29 a law expressly applicable to the profession in which the corporation is engaged or by a
30 rule or regulation of the governmental agency regulating that profession. The Secretary
31 of State may require proof by affidavit or otherwise establishing that the name of the
32 professional corporation complies with the requirements of this section and of the law
33 governing the profession in which that professional corporation is engaged. The
34 statements of fact in those affidavits may be accepted by the Secretary of State as
35 sufficient proof of the facts.

36 (b) Subject to Section 201, a foreign professional corporation qualified to render
37 professional services in this state may transact intrastate business in this state by any
38 name permitted by a law expressly applicable to the profession in which the corporation
39 is engaged, or by a rule or regulation of the governmental agency regulating the
40 rendering of professional services in this state by the corporation. The Secretary of
41 State may require proof by affidavit or otherwise establishing that the name of the
42 foreign professional corporation qualified to render professional services in this state

1 complies with the requirements of this section and of the law governing the profession in
2 which the foreign professional corporation qualified to render professional services in
3 this state proposes to engage in this state. The statements of fact in those affidavits
4 may be accepted by the Secretary of State as sufficient proof of the facts.

5

6 **13410.**

7 (a) A professional corporation or a foreign professional corporation qualified to render
8 professional services in this state shall be subject to the applicable rules and regulations
9 adopted by, and all the disciplinary provisions of the Business and Professions Code
10 expressly governing the practice of the profession in this state, and to the powers of, the
11 governmental agency regulating the profession in which such corporation is engaged.
12 Nothing in this part shall affect or impair the disciplinary powers of any such
13 governmental agency over licensed persons or any law, rule or regulation pertaining to
14 the standards for professional conduct of licensed persons or to the professional
15 relationship between any licensed person furnishing professional services and the
16 person receiving such services.

17 (b) With respect to any foreign professional corporation qualified to render professional
18 services in this state, each such governmental agency shall adopt rules, regulations,
19 and orders as appropriate to restrict or prohibit any disqualified person from doing any
20 of the following:

21 (1) Being a shareholder, director, officer, or employee of the corporation.

22 (2) Rendering services in any profession in which he or she is a disqualified
23 person.

24 (3) Participating in the management of the corporation.

25 (4) Sharing in the income of the corporation.

MEMORANDUM

DATE	February 2, 2023
TO	Board Members
FROM	Christian Lavarello, Probation Monitor
SUBJECT	Agenda Item 17(d): Probation Overview - 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

Background

Attached is the Probation Overview that was provided to the Enforcement Committee at our November 2022 Enforcement Committee Meeting.

At our December 2022 Enforcement Committee Meeting, the Committee discussed optional term #6 - Psychotherapy and whether a therapeutic hour was 45 or 60 minutes. The Committee recommended that the full Board discuss this matter at our February Board Meeting.

Action Requested

Discuss optional term #6 - Psychotherapy and determine what constitutes a therapeutic hour.

Attachments:

Probation Program Overview
Optional Term #6 - Psychotherapy
California Code of Regulations, section 1395.2 - Disciplinary Guidelines and Uniforms Standards Related to Substance Abusing Licensees

Condition #6 – Psychotherapy

Within ninety (90) days of the effective date of this Decision, a therapist shall be selected by the respondent for approval by the Board. The therapist shall (1) be a California-licensed psychologist with a clear and current license; (2) have no previous business, professional, personal, or other relationship with respondent; and (3) not be the same person as respondent's monitor. Respondent shall furnish a copy of this Decision to the therapist. Psychotherapy shall, at a minimum, consist of one hour per week over a period of fifty-two (52) consecutive weeks after which it may continue or terminate upon the written recommendation of the therapist with written approval by the Board or its designee. The Board or its designee may order a psychological evaluation upon receipt of the therapist's recommendation.

Respondent shall execute a release authorizing the therapist to provide to the Board or its designee any information the Board deems appropriate, including quarterly reports of respondent's therapeutic progress. It shall be respondent's responsibility to assure that the required quarterly reports are filed by the therapist in a timely manner. If the therapist notifies the Board that the therapist believes the respondent cannot continue to safely render psychological services, upon notification from the Board respondent shall immediately cease accepting new patients and, in accordance with professional standards, shall appropriately refer/terminate existing patients within thirty (30) days and shall not resume practice until a Board-appointed evaluator determines that respondent is again safe to practice. The term of probation shall be extended by the period of time during which respondent is ordered to cease practice.

If, prior to the termination of probation, respondent is found not to be mentally fit to resume the practice of psychology without restrictions, the Board shall retain continuing jurisdiction over the respondent's license and the term of probation shall be extended until the Board or its designee determines that the respondent is mentally fit to resume the practice of psychology without restrictions.

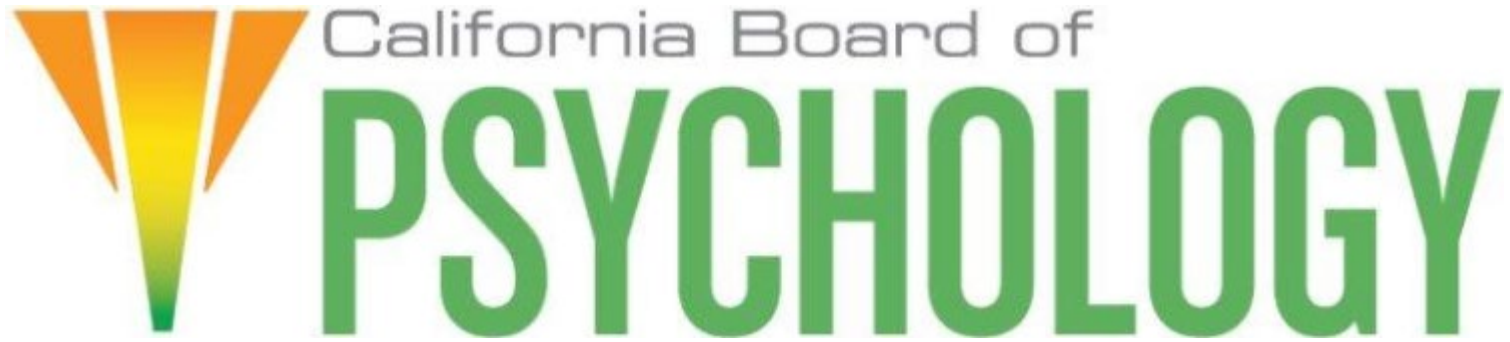
Cost of psychotherapy is to be paid by the respondent.

California Code of Regulations 1395.2 - Disciplinary Guidelines and Uniform Standards Related to Substance Abusing Licensees.

(a) In reaching a decision on a disciplinary action under the administrative adjudication provisions of the Administrative Procedure Act (Government Code Section 11400 et seq.), the Board of Psychology shall consider and apply the "Disciplinary Guidelines and Uniform Standards related to Substance Abusing Licensees (4/15)," which is hereby incorporated by reference.

