

# 2023 Environmental Scan

*Prepared by*

*SOLID Planning Solutions*

*for the Board of Psychology*



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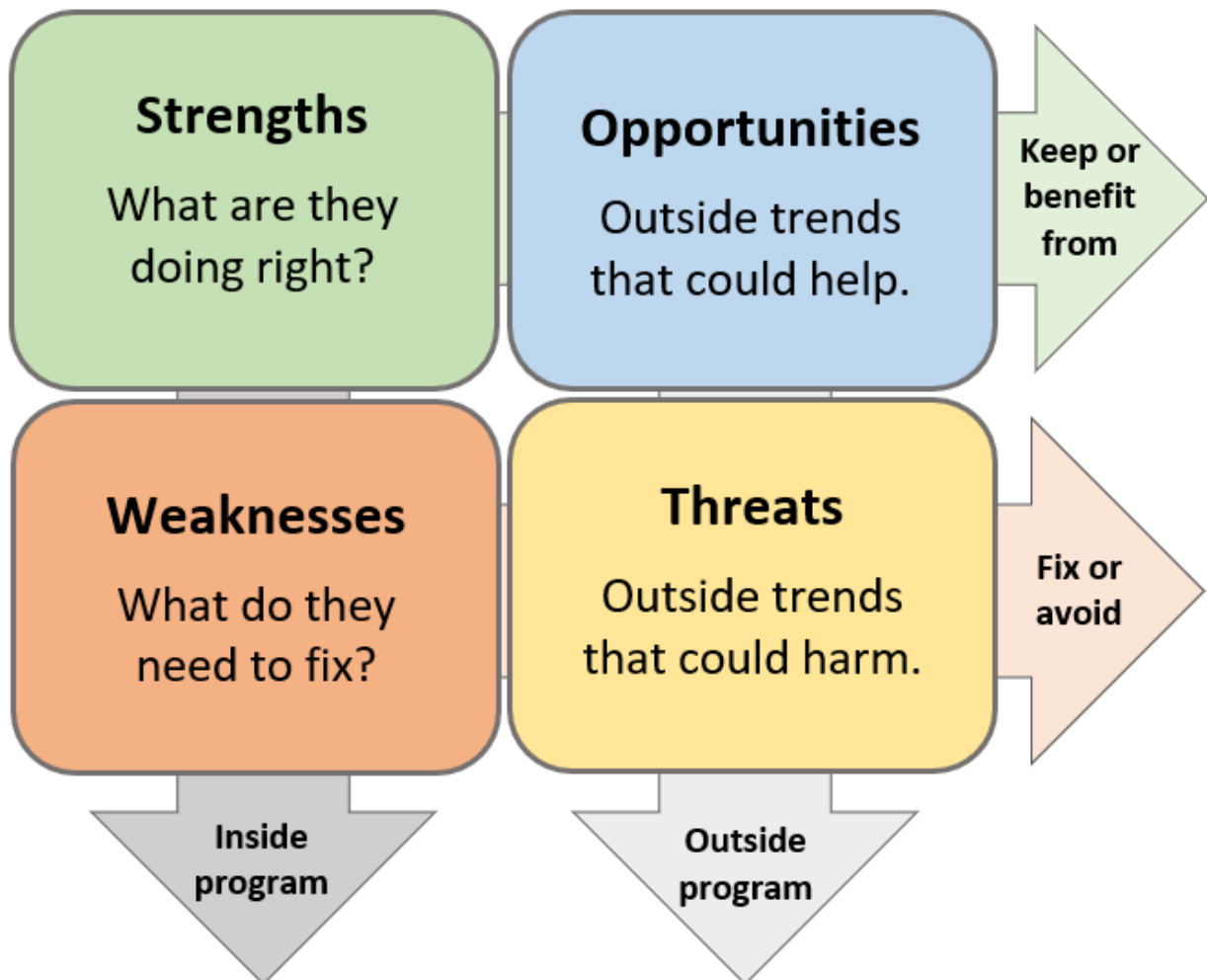
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## Introduction

One of the first steps in developing a strategic plan is to conduct a scan and analysis of the internal and external environment in which an organization operates. This analysis allows the organization to look at the factors that can impact its success. This report is a summary of the environmental scan recently conducted by SOLID Planning (SOLID) for the Board of Psychology (BOP) in the months of August and September of 2023.

The purpose of this environmental scan is to provide a better understanding of external and internal stakeholder thoughts about BOP's performance and environment. SOLID followed the SWOT Analysis (strengths, weaknesses, opportunities, and threats) method to solicit feedback from stakeholders, where strengths and weaknesses refer to BOP's internal environment and opportunities and threats refer to BOP's external environment.



## Diversity, Equity, and Inclusion in the Strategic Planning Process

Governor Gavin Newsom, through [Executive Order \(N-16-22\)](#), strengthened the State's commitment to a "California For All" by directing state agencies and departments to take additional actions to embed equity analysis and considerations into their policies and practices, including but not limited to, the strategic planning process.

At the Department of Consumer Affairs (DCA), we are driven by our consumer protection mission and common goal to support our employees and the people and communities across California. As part of advancing the Governor's Executive Order, DCA's strategic planning process reflects our commitment to diversity, equity, and inclusion (DEI), incorporating inclusive public engagement and enhanced data collection and analysis.

**DCA DEI Mission Statement:** *To Advance a Diverse, Equitable, and Inclusive California Department of Consumer Affairs for All.*

**Diversity:** *The inherent and acquired qualities, characteristics, and experiences that make us unique as individuals and the groups to which we belong.*

**Equity:** *Creating pathways to equal outcomes.*

**Inclusion:** *A practice to maintain a positive environment where all individuals feel recognized, understood, and valued.*

Consider DEI impacts of policy decisions when reviewing the feedback from the environmental scan and when developing strategic objectives.

## Feedback

Feedback was solicited from external stakeholders, board members, and board leadership and staff (executive leadership, management, and line staff) regarding BOP's internal strengths and weaknesses as they relate to its goal areas (listed below) and external opportunities and threats as they relate to the profession and environment in which BOP operates.

1. Licensing
2. Continuing Professional Development
3. Policy and Advocacy
4. Enforcement
5. Outreach and Communication
6. Board Operations

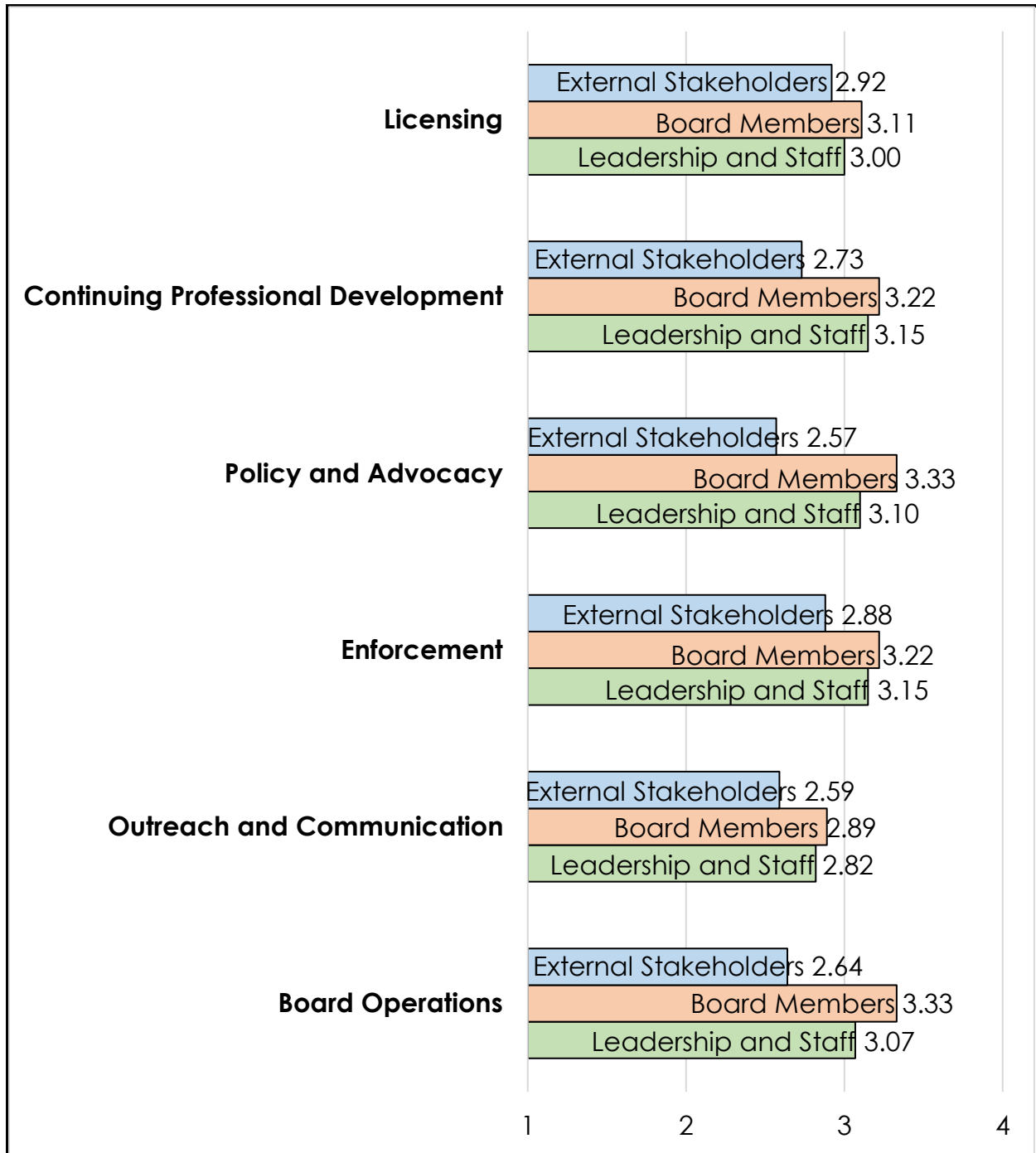
This document summarizes trends, including areas where stakeholder groups agree and disagree, while providing insight to assist BOP in developing objectives for the upcoming strategic plan.

At the strategic planning session, BOP's leadership team and board members will discuss and evaluate this information as a group to help create the objectives that BOP will focus on during its next strategic plan period.

If you have any questions about this report, please contact Trisha St.Clair with SOLID Planning at [Trisha.St.Clair@dca.ca.gov](mailto:Trisha.St.Clair@dca.ca.gov).

## Overall Effectiveness

External stakeholders, board members, leadership and staff rated BOP's strategic goal areas on a scale of four (very effective) to one (very poor). The chart below displays the average ratings, with full details contained in the report.



## Goal 1: Licensing

The Board establishes pathways to obtain and maintain a license to provide psychological services in California.