(b) If the conduct found to be grounds for discipline involves drugs and/or alcohol, the licensee shall be presumed to be a substance-abusing licensee for purposes of section 315 of the Code. If the licensee does not rebut that presumption, in addition to any and all other relevant terms and conditions contained in the Disciplinary Guidelines, the terms and conditions that incorporate the Uniform Standards Related to Substance Abusing Licensees shall apply as written and be used in the order placing the license on probation.

(c) Deviation from the Disciplinary Guidelines, including the standard terms of probation, is appropriate where the Board of Psychology in its sole discretion determines that the facts of the particular case warrant such a deviation; for example: the presence of mitigating or aggravating factors; the age of the case; or evidentiary issues.



Probation Program Overview





Contact Information

Christian Lavarello, Probation Monitor

1625 North Market Blvd., Suite N-215

Sacramento, CA 95834

(916) 574-8175 Direct

(916) 574-8671 Fax

Christian.Lavarello@dca.ca.gov

Psychprobation@dca.ca.gov





What is probation?

- Purpose of Probation
- How does someone end up on probation?
- Conditions of probation
 - Standard (Disciplinary Guidelines - Page 747)
 - Optional (Disciplinary Guidelines - Page 736)
- Role of Probation Monitor





New Probationer

- Receive Disciplinary Order and Accusation or Statement of Issues
- Case File Set up
- Make Contact with probationer
 - Send Pre-Orientation information
- Probation Intake/Orientation Meeting





Probation Monitoring

- Audit and Monitor Probation Case Files
- Follow Up Meetings
- Addressing Violations/Non-Compliance Timely
- Probation info/forms online
 - <http://www.psychology.ca.gov/licensees/probation.shtml>





Violation of Probation

- Minor violations of probation
- Major violations of probation
- Office of the Attorney General





Vault Health

- Contracted drug administration company
- Testing Panels
- Frequency
- Travel
- Positive Drug Screen
- Medical Review Officer (MRO)





Completion of Probation

- Petition for Early Termination Granted
- Passage of time
- Completion letter
- Discipline documents always online





Questions?



MEMORANDUM

DATE	January 18, 2023
TO	Psychology Board Members
FROM	Jon Burke Assistant Executive Officer
SUBJECT	Agenda Item 18: “For Your Peace of Mind – A Consumer’s Guide to Psychological Services:”

Background:

In 2008, the Board created the publication “For Your Peace of Mind – A Consumer’s Guide to Psychological Services” (publication).

In September 2021, the Outreach and Communications Committee (Committee) met and delegated Dr. Shacunda Rodgers with Board staff and legal counsel to update the publication. In December 2021 and January 2022, Dr. Shacunda Rodgers joined with staff and legal counsel in reviewing and revising the publication.

In September 2022 the Committee met and proposed changes to the publication. These changes were presented to the Board at the November 2022 Board meeting. The Board proposed edits at the meeting and delegated to members to prepare language that addressed their concerns. Drs Casuga and Harb Sheets prepared language on assessment and Dr Phillips prepared language about third party entities.

Attachment:

Draft revisions for the informational brochure “For Your Peace of Mind – A Consumer’s Guide to Psychological Services”.

Action Requested:

Staff requests that the Board approve the attached revised “For Your Peach of Mind – A Consumer’s Guide to Psychological Services.”

Table of Contents Introduction:

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

Commented [BJ1]: Update mission as it changes at next strat plan

You're Not Alone _____ 2 How Can a Psychologist Help You? _____ 2
 Patients' Bill of Rights _____ 4 How is a Psychologist Educated, Trained, and Licensed? _____ 6
 How Do You Choose a Psychologist? _____ 7 Can You Get Help From Someone Other Than a Psychologist? _____ 10
 What Happens During an Individual or Group Therapy Session? _____ 13
 What About Services Via Internet or Phone? _____ 14
 What Psychologists Are NOT Supposed to Do _____ 15
 What Are Your Options If the Services Provided to You Are Unsatisfactory? _____ 18
 How Do You File a Complaint? _____ 18
 Where Else Can You Turn to Discuss Your Situation? _____ 24
 What Can a Consumer Access on the Board's Website? _____ 25
 Quick Recap of Resources _____ 27
 A Consumer Guide to Psychological Services |

For the purposes of this publication, the terms "psychologist" and "therapist" will be used interchangeably.

Commented [BJ2]: Change therapist to psychologist throughout. Change made paragraph deleted by staff

1 You're Not Alone

Every year thousands of Californians visit professional psychologists for help. Perhaps you are seeking treatment for depression, stress, ~~or~~ anxiety, or a better understanding of yourself or any challenges you may be facing. You or your family may be considering ~~counseling or therapy~~ to improve the quality of ~~important~~ your relationships. ~~There are many reasons~~ Many people turn to psychologists for a variety of reasons. If you are reaching out for help from a psychologist, you are not alone.

~~Psychological problems affect millions of people worldwide. They are more prevalent than cancer, diabetes, arthritis, and traffic accidents and second only to heart conditions. Psychologists are specially trained to assist this large population, and their services help sufferers effectively deal with their problems so that they can live happier, healthier lives.~~

~~Every year thousands of Californians visit professional psychologists for help in better understanding themselves and others and in dealing with personal problems. If you think you may need to see a psychologist, this brochure can help. It will explain your rights as a patient, provide guidance for choosing a psychologist and explain what a psychologist should and should NOT do. It also will tell you what to do if you think your psychologist has acted unprofessionally. This brochure will explain your rights as a patient, provide guidance for choosing a psychologist, and explain what a psychologist should and should NOT do.~~

How Can a Psychologist Help You?

~~They Psychologists also help clients patients understand and resolve treat various psychological problems emotional challenges such as like depression, anxiety, and substance abuse. They are trained to consider the personal background of each client when assessing and treating them. They may provide treatment to individuals (children, teens, and adults and children). They also serve couples, families, and groups in the therapeutic setting. Here, they use a variety of treatment methods, which can include psychotherapy, behavior modification, biofeedback, or hypnosis. organizations or businesses, using behavior modification, psychotherapy, hypnosis, or consultation. Psychologists They provide these services in a variety of settings including in out-patient offices, in-patient psychiatric hospitals, and day treatment programs., and out-patient offices. As part of the care that psychologists provide, they may refer patients to physicians or psychiatrists for further evaluation, who can then prescribe medication when necessary.~~

Outside of working directly with clients, psychologists work with organizations ~~ander~~ businesses, providing consultations or trainings. In these settings, their goal is to identify difficulties within the work environment, then recommend strategies for making improvements within the organizations.

~~Psychologists provide many important services. Psychologists also They develop, give administer, and interpret psychological tests. Some of these psychological tests include the following: For example, they perform intelligence and achievement evaluations, disability evaluations,~~

2 | A Consumer Guide to Psychological Services

~~workers' compensation evaluations, fitness for duty evaluations, and child custody evaluations.~~

- » ~~Diagnostic evaluations (e.g., intelligence/IQ tests, autism evaluation, ADHD evaluation)~~
- » ~~Perform Intelligence and achievement evaluations~~
- » ~~Disability evaluations and Workers' Ceompensation evaluations~~
- » ~~Personality testing~~
- » ~~Fitness for Duty evaluations~~
- » ~~Child-Custody evaluations~~
- » ~~Neuropsychological evaluations~~
- » ~~Career counseling/ planning evaluations~~
- » ~~Forensic Court-ordered evaluations (e.g., child custody, competency evaluations, fitness for duty)~~

Commented [BJ3]: List revised by Drs. Casuga and Harb Sheets

Commented [BJ4]: Ensure consistency of capitalization

~~When providing assessment or treatment, psychologists take into account personal characteristics that make each patient unique. These factors include age, gender, gender identity, race, ethnicity, culture, national origin, religion, sexual orientation, disability, language, and socioeconomic status. Psychologists' understanding and sensitivity to the impact of these various qualities allows them to provide service to many different people.~~

~~Although psychologists in California do not prescribe medications, they may be helpful in providing appropriate physician or psychiatric referrals. Additionally, psychologists play key roles in management consultation for businesses and other organizations.~~

~~The California Board of Psychology Works to Protect Consumers~~

~~The California Board of Psychology protects consumers of psychological services by ensuring high standards for the practice of psychology. The Board establishes rigorous licensing qualifications, investigates patient complaints, and reaches out to empower consumers with information and resources.~~

~~The Board of Psychology is part of the California Department of Consumer Affairs. Board members include both licensed psychologists and members of the public.~~

~~A Consumer Guide to Psychological Services |~~

~~3 Patients~~Clients' Bill of Rights

You, as a client, have the right to:

- » Request and receive information from the psychologist about their qualifications, which may include the therapist's psychologist's professional capabilities, including licensure, education, training, experience, professional association membership, specialization, and limitations.
- » Be treated with dignity and respect.
- » Access care in a safe environment, free from sexual, physical, and emotional abuse.
- » Ask questions about your therapy or other services from your providerpsychologist.
- » Decline to answer any question or disclose any information you choose not to reveal.
- » Request and receive information from the therapist-psychologist about your progress toward your treatment goals.
- » Know the limits of confidentiality and the circumstances in which a therapist psychologist is legally required to disclose information to others.
- » Know if there are supervisors, consultants, students, or others with whom your psychologisttherapist will discuss your case.

- » Decline a particular type of treatment, or end treatment without obligation or harassment.
- » Refuse electronic recording.
- » Request and (in most cases) receive a summary of your records, including the diagnosis, your progress, and the type of treatment.
- » Report unethical and illegal behavior by a [psychologist to the Board of Psychology](#).
- » [Receive-Seek](#) a second opinion at any time about your [psychologist's services, therapy or your therapist's methods.](#)
- » [Make a written Request](#) [Receive](#) for a copy of your records or have a copy of your records transferred to any [therapist-psychologist](#) or agency you choose.

You have the right to:

- » ~~Request and receive information about the psychologist's professional capabilities, including license status, education, training, experience, professional association membership, specialization, and specific areas of competence.~~
- » ~~Verify the status of the psychologist's license with the Board of Psychology and receive information about any license discipline. You can do this on the Board's website at www.psychology.ca.gov. Click on "license verification."~~
- » ~~Have a discussion with the psychologist about fees, billing arrangements, and the nature and anticipated course of sessions.~~
- » ~~Be provided a safe environment, free from sexual, physical or emotional abuse, when in the care of a psychologist.~~
- » ~~Expect that your psychologist should not involve you or anyone who is a close relative, guardian, or significant other in sexual intimacies.~~
- » ~~Ask questions about your therapy or psychological assessment.~~
- » ~~Refuse to answer any question or disclose any information you choose not to reveal.~~

~~4
A Consumer Guide to Psychological Services~~

- » ~~Request that the psychologist inform you of your progress.~~
- » ~~Know if there are supervisors, consultants, students, registered psychological assistants, or others with whom your psychologist will discuss your case.~~
- » ~~Refuse a particular type of treatment or end treatment at any time without obligation or harassment.~~
- » ~~Refuse or request electronic recording of your sessions.~~
- » ~~Request and (in most cases) receive a copy of your records, including the diagnosis, treatment plan, your progress, and type of treatment.~~
- » ~~Report unprofessional behavior by a psychologist (see section titled "what~~

psychologists are not supposed to do," page 15). » Receive a second opinion at any time about your therapy or about your psychologist's methods. » Receive referral names, addresses and telephone numbers in the event that your therapy needs to be transferred to someone else and to request that a copy or a summary of your records be sent to any therapist or agency you choose.

A Consumer Guide to Psychological Services |

5-How is a Psychologist Trained, Educated and Licensed?

To be licensed, a psychologist must:

» Have earned a qualifying doctorate degree (a Ph.D., Psy.D., Ed.D.) in psychology in one of the following categories: Psychology, Educational Psychology, or in Education. The degree itself must come from an accredited institution.

» Have completed professional experience under the supervision of a licensed psychologist.

» Have met the legal standards, which include passing both the national practice examination and the California law and ethics examination, and completing specific pre-licensure coursework.

» Complete 36 hours of continuing professional development every two years.

» Pass a background check.

Additional information on how a psychologist is licensed can be found on the Applicant's Page of the Board's website (<https://www.psychology.ca.gov/applicants/index.shtml>).

~~In California, with certain exceptions, only licensed psychologists may practice psychology independently. To become licensed, an individual must have an acceptable doctorate degree (a Ph.D., Psy.D., Ed.D.), practice psychology under direct supervision for two years, and pass national and California examinations.~~

~~While an individual is practicing psychology under direct supervision in order to meet the licensure requirements, the supervisor is responsible for informing each patient in writing that the supervisee is unlicensed and is functioning under the direction and supervision of the supervisor. The primary supervisor must be a qualified, licensed mental health professional.~~

~~In addition, the Board requires Live Scan fingerprinting in order to check each applicant's background for any criminal history. California law prohibits registered sex offenders from becoming licensed psychologists. National reporting data banks are also checked to make sure each applicant has no license disciplinary action in any other state.~~

~~Although the psychology license is generic and encompasses all areas of psychological practice (for example, psychological testing, biofeedback, child custody evaluations, neuropsychology, hypnosis and psychotherapy), psychologists must have the~~

appropriate education, training and experience to provide specialized services. California has ensured ongoing quality control for psychologists by requiring licensees to complete 36 hours of continuing education every two years. This continuing education must meet strict guidelines so psychologists are constantly updated on the latest research, laws, ethics, assessment and treatment techniques and approaches.

6 | A Consumer Guide to Psychological Services

How Do You Choose a Psychologist?

Step One: Investigating Your Needs

» Identify an area in which you feel you might need some help (substance use and abuse, eating disorders, depression, anxiety, trauma, etc.), then look for a psychologist trained and experienced in those areas.

» If you are unsure, a psychologist can also help you identify your needs.

Step Two: Find ~~psychologist~~ Provider Names

» Conduct an online search using third-party sites such as *Psychology Today* or *Good Therapy*.

» Check with your insurance provider for a list of approved ~~psychologists providers~~ in your area.