### Effectiveness Rating

Rating	External Stakeholders	Board Members	Leadership and Staff
<b>Very Effective</b>	17%	11%	0%
<b>Effective</b>	63%	89%	100%
<b>Poor</b>	15%	0%	0%
<b>Very Poor</b>	5%	0%	0%
Total %	100%	100%	100%
Total Responses	1,401	9	15

### Summary of Licensing Strengths

1. External stakeholders agree the Board keeps them informed by communicating regularly and clearly.
2. External stakeholders, as well as leadership and staff, praise the licensing process for its clear guidelines and requirements.
3. External stakeholders appreciate that the Board maintains standards for the profession by requiring a base level of competence for psychologists.
4. External stakeholders like the ability to renew their licenses online, saying online services make license renewals easy, efficient, and accessible.
5. External stakeholders and board members describe the licensing unit as responsive, saying staff quickly provide answers and follow up to submitted questions and issues.



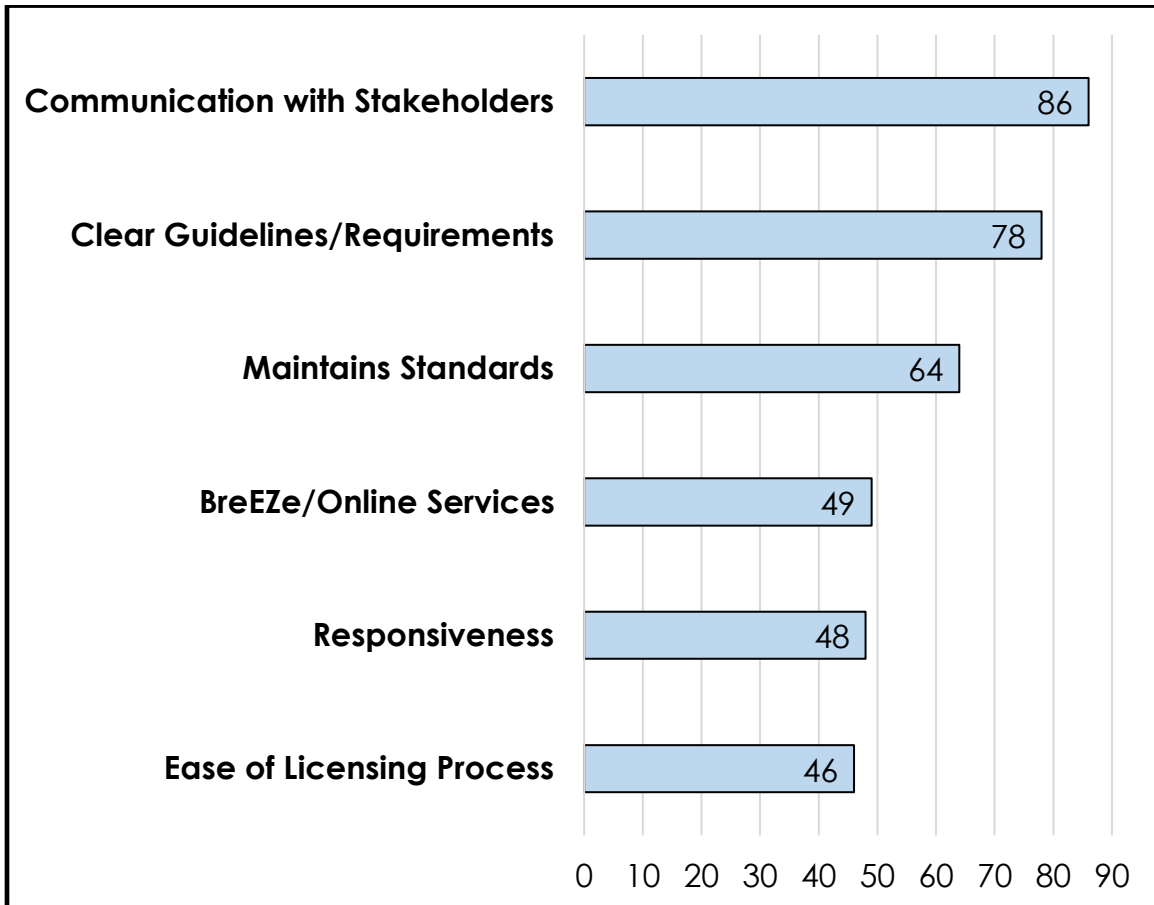
## Summary of Licensing Weaknesses

1. External stakeholders and board members express concern over the length of time it takes to process license applications, calling the amount of time excessive and possibly harmful, as it delays an applicant's ability to work as a psychologist.
2. External stakeholders state the licensing unit lacks responsiveness and timeliness, saying emails and phone calls go unanswered or are not responded to in a timely manner.
3. External stakeholders say accessibility is a weakness and that reaching a live staff person is nearly impossible.
4. External stakeholders and board members believe communication could be improved by being timelier and using clearer, simpler language.
5. External stakeholders say the cost of licensure is too high and above the national standard.
6. External stakeholders state the licensing unit needs better customer service skills, describing staff as unprofessional, unhelpful, and unsupportive.

## Trends in Licensing Strengths

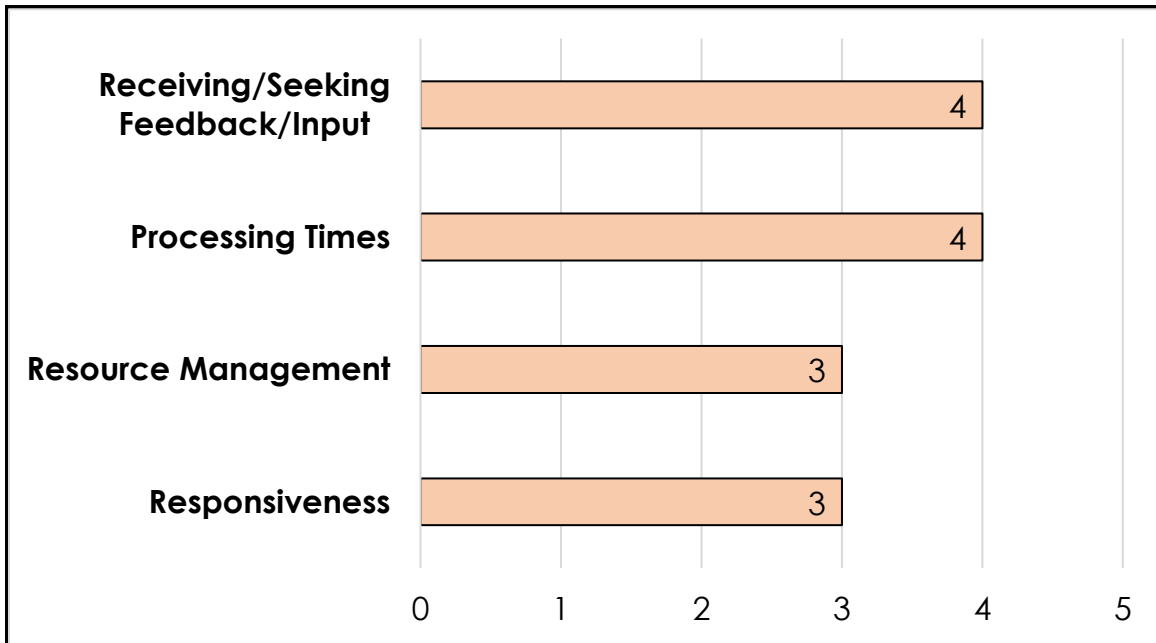
### External Stakeholder Comment Trends

The chart below lists the top trends along with the corresponding number of comments for feedback provided by external stakeholders.



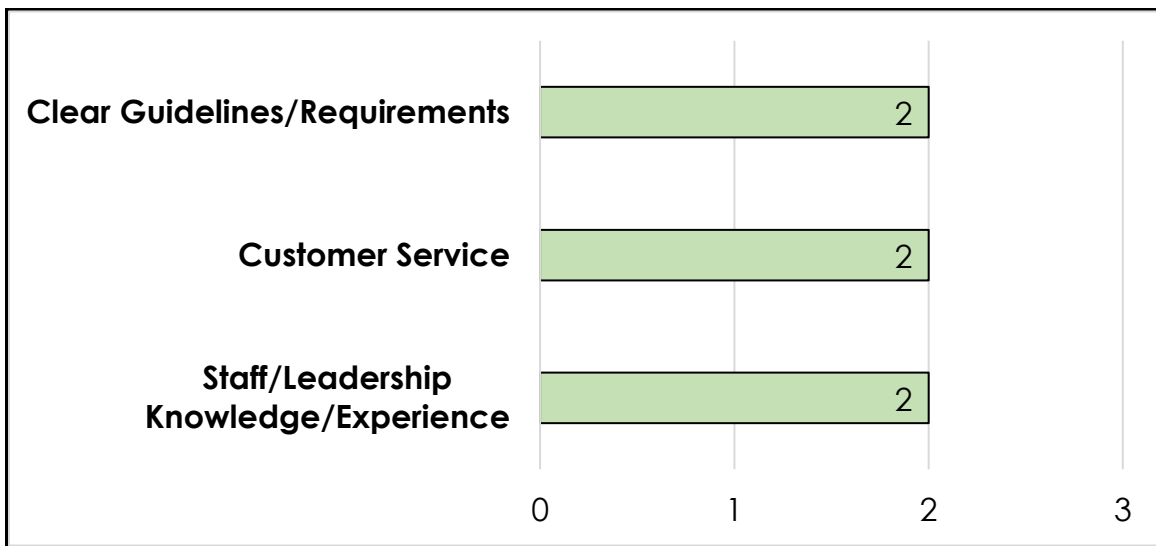
### Board Member Stakeholder Comment Trends

The chart below lists the top trends along with the corresponding number of comments for feedback provided by board members.