» Ask people you know and trust for their recommendations, including your healthcare providers.-

Step Three: Check License Status

» Check each psychologist's license to confirm a Current and Active status on the Department of Consumer Affairs website. The "Verify" link on the Board's website (<https://search.dca.ca.gov/www.psychology.ca.gov>). This allows you to view license status as well as prior public administrative or disciplinary action, if any.

~~It is important to take time to select the right psychologist. First, clarify who needs psychological services—yourself, your children, your family, etc. Second, decide what area you want help with—substance abuse, eating disorders, depression, anxiety, etc. Then look for a psychologist trained and experienced to provide those services. Ask friends or relatives for recommendations. Check with your health insurance company for a list of authorized providers in your area. Your primary care physician can often assist you. Obtain referrals by calling or visiting the websites of the national or state psychological associations noted at the end of this booklet. When you have a list of possible psychologists, you can narrow it down by asking yourself if there are any characteristics in a psychologist that may increase your comfort level (for example,~~

Commented [BJ5]: Add APA and local psychological associations. Dr Phillips to help with wording

Commented [SP6R5]: Wouldn't it be better to just say conduct an online search rather than try to create a laundry list of possible sources, particularly commercial ventures? Perhaps we say national, state and local psychological associations or for particular specialties, commercial services providing psychotherapy, and directory listings compiled by third parties. The alternative of listing specifics associations and businesses risk excluding equally useful references.

~~whether the psychologist is male or female, old or young, from a particular ethnic or religious group, etc.):~~

~~Next, check each psychologist's license status by calling the Board of Psychology at (916) 574-7720 or by checking the license status on the Board's website (www.psychology.ca.gov). Just click on the "License Verification" link. The Board strongly recommends that you choose a licensed psychologist. A license ensures the psychologist has met stringent educational and experience standards and passed comprehensive examinations. It also ensures he or she has passed a criminal background check.~~

~~It is important to verify the psychologist has a current, valid license. This means he or she is up to date on continuing education requirements and can legally practice. What's more, a current license is required for your insurance company to accept the psychologist as a valid provider.~~

~~If a consumer complaint has resulted in action against the psychologist, you can find out more information by checking the Board's website at www.psychology.ca.gov and clicking on "License~~

~~A Consumer Guide to Psychological Services |~~

~~7~~

~~Verification." You can often view the disciplinary documents through a link under the licensee's name and description of the action to obtain more details on why discipline was imposed and about any limitations on the psychologist's practice. Or you can request a copy of the disciplinary documents be mailed to you by calling the Board's Enforcement Program at (866) 503-3221 or by e-mailing the Board at bopmail@dca.ca.gov. You should know that unsubstantiated consumer complaint information is not public. Only complaints that result in filed Accusations or in formal Board disciplinary actions can be disclosed to the public.~~

~~The next step in the selection process is to make appointments to meet with the psychologists you are considering. Clarify whether there is a fee for this initial interview at the time you call for the appointment. The Board recommends that you interview psychologist candidates just as you would anyone else you were considering for an important personal service.~~

~~8 | A Consumer Guide to Psychological Services~~

~~Step 4: Questions to ask You may want to ask:~~

- ~~» From which university or school the doctoral degree was earned~~
- ~~» When the degree was earned and the areas of specialized study.~~
- ~~» Is the psychologist accepting new patients?~~
- ~~» Does the psychologist accept your insurance, if applicable?~~

- » Does the psychologist offer your treatment in-person, online, or by phone?
- » How much experience does the psychologist have ~~has~~ in dealing with issues similar to yours?
- » What is the psychologist's approach to care?
- » ~~If the psychologist is board certified by the American Board of Professional Psychology this credential is not necessary for independent practice, but does verify additional qualifications.~~
- » ~~The approximate length of time the treatment is expected to take.~~
- » ~~If the psychologist prefers working with a particular age group, gender, or ethnicity.~~
- » ~~If the psychologist has published articles in specialty area.~~
- » ~~If he or she has experience providing court testimony as an expert witness (forensic experience).~~
- » ~~from a psychiatrist or other physician in conjunction with your psychotherapy and whether the psychologist can refer you to an appropriate provider.~~
- » Can ~~If~~ the psychologist ~~can~~ accommodate your schedule for therapy? Turn to the Clients' Patients' Bill of Rights on page X **4** for other topics you may want to cover when interviewing a psychologist.

9 Can You Get Help From Someone Other Than a Psychologist?

~~When considering treatment, there are many options available. The profession of psychology is unique in many ways, but there are other professionals who provide similar services: Psychological Assistants: These are professionals registered by the Board of Psychology (916) 574-7720 or www.psychology.ca.gov and authorized to provide limited psychological services only under the direct supervision of a licensed psychologist or a board-certified psychiatrist. Usually these individuals are earning hours of supervised professional experience toward meeting licensing requirements. They must have at least a Master's degree in psychology and are not allowed to prescribe drugs. Their services normally are less expensive than those of psychologists. Registered Psychologists: These are professionals registered by the Board of Psychology (916) 574-7720 or www.psychology.ca.gov to work at nonprofit community agencies that receive at least 25 percent of their funding through some government source. They must have doctorate degrees in psychology and have completed at least one year of supervised professional experience. They are not allowed to prescribe drugs, and their services are normally less expensive than those of psychologists. Psychiatrists: These are physicians licensed by the Medical Board of California (800) 633-2322 or (916) 263-2382 or www.mbc.ca.gov. They must have doctorate degrees in medicine, serve four year residencies, pass the California State Board examination and be board-certified in psychiatry by the American Board of Psychiatry and Neurology. They are authorized to prescribe drugs. Their~~

services normally are more expensive than those of psychologists. 10 | A Consumer Guide to Psychological Services—Marriage and Family Therapists: These are professionals licensed by the Board of Behavioral Sciences (BBS)—(916) 574-7830 or www.bbs.ca.gov. They must have at least Master's degrees, some may have doctorate degrees, serve a two-year internship and pass the BBS's written examinations. They can provide counseling regarding marriage, family and relationship issues. They cannot prescribe drugs and have limitations in doing psychological testing. Their services normally are less expensive than those of psychologists. Clinical Social Workers: These are professionals licensed by the Board of Behavioral Sciences (BBS)—(916) 574-7830 or www.bbs.ca.gov. They must have at least Master's degrees, some may have doctorate degrees and 3,200 hours of supervised experience and pass the BBS's examinations. They use psychotherapeutic techniques, among other services, with individuals, couples, families and groups to improve clients' quality of life. They cannot prescribe drugs and typically their services are less expensive than psychologists. Educational Psychologists: These are professionals licensed by the Board of Behavioral Sciences (BBS)—(916) 574-7830 or www.bbs.ca.gov. They must have at least Master's degrees, some A Consumer Guide to Psychological Services | 11 may have doctorate degrees, have three years of experience as school psychologists and pass BBS's written examination. They can work in schools or in private practice and provide educational counseling services such as aptitude and achievement testing. They cannot do psychological testing unrelated to educational services and they cannot prescribe drugs. Their services normally are less expensive than those of psychologists. Psychiatric Technicians: These are professionals licensed by the Board of Vocational Nursing & Psychiatric Technicians—(916) 263-7800 or www.bvnpt.ca.gov. They must have graduated from a qualifying psychiatric technician program and pass a written examination. They practice under the direction of a licensed physician, psychologist, rehabilitation therapist, social worker, registered nurse or other professional personnel and are not permitted to practice independently. They offer services at state hospitals, day treatment/development centers, correctional facilities, psychiatric hospitals, vocational training centers and residential care facilities. They can neither prescribe drugs nor do psychological testing. Their services normally are less expensive than those of psychologists. Priests, Ministers, Rabbis or Other Members of the Clergy: These are unlicensed individuals and must be duly ordained members of the recognized clergy. They may provide spiritual guidance, but may not treat emotional or mental disorders, do psychological testing or prescribe drugs. Members of the recognized clergy cannot practice independently and can only function under the purview of their recognized church. Self-Help and Peer-Support Groups: These are groups of unlicensed individuals who have similar problems and meet to discuss possible solutions. The groups may or may not be led by a licensed mental health professional. You can locate such groups online or by asking a licensed mental health professional. There is usually no fee or just a nominal fee for these groups. 12