### Leadership and Staff Stakeholder Comment Trends

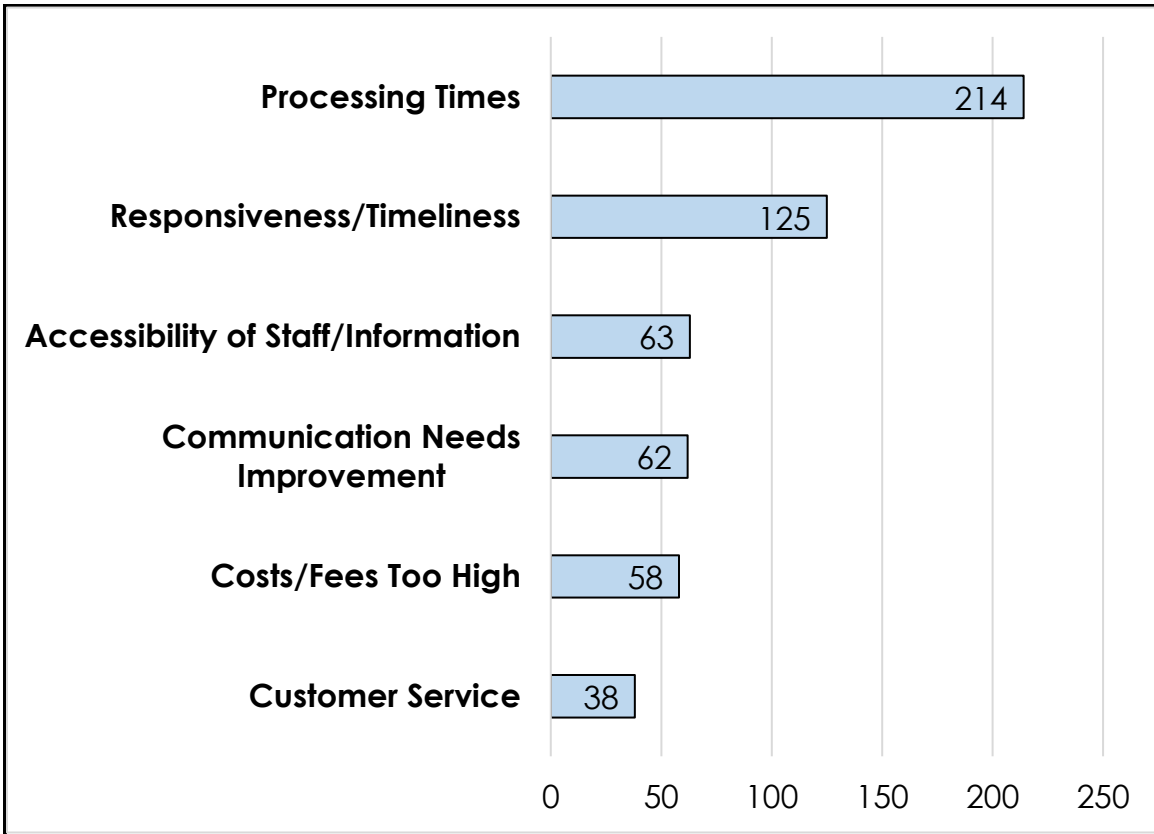
The chart below lists the top trends along with the corresponding number of comments for feedback provided by leadership and staff.



## Trends in Licensing Weaknesses

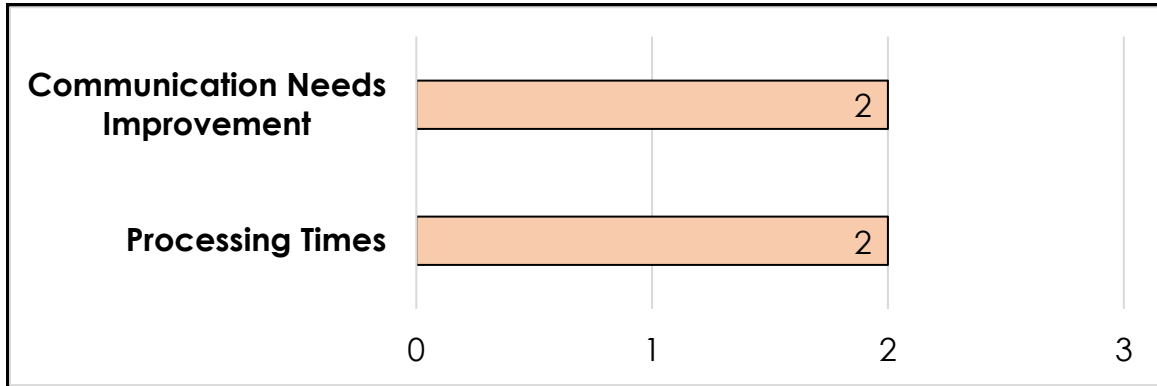
### External Stakeholder Trends

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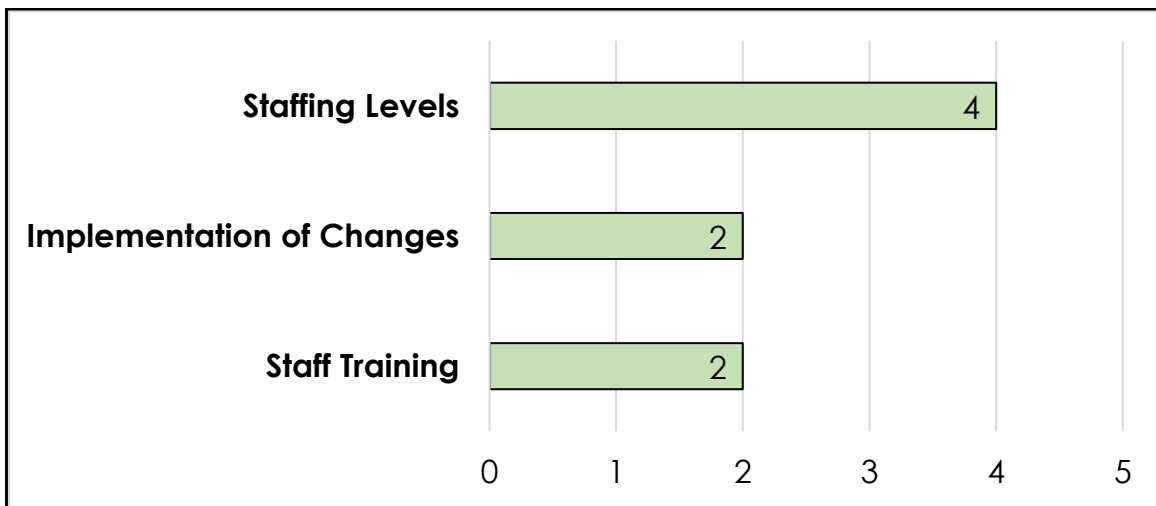
### Board Member Trends

The chart below lists the top trends along with the corresponding number of comments for feedback provided by board members.



### Leadership and Staff Trends

The chart below lists the top trends along with the corresponding number of comments for feedback provided by leadership and staff.



## Goal Area 2: Continuing Professional Development

The Board ensures that licensees maintain competency to practice psychology in California.

### Effectiveness Rating

Rating	External Stakeholders	Board Members	Leadership and Staff
<b>Very Effective</b>	13%	22%	23%
<b>Effective</b>	56%	78%	69%
<b>Poor</b>	24%	0%	8%
<b>Very Poor</b>	7%	0%	0%
Total %	100%	100%	100%
Total Responses	1,161	9	13

### Summary of Continuing Professional Development Strengths

1. External stakeholders, board members, and leadership and staff praise the new continuing professional development (CPD) for its flexibility and variety of options.
2. External stakeholders approve of the change from continuing education (CE) to continuing professional development, saying the new model allows for more diverse learning experiences.
3. External stakeholders like the broader scope of continuing professional development, appreciating the recognition that professional development comes in many forms.
4. External stakeholders describe the CPD guidelines and requirements as clear and easy to understand.
5. External stakeholders, board members, and leadership and staff agree the Board communicates well in the area of CPD, sending out regular updates of changes and hosting informational sessions.

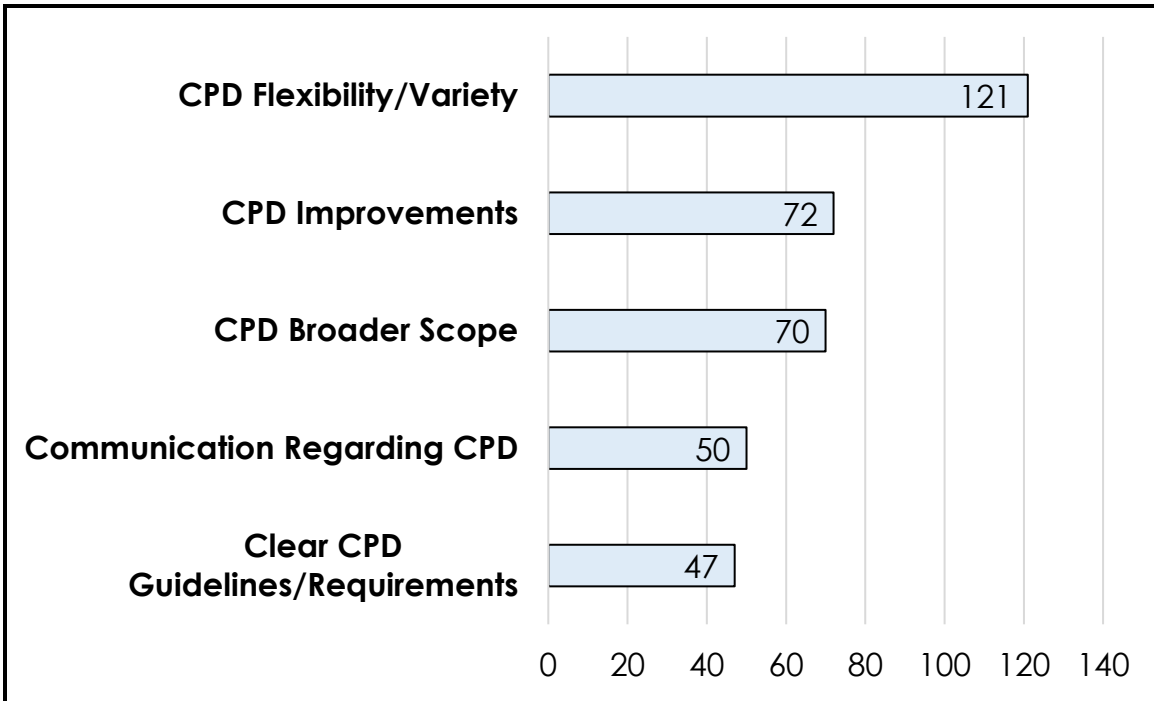
## Summary of Continuing Professional Development Weaknesses

1. External stakeholders report the new CPD requirements confuse them and are overly complicated. Leadership and staff observe that many licensees are struggling to understand the new CPD requirements.
2. External stakeholders prefer the old CE to the new CPD, saying the new CPDs are hard to track, too complicated, and prevent licensees from choosing the education they need.
3. External stakeholders and board members believe the communication of the new CPD requirements could be improved, suggesting clearer, more frequent, and varied types of communication.
4. External stakeholders call the new CPD requirements burdensome because:
  - They are more difficult for licensees in private practice to complete
  - There are too many of them
  - They are too rigid and complicated
  - The categories are difficult to qualify for if a psychologist works outside an academic setting
  - They are challenging to licensees with multi-state licenses
  - They are hard on senior psychologists who no longer work in settings that require supervision of training psychologists
5. External stakeholders and board members would like to see clearer, simpler, and more specific CPD guidelines.

## Trends in Continuing Professional Development Strengths

### External Stakeholder Comment Trends

The chart below lists the top trends along with the corresponding number of comments for feedback provided by external stakeholders.