How to Prepare for Your First Appointment

The basis of all good psychotherapy is trust. Ideally, the psychologist you choose to work with will listen to and discuss your thoughts and feelings with you, so you can understand your emotions more fully. In the process of beginning a therapeutic relationship, it is that you feel comfortable with that person. This will allow you to build a solid, trusting relationship as you meet your challenges head-on. As you consider working with a psychologisttherapist, think ahead of time about what helps you to feel safe emotionally. Use those ideas as a guide for yourself, particularly when you make contact with the psychologist during the first session. Both during and after the initial contact, ask yourself if you would feel safe in sharing the more personal details of your life and areas where you might be struggling. If the answer is yes, that's a good thing. If the answer is no that, too, offers important information, and may indicate the need to continue with your search. A good fit between client and psychologisttherapist is a crucial element in what makes therapy successful.

If you are seeing a psychologist for an assessment, they will let you know how to prepare for the appointment, including any limits to confidentiality relative to the type of evaluation.

Commented [BJ7]: Drs. Casuga and Harb Sheets

What Happens to Expect During an Individual or Group Therapy Session?

~~Individual Therapy: During the first session, your psychologist will gather information about your personal, intellectual, and emotional history and relationships. This information aids the psychologist in determining which strategies may be most helpful to you. Once your issues are clarified, you and the psychologist will outline goals. The process may include learning new problem-solving or coping skills, increasing self understanding and self confidence, exploring life patterns, and having a better sense of how you may be influenced by your surroundings and experiences. It is important to think about what you would like to gain from psychotherapy. Take time before each session to think about what you want to accomplish during that meeting. As psychotherapy progresses, new goals may be established. This process is for you, so actively decide how to use the time. As issues or feelings (either positive or negative) come up during a session, you may want to share them with your psychologist. The basis of all good psychotherapy is trust. Your psychologist will listen and discuss your thoughts and feelings with you, so you can understand them more fully.~~

Individual Therapy: During the first session, the psychologist may use information you have provided on an intake form to learn about your present-day challenges, any specific symptoms you may be experiencing, and any history of difficulty in the past. Additionally, the psychologist will inquire about your personal, family, social, intellectualdevelopmental, medical, and emotional history and relationships during the clinical interview. This information gained from the intake forms and the initial interview will aid the psychologist in learning more about you, better understanding the context in which some of these difficulties emerged, and ultimately determining which strategies may be most helpful to you.

Once the psychologist has sufficient information, and you feel you have conveyed your specific concerns sufficiently, you will work together (collaboratively) to determine your goals for care, and also develop a treatment plan specifically tailored to your needs. Some examples of treatment goals include a reduction in symptoms of depression or anxiety, reducing or stopping substance abuse, improving assertiveness skills, navigating grief, healing from PTSD-trauma and trauma related symptoms, or having healthy interpersonal relationships. However, it is important to note that the goals you establish at the beginning of treatment may change and evolve during the course of your care. If this occurs, feel free to share these goals with your psychologist so that they can best assist you with reaching them.

~~Once your issues are identified clarified, you and the psychologist will outline goals/develop a treatment plan together. These goals process may include learning new problem solving or coping skills, reducing behaviors that may be ineffective, increasing self-understanding and self-confidence, exploring life patterns, and having a better sense of how you may be influenced by your surroundings and experiences.~~

Group Therapy: A psychologist may refer a client to group therapy for a variety of reasons. For instance, there may be groups that support your particular needs (e.g., a depression group, a trauma survivor's group, an anxiety group). Additionally, there are also psychoeducational groups (e.g., couples communication group, ADHD skills group, social skills groups, coping skills group) that teach skills for navigating difficulties. Lastly, it can also be important to access healing within a community setting, therefore your psychologisttherapist may recommend group therapy to bolster such healing.

In group psychotherapy, you are able to gain immediate feedback from fellow group members and the group psychologist. One of the most rewarding aspects of being in such a group is learning from others. By knowing how others perceive you, you can increase your self-awareness and focus on the aspects of your life you wish to change. You also can increase self-awareness by examining your response to the feelings of others and their experiences. Group psychology also gives you an opportunity to practice try out new behaviors, to express feelings you may have been hesitant to express, to assert yourself in new ways, and to experiment with new ideas. As you experience trust and security in the group, you may feel more free to take risks. You may need to determine how active and involved you want to be—what your comfort level is. Being active means expressing your reactions to what other people are saying or doing, sharing your concerns, listening to another person, asking for clarification when you don't understand, giving support and comfort, and seeking support yourself. It is unrealistic to expect that you will be verbally active during every session. Sometimes you may feel more reflective than active, preferring to listen and to consider what other group members are saying.

Participating in group therapy has multiple benefits. Perhaps one of the most helpful and potentially healing aspects of this type of care is the understanding that you are not alone in whatever challenges you may be facing. Awareness of this kind may reduce feelings of isolation in your lived experience. Group therapy fosters a sense of mutual understanding based on shared life experience, which ultimately allows a safe space for

others to be supportive toward you and for you to lend your support to others. This reciprocity can provide personal growth and therapeutic value for you in addition to any insights you might gain from the psychologist therapist leading the group.

Similarly to individual therapy, you can also establish treatment goals for group therapy. One advantage of group therapy is that you are able to receive real-time, in-the-moment feedback from other group members as well as the psychologist therapist about what they notice, which can help illuminate where you are in relation to your goals. This information can be useful as you reflect on your journey toward wellness.