### Board Member Trends

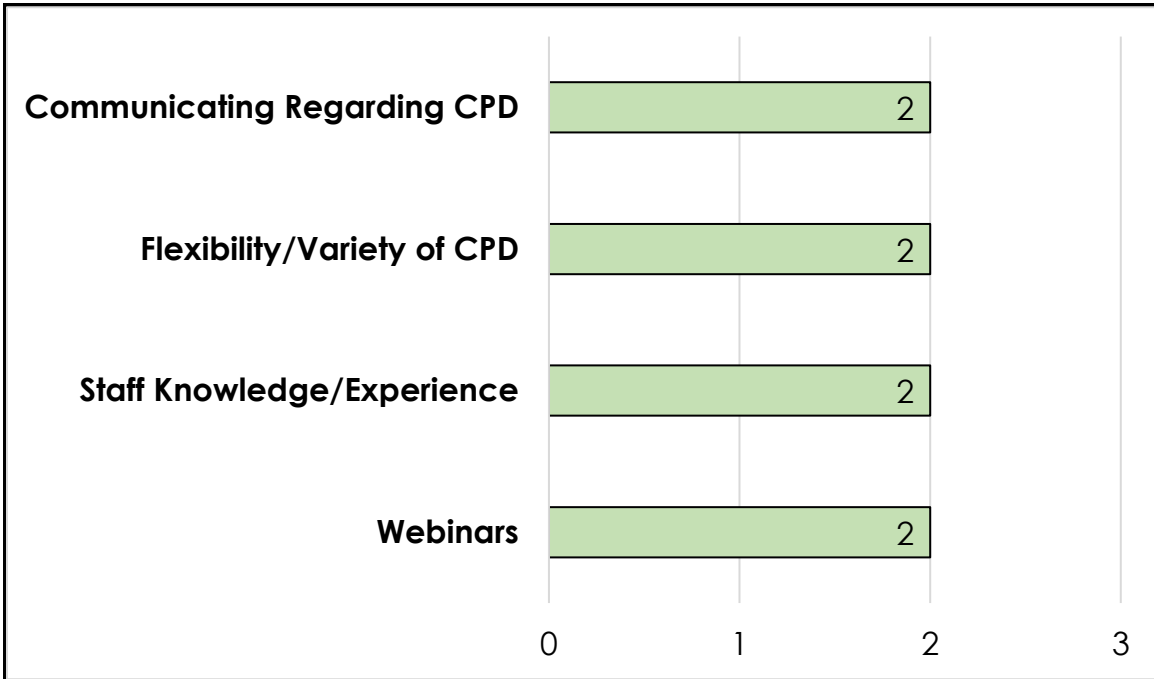
The chart below lists the top trends along with the corresponding number of comments for feedback provided by board members.





### Leadership and Staff Trends

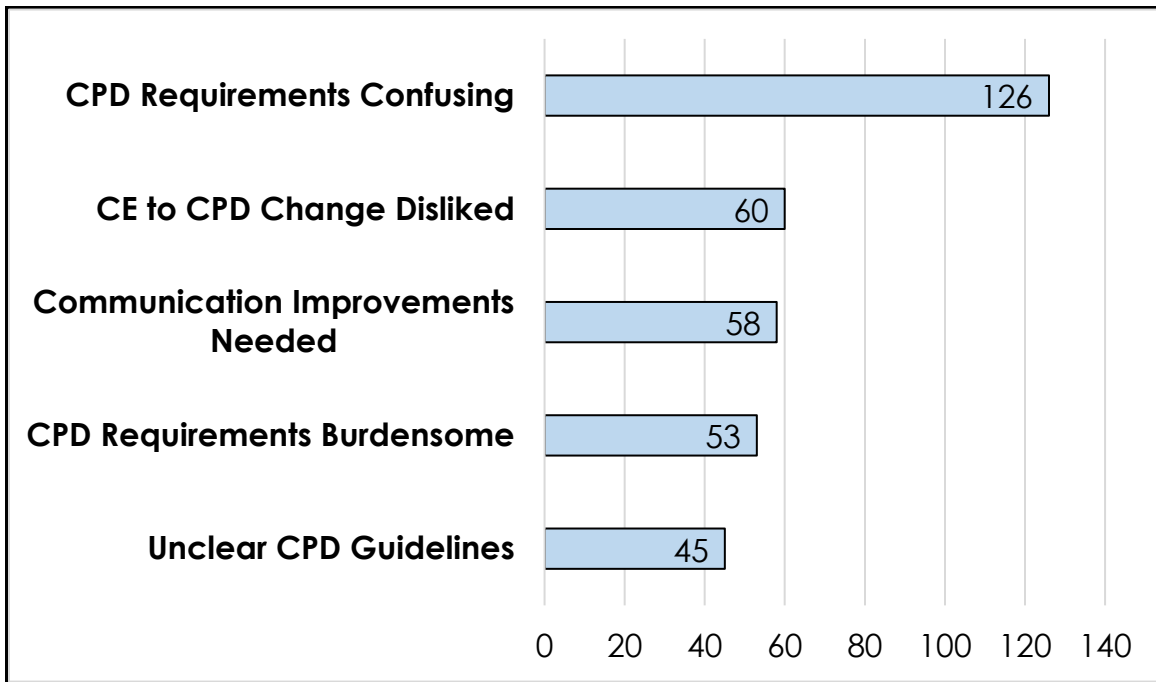
The list below displays terms that summarize comments provided by leadership and staff.



## Trends in Continuing Professional Development Weaknesses

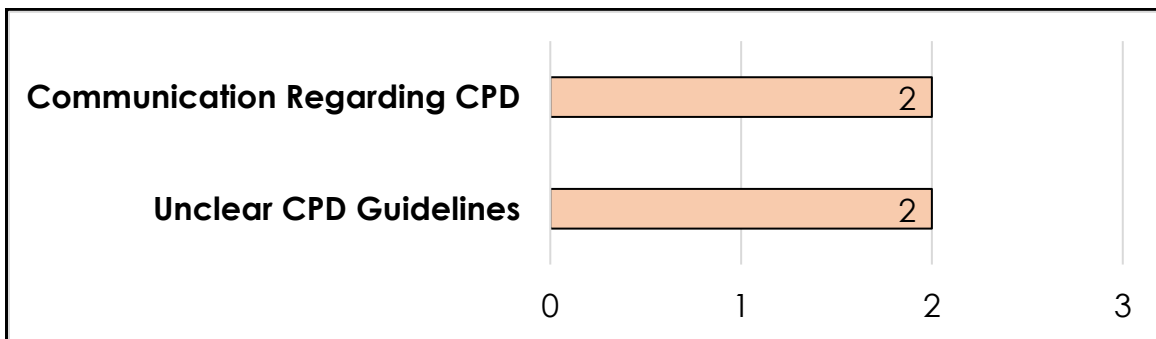
### External Stakeholder Trends

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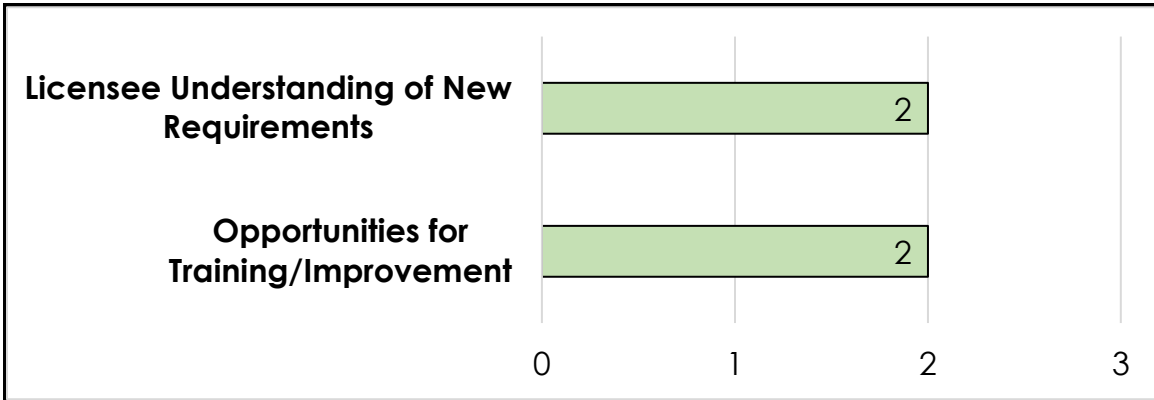
### Board Member Trends

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### Leadership and Staff Trends

The chart below lists the top trends along with the corresponding number of comments for feedback provided by leadership and staff.



## Goal Area 3: Policy and Advocacy

The Board advocates for statutes and develops regulations that provide for the protection of consumer health and safety.

### Effectiveness Rating

Rating	External Stakeholders	Board Members	Leadership and Staff
<b>Very Effective</b>	9%	33%	10%
<b>Effective</b>	50%	67%	90%
<b>Poor</b>	30%	0%	0%
<b>Very Poor</b>	11%	0%	0%
Total %	100%	100%	100%
Total Responses	732	9	10

### Summary of Policy and Advocacy Strengths

1. External stakeholders appreciate the communication they receive regarding policy and advocacy, stating the communication is frequent and helpful.
2. External stakeholders commend BOP policy and advocacy for protecting consumers, saying BOP truly and effectively protects consumers of professional mental health care services.
3. External stakeholders feel supported and protected by the Board, saying BOP works with lawmakers to ensure the profession's ongoing viability and standards of practice.
4. External stakeholders, board members, and leadership and staff agree BOP stays engaged in policy and advocacy by supporting, monitoring, reviewing, and drafting legislation as well as stopping harmful bills.
5. External stakeholders like that BOP advocates inclusively by focusing on diversity and minority groups.

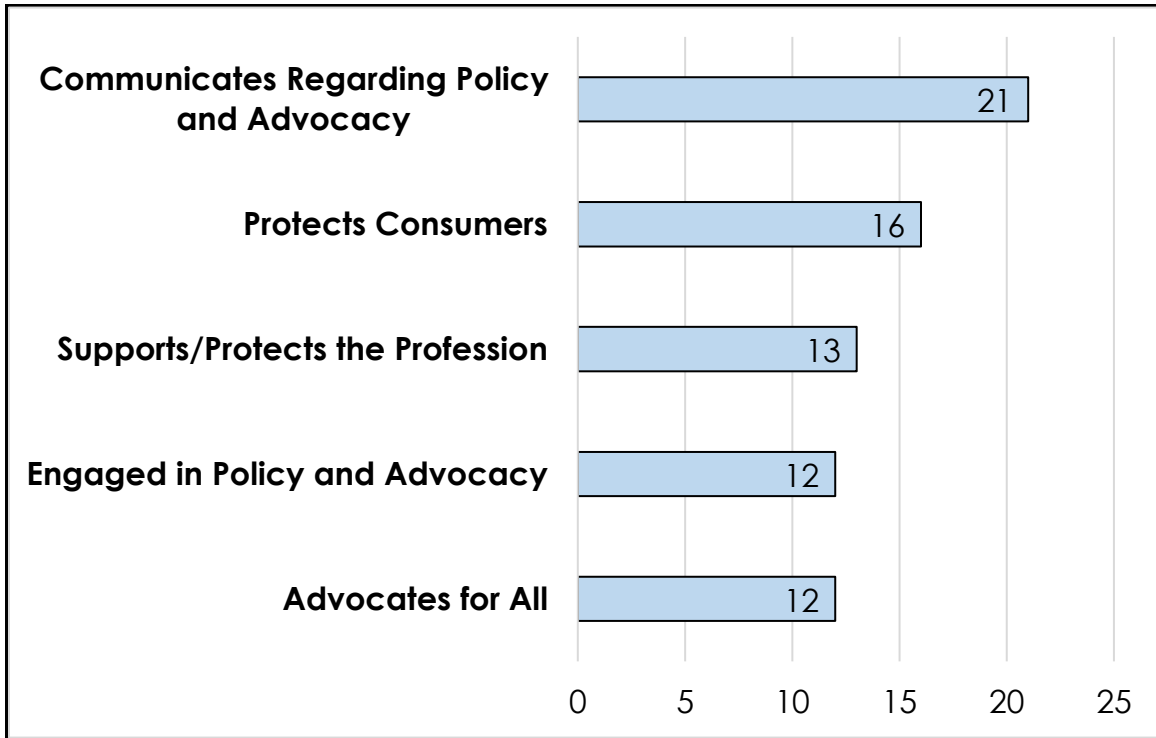
## Summary of Policy and Advocacy Weaknesses

1. External stakeholders would like to see BOP improve its communication of policy and advocacy by notifying licensees directly when laws and regulations change and using simpler language.
2. External stakeholders say they are not aware of what BOP does in terms of policy and advocacy and recommend BOP provide more information detailing what it does in this area.
3. External stakeholders want BOP to advocate more on the behalf of licensees, especially in regard to helping them receive better reimbursement rates from insurance companies and compensation in general.
4. External stakeholders want BOP to join the Psychology Interjurisdictional Compact (PSYPACT), saying that doing so would help meet the needs of patients and increase opportunities for psychologists.

## Trends in Policy and Advocacy Strengths

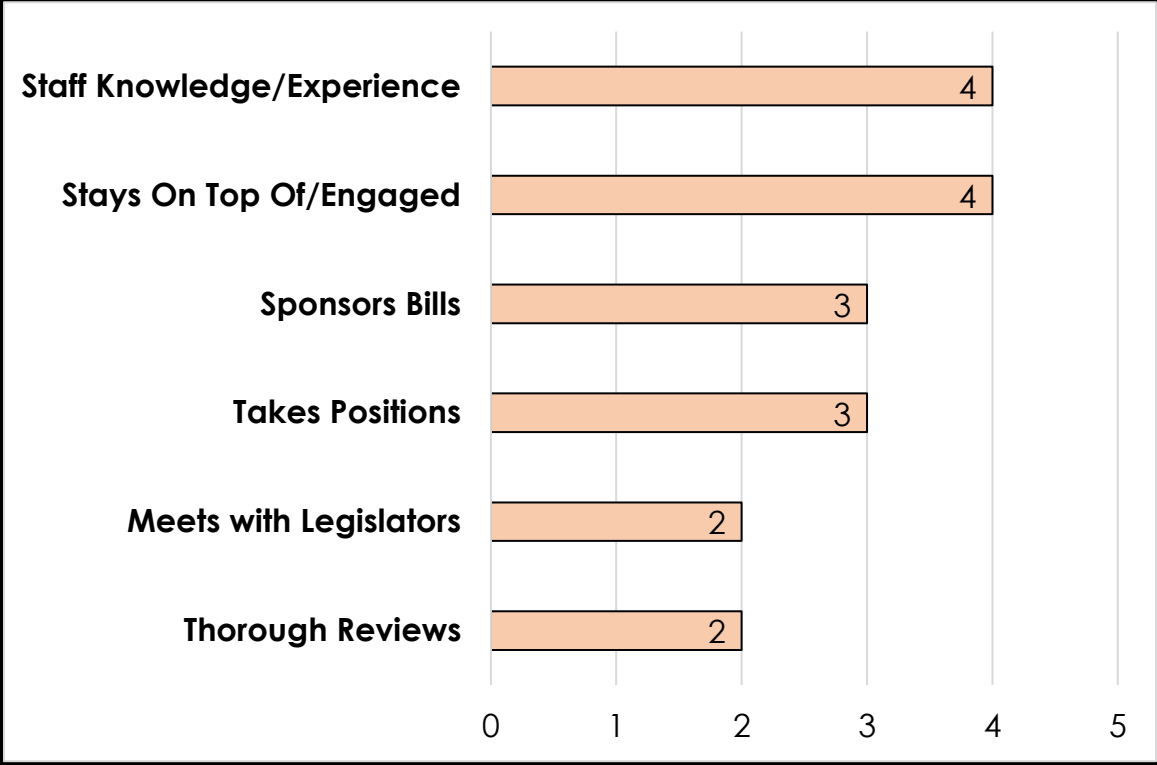
### External Stakeholder Comment Trends

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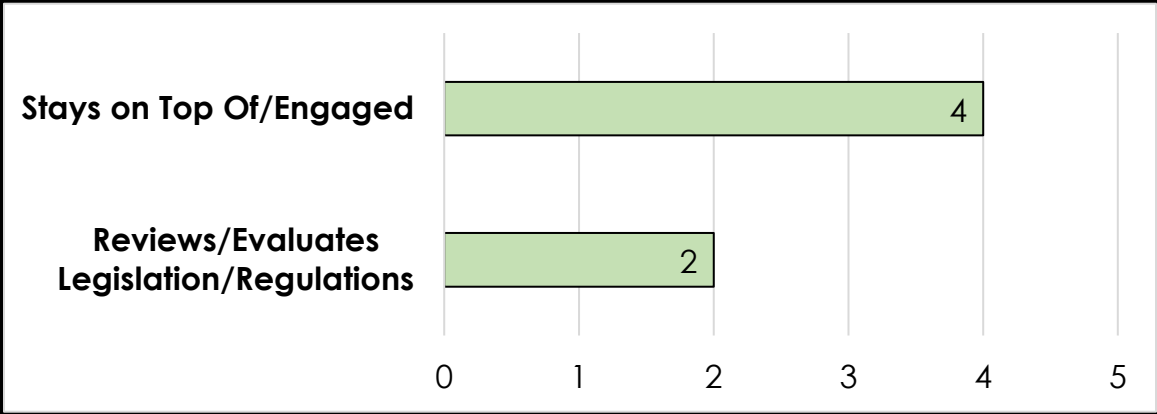
### Board Member Comment Trends

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### Leadership and Staff Comment Trends

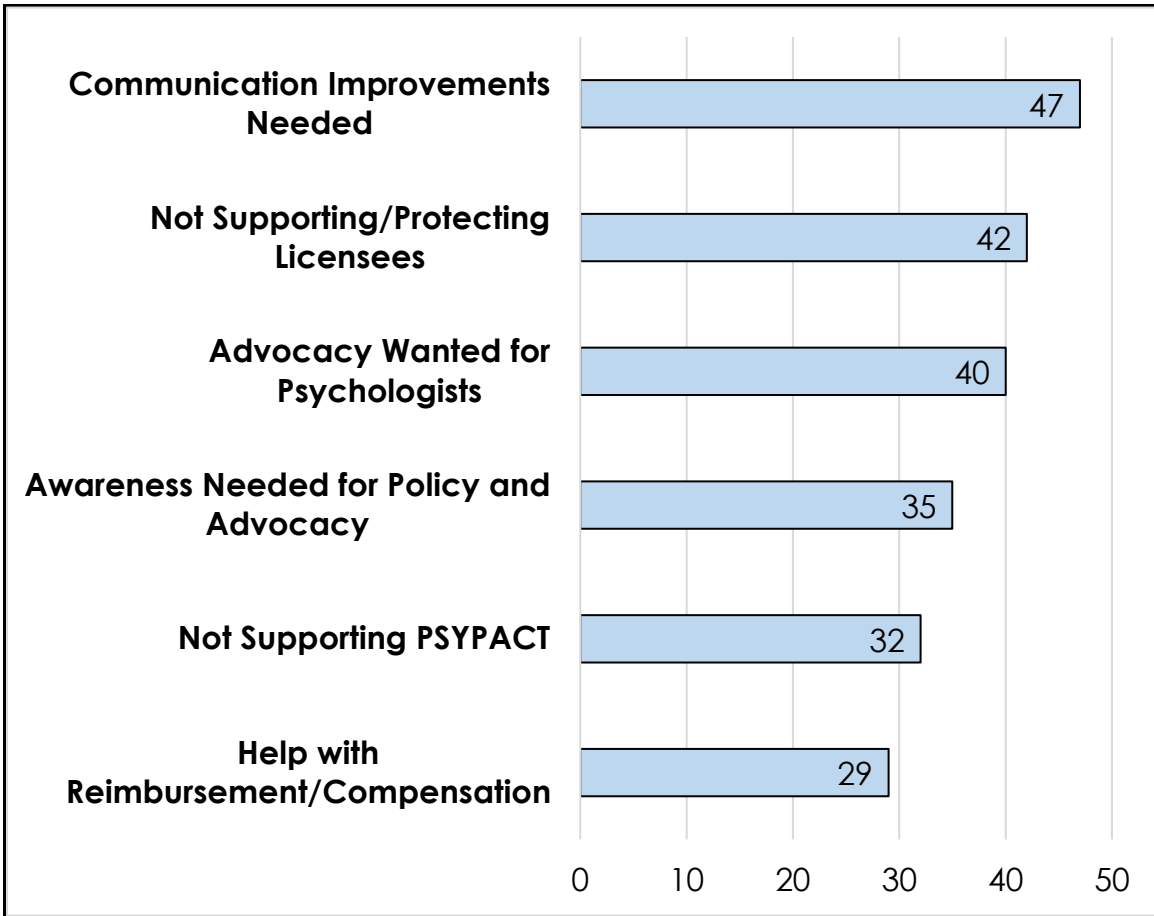
The chart below lists the top trends along with the corresponding number of comments for feedback provided by leadership and staff.