~~Treatment Over the Internet or by Phone: Those who provide psychotherapy or counseling on the Internet or by phone are required by law to be licensed. Licensing requirements vary by state, but individuals who provide psychotherapy to California residents are required to be licensed in California. Such licensure allows consumers to pursue recourse against the licensee should the consumer believe the licensee engaged in unprofessional conduct. It is best to be a cautious consumer when considering psychological services over the Internet or by phone. Be sure you verify that the psychologist has a current and valid California license, and make sure you understand the fee that you will be charged for the services to be rendered—how and to whom the fee is to be paid. Be sure you are confident that any communications with a psychologist will be confidential, and be aware of the risks and benefits of receiving services over the Internet or by phone so that you can make an informed choice about the therapy to be provided. It is important you keep in mind that services provided on the Internet or by phone lack key components of traditional psychotherapy such as face to face interaction between the psychologist and patient so that body language and facial expressions can be components of therapy. More information on services over the Internet or by phone is available at the Board of Psychology website (www.psychology.ca.gov) under “Consumer Information” after clicking on the “Consumers” tab.~~

What to Expect During a Psychological Assessment?

A psychological assessment may be comprised of a single session or a series of sessions depending on the type of testing required. There is usually a referral from a current provider or a self-referral about a particular concern or to find out about one’s abilities and current functioning. Prior to the testing appointment, there may be questionnaires or background information that will be gathered regarding the referral question. Assessments may involve gathering information from the individual’s family members or other professionals (e.g., treating psychologist, physicians, teachers) with the individual or a legal guardian’s signed release of information.

Assessments usually have an interview component wherein the assessor asks additional questions regarding one’s history and current functioning. Although some of the questions may be difficult to answer, it is best to be as truthful and as accurate as possible. Some assessments may involve participating in different tasks with varying degrees of difficulty and the individual will be asked to just do their best. Feedback about

Commented [BJ8]: Language submitted by Drs. Casuga and Harb Sheets

the assessment may be provided at the end of the session or at a later time. A written report is provided that details the assessment findings, which may include applicable diagnoses and recommendations.

Participating in a psychological assessment can be very informative. The findings from an evaluation are a snapshot of one's current functioning and it can help establish a baseline. It can help direct a proper course of intervention or treatment. Assessments can also provide invaluable insight into ones strengths and growth areas.

What Psychologists Are NOT Supposed to Do

~~While the majority of psychologists are highly professional and ethical, it is good to remember that—as happens in other professions—some may bend or break the rules. If they break the rules, psychologists can directly or indirectly cause harm to patients. Following are examples of what psychologists (including psychological assistants and registered psychologists) should not do.~~

Psychologists should NEVER:

» ~~Have~~Engage in any type of sexual contact or sexual behavior, which includes communications and other physical contact, with a current patient, a relative or significant other of a current patient, or a former patient within two years after termination of therapy. ~~This would include inappropriate touching, kissing, and sexual intercourse. This type of behavior is never appropriate, and is cause for mandatory revocation of the psychologist's license.~~

» ~~Disclose~~Violate a patient's confidential informationity, —except under certain conditions which your psychologist can explain to you. ~~Except for rare situations that your psychologist should explain to you a psychologist should never tell anyone what transpires during your therapy sessions or even the fact that you are a patient without your written permission. Confidentiality is the cornerstone of successful therapy, and it instills a sense of trust in the therapist patient relationship.~~

» Provide services outside of their areas of competence. ~~for which they have no training, experience, and education. Although the psychologist license is generic and authorizes all areas of practice, it is unprofessional conduct for a psychologist to practice his or her particular field of competence.~~

» Abuse drugs or alcohol. It is illegal for a psychologist to use any controlled substance, dangerous drug or alcoholic beverage in a manner that endangers either the psychologist or others or impairs his or her ability to practice safely.

» Commit fraud or other crimes, including overbilling your insurance, for example. ~~Psychologists cannot overbill your insurance company in order to reimburse you for your co-payment, nor can they bill for services not performed in order to reduce the amount that you owe. If psychologists commit crimes that are related in any way to their practice, their license s are subject to Board discipline.~~

» ~~Advertise falsely~~ Falsely advertise. Psychologists can only advertise that they provide services for which they are educated, experienced and trained. An advertised service or fee must actually be available.

» ~~Pay or accept compensation for referral of clients~~ patients. It is a conflict of interest and a cause for discipline for psychologists to be paid for patients referrals. Referrals must be made objectively without regard to personal gain and by considering only the patient's best interests.

» ~~Act in an unprofessional, unethical or negligent manner~~. Psychologists must practice within the parameters defined in California law and the American Psychological Association's Ethical Principles of Psychologists and Code of Conduct.

» ~~Assist someone in the unlicensed practice of psychology~~. It is always illegal for a psychologist to aid in the commission of any crime, especially a crime that could cause extreme harm to the public when untrained, unlicensed individuals practice psychology. This occurs most often when a psychologist allows an unlicensed person to provide services in his or her office without being properly registered or supervised.

» ~~Act unprofessionally by focusing therapy on their own problems instead of those of the client~~. Focus therapy on their own problems rather than on those of the patient. It is unprofessional for a psychologist to use therapy time that you are paying for to discuss his or her own personal problems.

» ~~Serve~~ Engage in improper multiple relationships, roles including but not limited to employing patients, socializing with patients, and dating a patient's friend, coworker, parent/relative or significant other, that impair their judgment. An improper multiple role relationship occurs when a therapist engages in a second relationship with a client (or someone close to the client) and the secondary relationship risks compromising the therapist's objectivity and/or exploitation or harm of the client. Examples of multiple role relationships that may be improper include employing patients, socializing with patients, and dating a patient's parent.

» Prematurely end the treatment relationship without discussing options for continuity of care. ~~Abandon their patients~~. Psychologists may be disciplined by the Board of Psychology if they abandon a patient. Except under very rare circumstances, if your treatment is terminated abruptly and you still require treatment, your psychologist is required to provide you with the names and phone numbers of other practitioners who have the appropriate education, training and experience to take you on as a patient and continue your treatment.

What Are Your Options to do if the Psychologist Services Provided to You Are Unsatisfactory Is Unprofessional

» Express your concerns with your psychologist and/or their supervisor, if applicable.

» Submit a complaint to the Board of Psychology. Refer to www.psychology.ca.gov to submit a complaint.

~~How do You File a Complaint? If you think that your psychologist was unprofessional, violated your rights or caused you harm, you can file a complaint by calling the Board of Psychology at (866) 503-3221. If you would like to write a letter, direct it to: Board of Psychology, 1625 North Market Blvd., Ste. N-215, Sacramento, CA 95834. Or you can visit the Board's website at www.psychology.ca.gov to file a complaint online against a psychologist. For more information, e-mail the Board at bopmail@dca.ca.gov. Board staff can tell you how to file your complaint and will refer you to other agencies if necessary. The Board has the authority to take formal disciplinary action against a psychologist's license (for example, revocation, suspension, probation, etc.) or to issue a citation and fine. Please note that the Board's authority is limited by a statute of limitations to violations that occurred within three years of discovery by the Board, or within seven years from the date of the act or omission, whichever occurs first. The most effective 18 | A Consumer Guide to Psychological Services complaints are those that contain firsthand, verifiable information. While anonymous complaints will be reviewed, it may be impossible to pursue them unless they contain documented evidence of the allegations (such as video or audio tapes, photographs or written documents). You will be asked to provide any documented evidence you have about your complaint. What Happens When You File a Complaint Against a Psychologist? When you file a complaint against a psychologist, psychological assistant or registered psychologist, you eventually will be asked to put your complaint in writing. The Board will need specific information such as the names, addresses and phone numbers of both the complainant (you) and the psychologist, as well as a detailed account of the alleged unprofessional or illegal conduct. You will need to sign a release form that authorizes the Board to obtain patient records and to talk to the psychologist about your complaint. If a preliminary review of your complaint indicates that a violation of law may have occurred, your complaint will be forwarded on to an investigator. You may be interviewed by the investigator regarding your complaint. On rare occasions, you may need to testify at an administrative hearing if the Board files formal charges against the psychologist based on your complaint. This would only happen if the Board and the psychologist cannot agree on settlement terms. In most cases where formal charges are filed, the psychologist waives a formal hearing and agrees to settlement terms.~~