## Trends in Policy and Advocacy Weaknesses

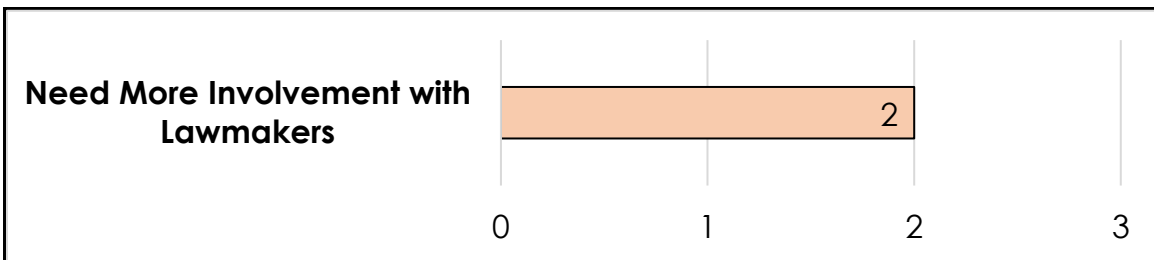
### External Stakeholder Trends

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### Board Member Trends

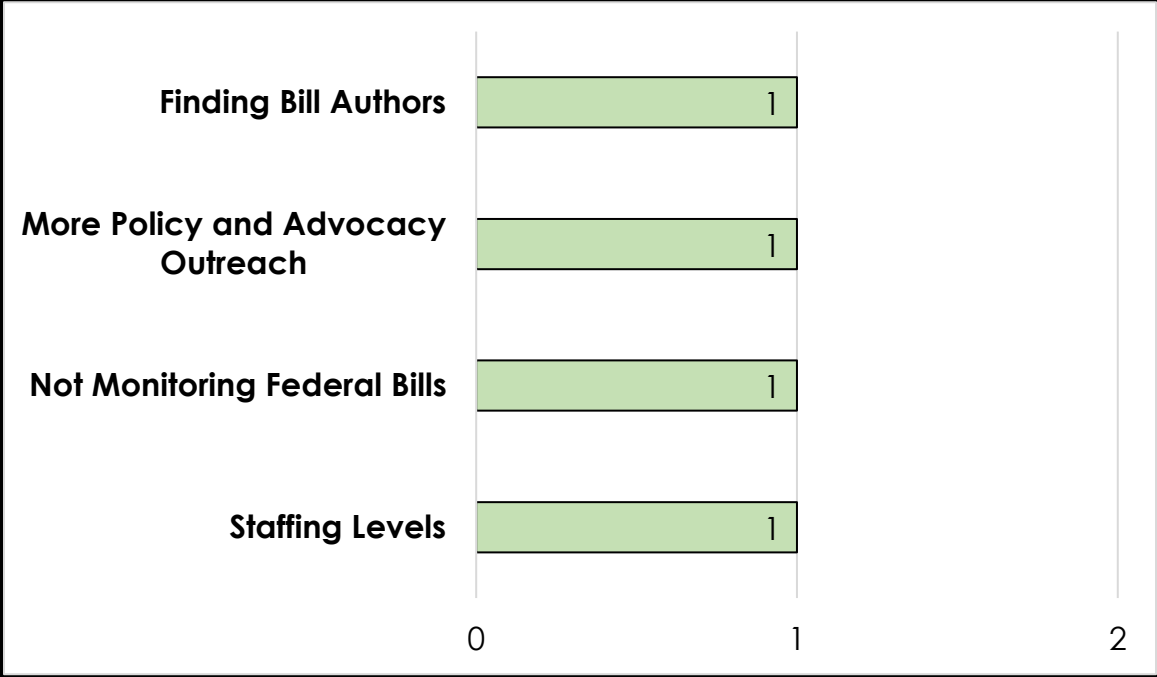
The chart below lists the top trends along with the corresponding number of comments for feedback provided by board members.





### Leadership and Staff Trends

The chart below lists the top trends along with the corresponding number of comments for feedback provided by leadership and staff.



## Goal Area 4: Enforcement

The Board investigates complaints and enforces the laws governing the practice of psychology in California.

### Effectiveness Rating

Rating	External Stakeholders	Board Members	Leadership and Staff
<b>Very Effective</b>	16%	22%	23%
<b>Effective</b>	64%	78%	69%
<b>Poor</b>	13%	0%	8%
<b>Very Poor</b>	7%	0%	0%
Total %	100%	100%	100%
Total Responses	690	9	13

### Summary of Enforcement Strengths

1. External stakeholders appreciate that the Board publishes its enforcement actions, especially the violations, calling the practice transparent, helpful, and educational.
2. External stakeholders describe the enforcement unit as very effective, disciplined, and resourceful.
3. External stakeholders like that BOP maintains high standards through protecting consumers and the profession from unprofessional conduct.
4. External stakeholders praise BOP for actively investigating complaints, while board members and leadership and staff praise BOP for the thoroughness of its investigations.
5. External stakeholders find BOP's communication surrounding enforcement helpful, contributing to the public's awareness and keeping licensees mindful of ethical standards.

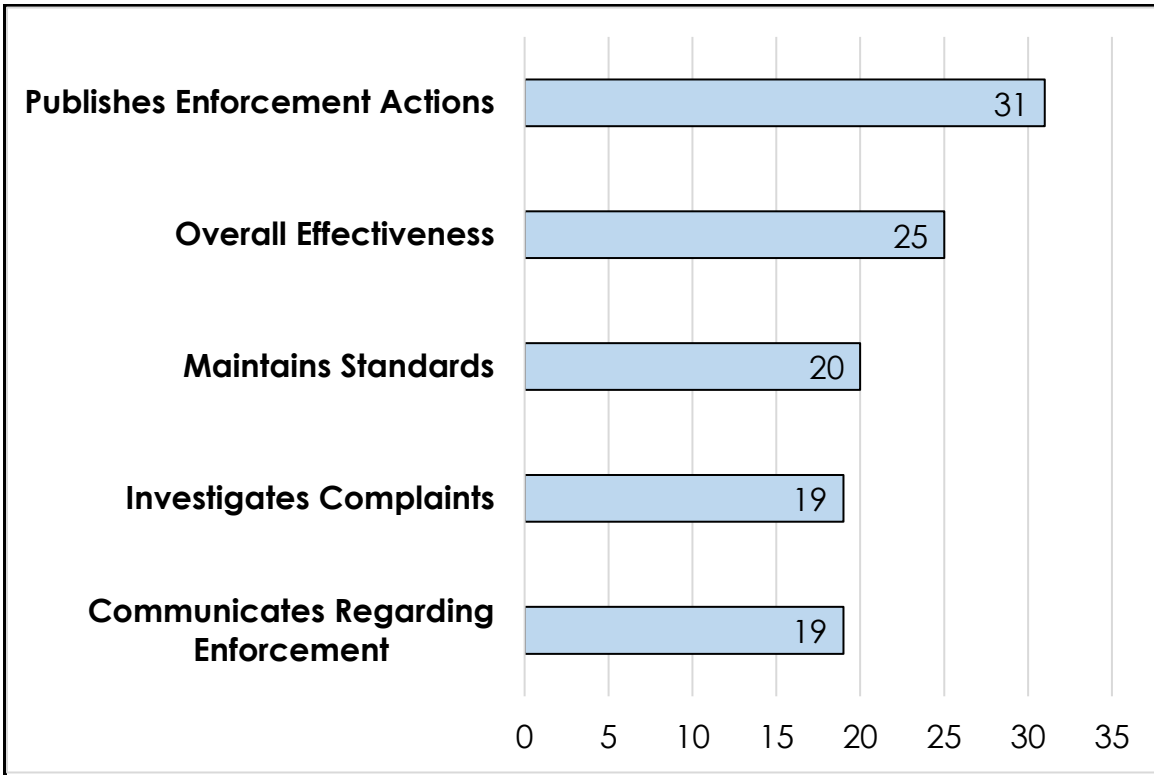
## Summary of Enforcement Weaknesses

1. External stakeholders perceive that BOP's enforcement is too harsh and recommend BOP distinguish more between minor and serious offenses as well as help licensees learn from mistakes.
2. External stakeholders say the enforcement process takes too long, placing consumers at risk while alleged offenders continue to practice.
3. External stakeholders express a desire for BOP's enforcement unit to build a relationship with licensees so that they feel supported rather than guilty until proven innocent.
4. External stakeholders would like BOP's enforcement unit to improve its communication by:
  - Communicating more frequently with the complainant during the investigation process
  - Describing how its disciplinary decisions are made
  - Providing more specific information regarding what violations consisted of
  - Providing more information about the timeline for serious cases and the stages of enforcement in general
5. External stakeholders view BOP's publishing of enforcement actions as a form of public shaming.

## Trends in Enforcement Strengths

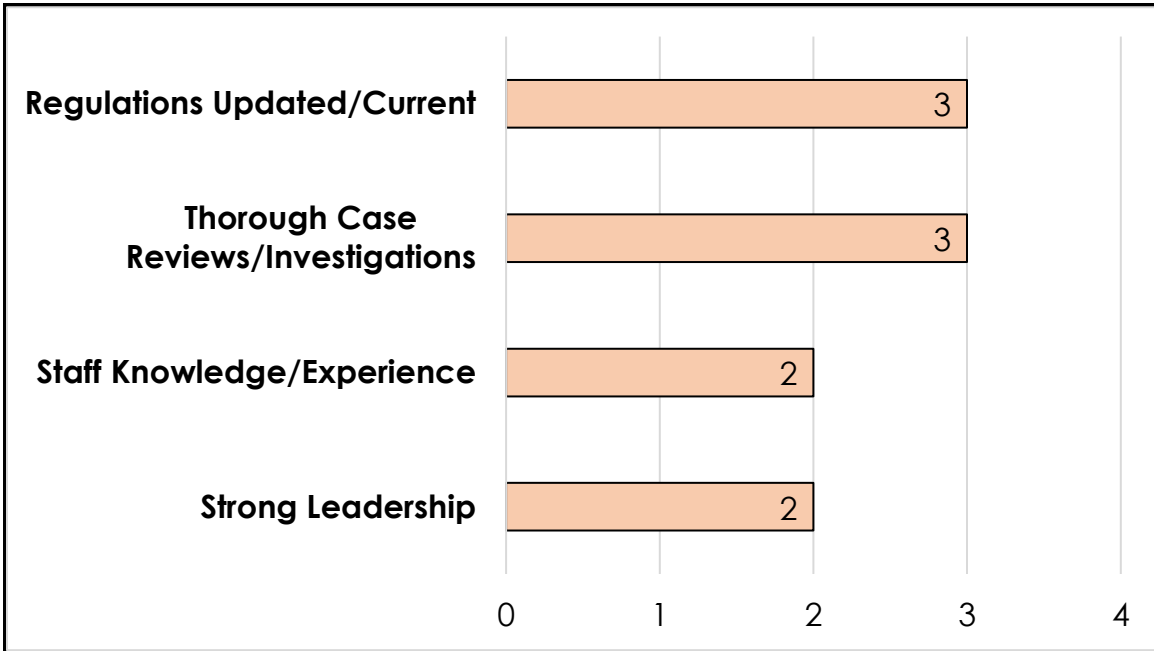
### External Stakeholder Comment Trends

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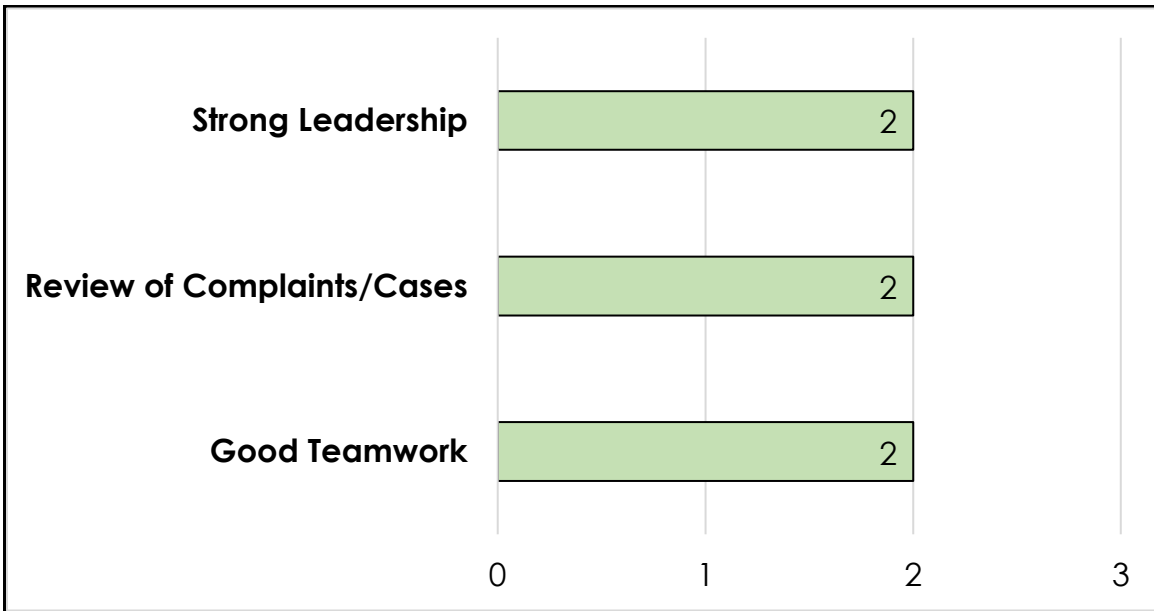
### Board Member Comment Trends