~~How Are Complaints Processed? The Board receives complaints concerning many different licensees, professional issues and situations. Within 10 days after receipt of your complaint, the Board will notify you that your complaint was received. Complaints are reviewed daily. Some complaints regarding minor violations that do not warrant formal disciplinary action are dealt with through a variety of nondisciplinary methods. These may include direct mediation between the parties involved, citations and fines, educational letters, or cease and desist orders. If a complaint warrants formal investigation, it is referred to the Department of Consumer Affairs' Division of Investigation. Investigators are trained peace officers. At this point, as the complainant, you would be notified that~~

your complaint was referred for formal investigation. When your case goes forward to investigation, an investigator may interview you. The psychologist is then usually offered an opportunity to respond to the allegations in an interview with the investigator. It should be noted that complaint and investigation information is considered confidential at this point, not a matter of public record. The law prohibits a psychologist from harassing you for filing a complaint. Once an investigation is completed, an expert case consultant will review the entire investigation file to determine whether a violation of law may have occurred. If the expert finds a possible violation, the case is submitted to the California Department of Justice, Office of the Attorney General. A Deputy Attorney General acts as the Executive Officer's attorney and will review the case to determine whether there is sufficient evidence to support the filing of formal charges. Then you would be notified that your complaint was referred to the Office of the Attorney General for administrative action.

20 | A Consumer Guide to Psychological Services

If your case is accepted by the Office of the Attorney General, a document called an "Accusation" is drafted by the Deputy Attorney General and signed by the Board's Executive Officer. You would receive a copy of the Accusation, which is the first public document in the disciplinary process. It is important to note that only initials are used to identify complainants in Accusations, so you don't need to worry that your name will be a matter of public record. If an informal settlement agreement cannot be reached between the psychologist and the Board, an administrative hearing would take place. The Board encourages negotiated settlements because they eliminate the need for costly administrative hearings and protect consumers by imposing disciplinary action sooner. To this end, the Board has adopted Disciplinary Guidelines designed to set forth the Board's penalty standards. You may contact the Board for a free copy of the Disciplinary Guidelines or download them on the Board's website (www.psychology.ca.gov). Click on "Forms/Pubs" to access the guidelines. If a hearing is held, the Board must demonstrate "by clear and convincing evidence to a reasonable certainty" that the allegations are true. For that reason, it is generally necessary for the complainant to testify in person at the hearing. In the event that a hearing must take place, an Administrative Law Judge presides over the hearing. When the hearing is completed, the judge will issue a "Proposed Decision" stating the findings (facts that were proven at the hearing) and will offer a recommendation for resolution of the case (e.g., license revocation, suspension, probation, dismissal). The judge uses the Board's Disciplinary Guidelines in formulating the Proposed Decision. The Proposed Decision is distributed to Board of Psychology members for vote. If the Board votes in favor of the Proposed Decision, it becomes the Final Decision. If the Board votes not to adopt the Proposed Decision, the hearing transcript is circulated among Board members, written arguments are solicited from the defense counsel and the Office of the Attorney General, and the Board A Consumer Guide to Psychological Services | 21 subsequently issues its own Final Decision. Final Decisions are matters of public record and are available upon request. The complainant would be sent a copy. This "procedural due process" can take more than a year from the time a complaint is filed until the time that a final decision is made.

Should Unlicensed Practice Be Reported to the Board?

If you believe that an unlicensed person is engaging in activities for which a psychologist license is required, you should report such activity to the Board. The Board will investigate allegations of unlicensed practice and, if sufficient evidence is found, will forward the information to the local District Attorney's Office for criminal prosecution. The Board does not have the authority to criminally prosecute. Such action must be conducted by the local District Attorney. However, the Board may also issue a citation and fine for unlicensed practice.

Are Psychologists Required to Report Unprofessional Conduct by Colleagues?

This question is most often raised by psychologists after a patient informs them of a sexual relationship with a previous therapist. All psychotherapists who are advised by a patient of sexual involvement with another therapist are required by law to give that patient the pamphlet titled "Professional Therapy NEVER Includes Sex." This pamphlet outlines that it is illegal for a therapist to have sex with a patient (or with a former patient within two years after the termination of therapy) and to explain the options available. You can contact the Board by telephone at (916) 574-7720 for a free copy of the pamphlet or you can download it from the Board's website (www.psychology.ca.gov). Just click on "Consumers" to access the pamphlet. Psychologists, however, are not legally required to report misconduct by colleagues. Complaints of a more egregious nature (such as sexual misconduct) require the victim to make a complaint. Doctor-patient confidentiality laws make it impossible for a psychologist to file a complaint on behalf of a patient unless the patient has given written authorization or the patient is a minor.

Where Else Can You Turn to Discuss Your Situation? If you think your psychologist was unprofessional, violated your rights or caused you harm, you may also find it helpful to discuss your situation with one or more of the following individuals: » A trustworthy family member or friend. » A family physician or other qualified health professional. » A priest, minister, rabbi or other member of the clergy. Depending on the nature and severity of your complaint, you may wish to: » File a complaint with your local police department or district attorney. » Consult an attorney and file a civil lawsuit. » File a complaint with the ethics committee of the: American Psychological Association 750 First Street, NE Washington, DC 20002 4242 (202) 336-5500 www.apa.org 24 | A Consumer Guide to Psychological Services What Can a Consumer Access on the Board's Website? The California Board of Psychology maintains an array of online resources that can assist you in evaluating a psychologist or learning more about psychological treatment. Here's a summary of the consumer information available at www.psychology.ca.gov: » Consumer information—click on "Consumer Information" » Verification of licensure or registration—click on "License Verification" » Disciplinary action against licensees/registrants—click on "Consumers" and then on "Disciplinary Actions" » Contact information for the Board's staff—click on "Contact Us" » Publications—click on "Forms/Pubs" and select from a list that includes the brochure, "Professional Therapy NEVER Includes Sex," the Board's "Disciplinary Guidelines," the Board's laws and regulations and all of the Board's past newsletters » Press releases—click on "Forms/Pubs" and then on "Press Releases" »