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### Leadership and Staff Comment Trends

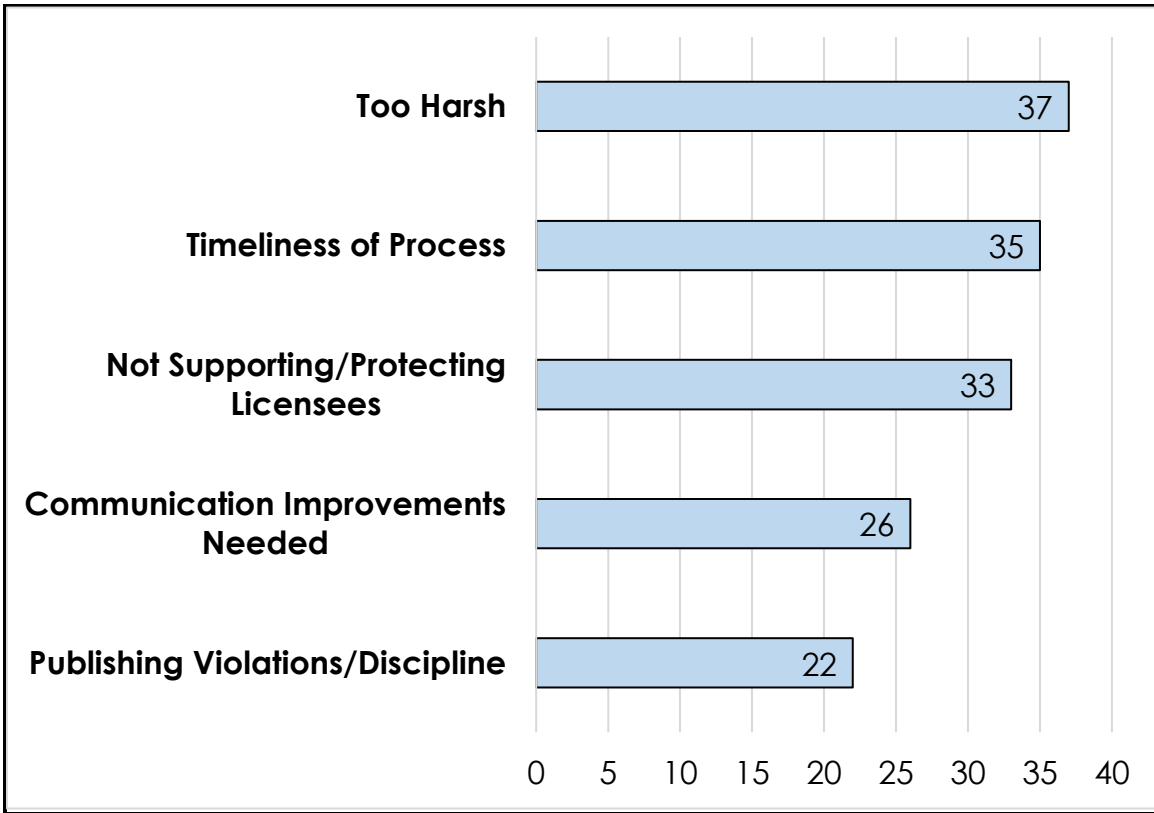
The chart below lists the top trends along with the corresponding number of comments for feedback provided by leadership and staff.



## Trends in Enforcement Weaknesses

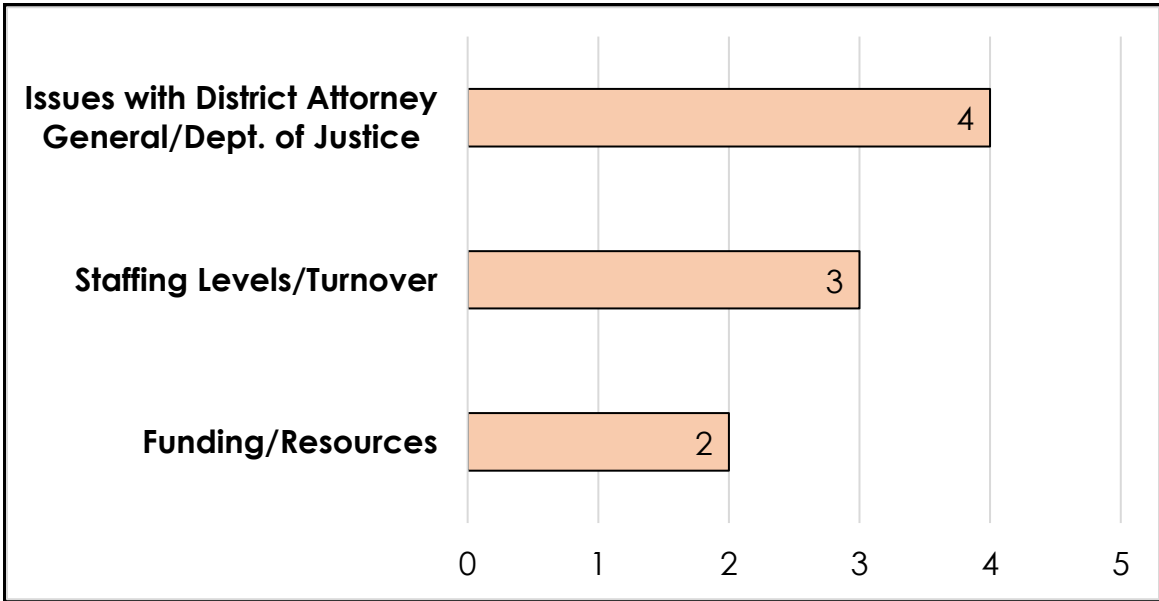
### External Stakeholder Trends

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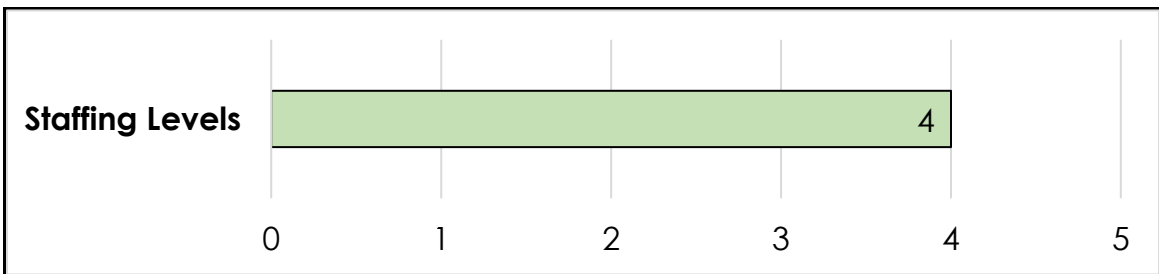
### Board Member Trends

The chart below lists the top trends along with the corresponding number of comments for feedback provided by board members.



### Leadership and Staff Trends

The chart below lists the top trends along with the corresponding number of comments for feedback provided by leadership and staff.



## Goal Area 5: Outreach and Communication

The Board engages, informs, and educates consumers, licensees, students, and other stakeholders about the practice of psychology and the laws that govern it.

### Effectiveness Rating

Rating	External Stakeholders	Board Members	Leadership and Staff
<b>Very Effective</b>	10%	11%	9%
<b>Effective</b>	51%	67%	64%
<b>Poor</b>	27%	22%	27%
<b>Very Poor</b>	12%	0%	0%
Total %	100%	100%	100%
Total Responses	662	9	11

### Summary of Outreach and Communication Strengths

1. External stakeholders and leadership and staff believe BOP's use of emails is an outreach strength, describing the emails as informative and helpful.
2. External stakeholders and board members praise BOP for its publications and newsletter. External stakeholders find the newsletter helpful, especially the FAQs section and links, and say brochures such as "Therapy Does Not Include Sex" help consumers. Board members appreciate how BOP has updated its publications and call the newsletter a great way to communicate.
3. External stakeholders say BOP communicates well in general with frequent announcements and meetings as well as timely, regular updates on such things as changes in regulations and examples of expectations about requirements.
4. External stakeholders find BOP's website well organized, easy to navigate, and a source of good information.



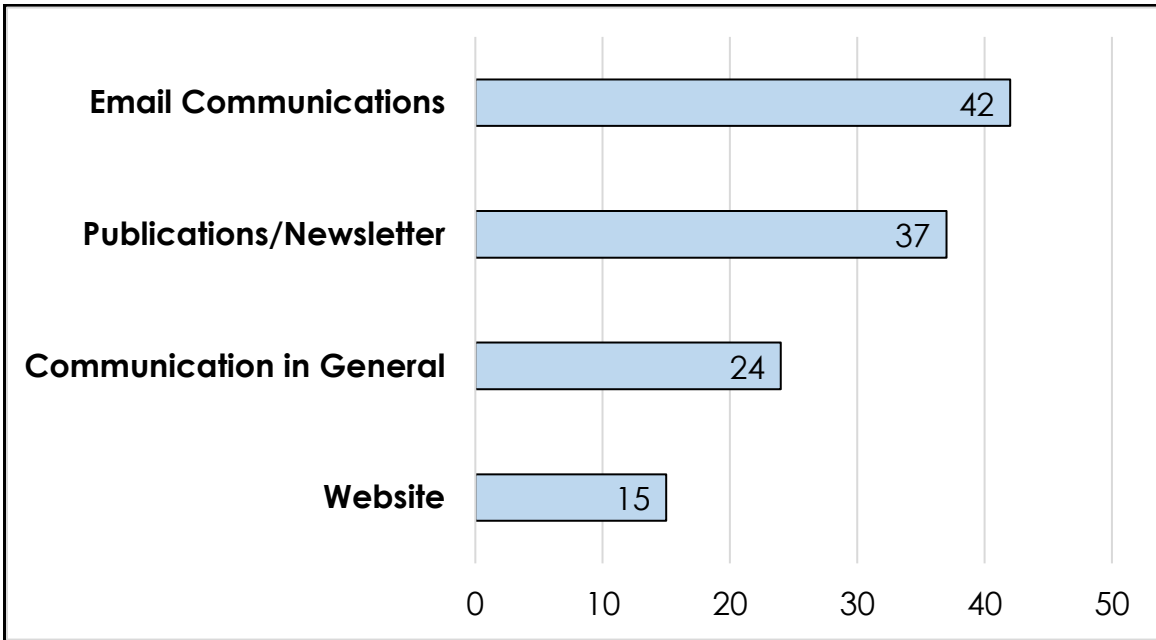
## Summary of Outreach and Communication Weaknesses

1. External stakeholders express no awareness that BOP does any outreach.
2. External stakeholders find BOP communication about changes in laws and regulations difficult to understand and want clearer, simpler language used and more detailed information.
3. External stakeholders and board members see a need for BOP to increase outreach efforts.
4. External stakeholders and board members want BOP to educate the public more consistently, such as on how to differentiate psychologists from other health care professionals and how to check a license.