Complaint information and complaint form to download or file online—click on “Filing a Complaint with the Board of Psychology” » E-mail contact with the Board—click on “Contact Us” then on “E mail Us” » Board meeting agendas and meeting minutes—click on “Board Meetings” » Evaluation forms to assess the service you receive from the Board—click on “Consumers” and then on “Customer Service Evaluation” 26 | A Consumer Guide to Psychological Services Quick Recap of Psychology Resources Verify a psychologist is licensed: Check license status by calling the Board of Psychology License at (916) 574 7720 or by checking the license status on the Board’s website (www.psychology.ca.gov). Just click on the “License Verification” link. Verify a psychiatrist is licensed: Check license status by calling the Medical Board of California License Verification Unit at (916) 263 2382 or by checking the license status yourself on the Board’s website (www.MBC.ca.gov). Just click the “Verify a License” link. Verify license status for marriage and family therapists, social workers or educational psychologists: Check license status by calling the Board of Behavioral Sciences at (916) 574-5830 or by checking the status yourself on the Board’s website (www.bbs.ca.gov). Just click on the “License Verification” link. Psychological Assistants: These are professionals registered by the Board of Psychology—(916) 574 7720 or www.psychology.ca.gov. Registered Psychologists: These are professionals registered by the Board of Psychology—(916) 574 7720 or www.psychology.ca.gov. Psychiatric Technicians: These are professionals licensed by the Board of Vocational Nursing & Psychiatric Technicians—(916) 263 7800 or www.bvnpt.ca.gov. Acknowledgment The California Board of Psychology protects consumers of psychological services by ensuring high standards for the practice of psychology. The Board establishes rigorous licensing qualifications, investigates patient complaints and reaches out to empower consumers with information and resources. The Board of Psychology thanks those who took the time to review this consumer brochure during its development. Your valuable input has helped ensure that this booklet provides high quality and useful information and guidance to the public. How to Obtain Additional Copies Single copies of this Consumer Guide to Psychology Services are available at no charge from either of the following sources: California Board of Psychology 1625 North Market Blvd., Ste. N 215 Sacramento, CA 95834 (916) 574 7720 Office of Publications, Design & Editing California Department of Consumer Affairs (866) 320-8652 28 | A Consumer Guide to Psychological Services 1625 North Market Blvd., Suite N-215 Sacramento, CA 95834 18-227

MEMORANDUM

DATE	January 17, 2023
TO	Psychology Board Members
FROM	Jon Burke, Assistant Executive Officer
SUBJECT	Action - Review and Approve Edits to Draft Survey Questions to Assess Barriers to Telehealth: Agenda Item 19

Background:

In 2020, a pandemic and nationwide protests regarding racial inequities have highlighted the need for the Board of Psychology to consider how it conducts business and how that impacts the profession of psychology and access to psychological services. As such, Board President Seyron Foo and Committee Chair Dr. Lea Tate agreed on the following areas of focus:

- a. Update on Continued Professional Development Regulations: Implementation Plan to Produce Written Materials including Cultural Diversity and Social Justice Requirement
- b. Increase Stakeholder Engagement
- c. Engage Department of Healthcare Services (DHCS) Regarding Medi-Cal Reimbursement Rates
- d. Engage Substance Abuse and Mental Health Services (SAMHSA) Regarding Federal Initiatives Addressing Equity
- e. Digital Divide – How Does the Digital Divide Impact Access to Telehealth

In September 2022, the Outreach and Communications Committee drafted language for a survey to assess barriers to telehealth.

In November 2022, the Board reviewed the survey and requested that staff discuss the language with the Department of Consumer Affairs (DCA). Staff discussed the language with DCA and staff made a number of edits based on those discussions. Some questions were combined or removed to reduce the overall number of questions to encourage participation.

Action Requested

Staff requests the Board review and approve the attached draft survey questions to assess barriers to telehealth.

Attachments

Draft Consumer Survey
Draft Provider Survey

The Board of Psychology is beginning to examine the factors that impact the availability of psychological services offered by telehealth. Telehealth is providing psychological services by internet or telephone. The following survey is to understand the barriers to telehealth for consumers.

Survey Questions to Assess Barriers to Telehealth for psychological services (for Consumers)

1. I am a
 - a. Client of psychological services
 - b. Prospective client for psychological services
 - c. Advocate for psychological services
 - d. Other, please explain (dialogue box)

2. Are you comfortable in receiving psychological services via telehealth?
 - a. Yes
 - b. No

3. Have you experienced any barriers in accessing telehealth?
 - a. Yes (if yes, go to question 4)
 - b. No (if no, go to question 8)

4. What are the technical barriers to telehealth?
 - a. Internet access (e.g., Wi-fi speed)
 - b. Selected Software Application
 - c. Hardware/Computer Support
 - d. The therapist's ability to provide service by electronic means
 - e. Other, please explain (dialogue box)

5. What are the financial barriers to telehealth?
 - a. Insurance reimbursement
 - b. Ability to pay for services
 - c. MediCal/Medicare reimbursement
 - d. Costs of technology
 - e. Other, please explain (dialogue box)

6. What are the physical or cultural barriers to telehealth?
 - a. Language or Communication
 - b. Lack of Diverse Providers
 - c. Reasonable Accommodations
 - d. Physical Limitations
 - e. Other

7. What of type setting do you use to receive telehealth services?

- a. Home
- b. Office
- c. Different Clinic/Medical Location
- d. Other, please explain (dialogue box)

8. Are there additional concerns related to telehealth which you wish to share?

The Board of Psychology is considering how it conducts business and how that impacts the profession of psychology and access to psychological services. Out of this landscape began a discussion on factors that impact the provision of services to consumers, especially services provided by our licensees via telehealth. The following survey is aimed at understanding the barriers to telehealth for providers.

Survey Questions to Assess Barriers to Telehealth (for Providers)

1. I am a
 - a. Psychologist
 - b. Registered Psychological Associate
 - c. Supervised Trainee
 - d. Other licensed professional: Fill in title

2. Do you now or have you ever provided telehealth services?
 - a. Yes
 - b. No

3. If Yes to Question 2 – what percentage of your work is conducted via telehealth?
 - a. Less than 20%
 - b. 20-39%
 - c. 40-59%
 - d. 60-79%
 - e. 80-99%
 - f. 100% - Full Telehealth

4. What are the technical barriers to telehealth?
 - a. Broadband Access (E.g., Wi-fi speed)
 - b. Selected Telehealth Platform (Software)
 - c. Hardware/Computer Support
 - d. Other, please explain (dialogue box)

5. What are the practice barriers to telehealth?
 - a. Lack of training in telehealth
 - b. Lack of HIPAA compliant technology
 - c. Appropriateness of telehealth for certain client populations (for example, clients undergoing psychological assessments, clients with safety concerns, etc...)
 - d. Other, please explain (dialogue box)

6. What are the financial barriers to telehealth?
 - a. Insurance reimbursement
 - b. Client ability to pay
 - c. MediCal/Medicare reimbursement

- d. Technology Costs
 - e. Other, please explain (dialogue box)
7. What are the training barriers to telehealth?
- a. Lack of formal study in advanced program
 - b. Lack of training in training programs
 - c. Lack of supervision opportunities
 - d. Other, please explain (dialogue box)
8. Are there additional barriers which have not been Identified in this Survey?