## Trends in Outreach and Communication Strengths

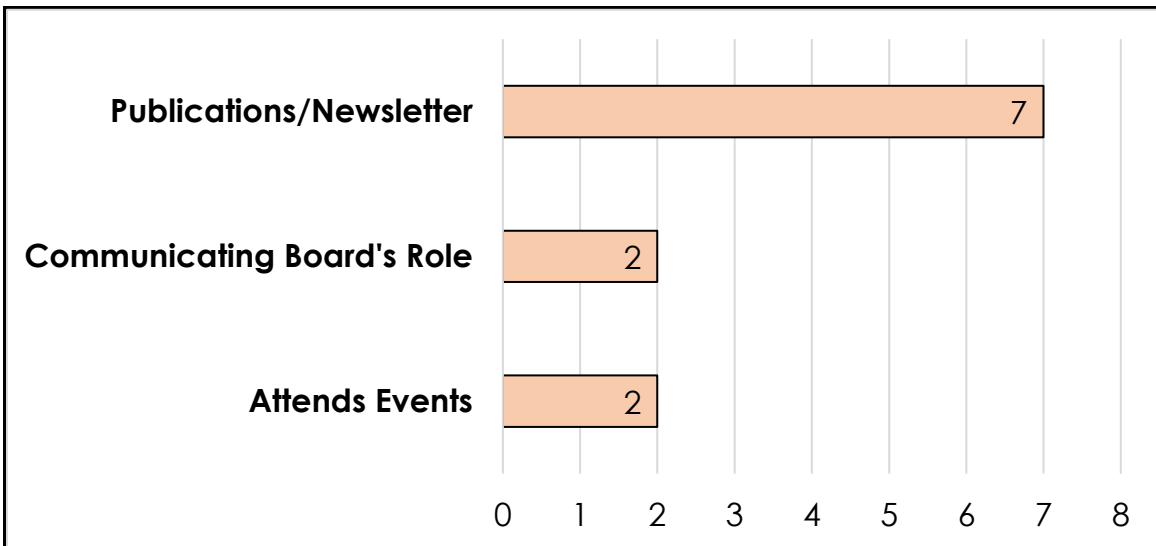
### External Stakeholder Comment Trends

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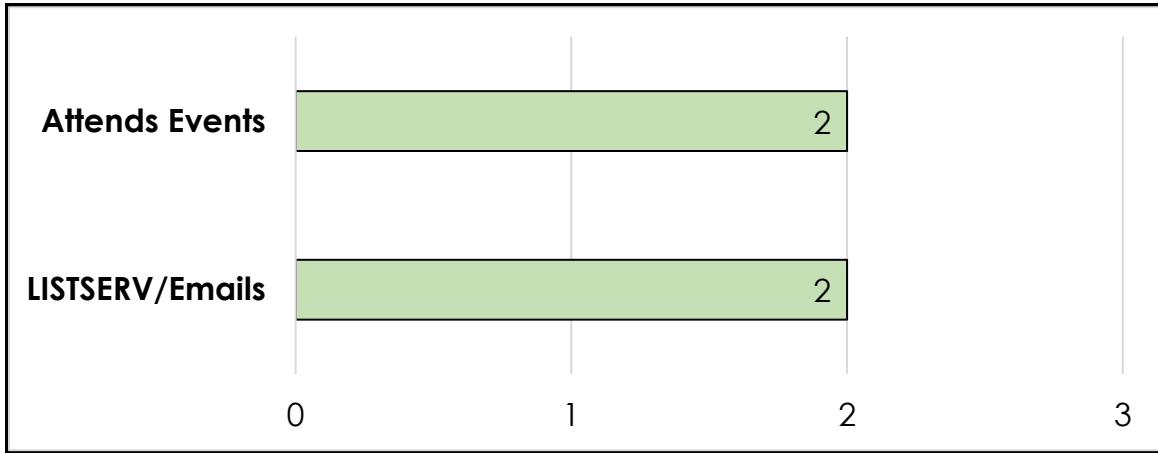
### Board Member Comment Trends

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### Leadership and Staff Comment Trends

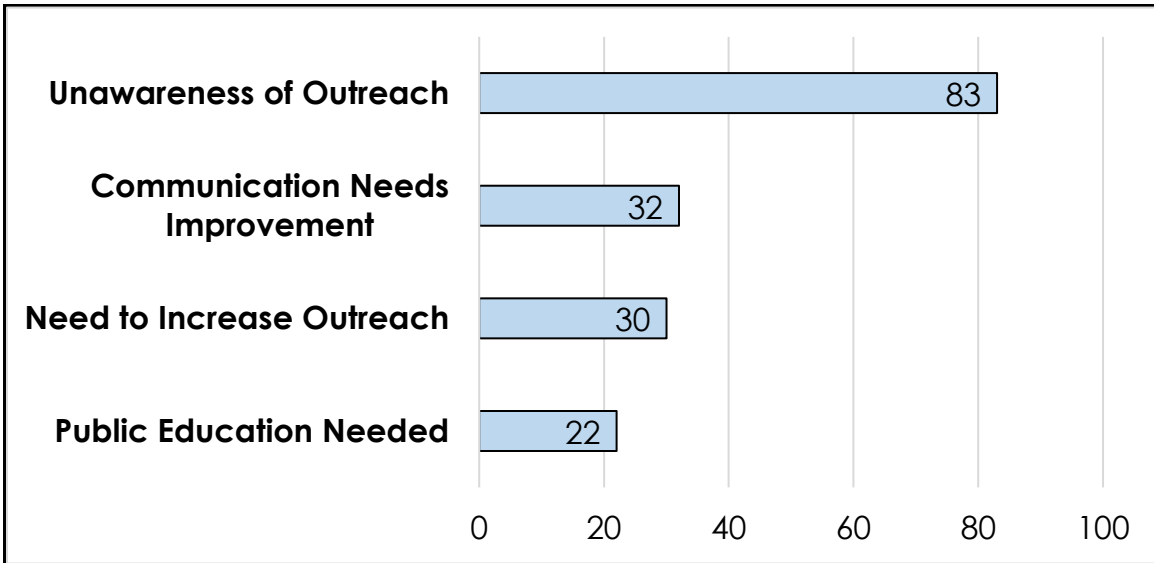
The chart below lists the top trends along with the corresponding number of comments for feedback provided by leadership and staff.



## Trends in Outreach and Communication Weaknesses

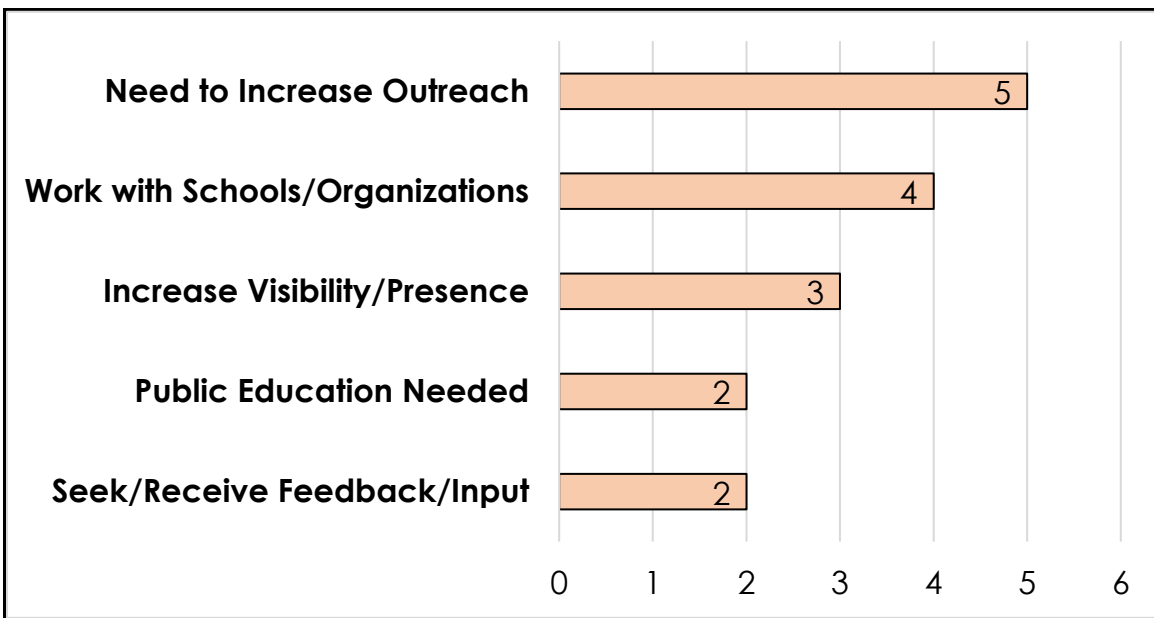
### External Stakeholder Trends

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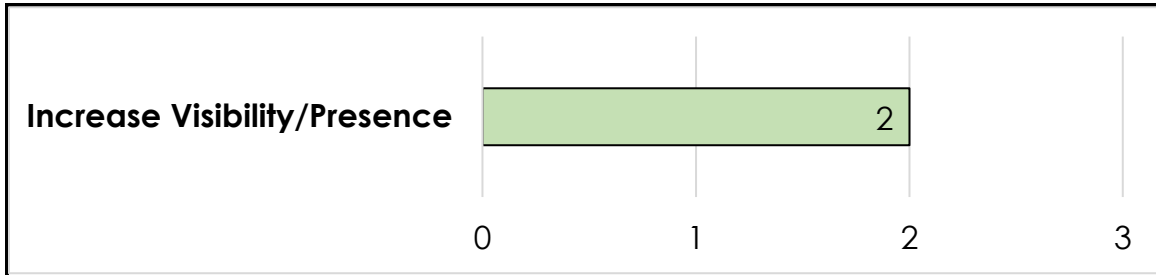
### Board Member Trends

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### Leadership and Staff Trends

The chart below lists the top trends along with the corresponding number of comments for feedback provided by leadership and staff.



## Goal Area 6: Board Operations

Board members and staff work together to maintain the resources necessary to implement the Board's mission and meet its goals.

### Effectiveness Rating

Rating	External Stakeholders	Board Members	Leadership and Staff
<b>Very Effective</b>	10%	33%	7%
<b>Effective</b>	56%	67%	93%
<b>Poor</b>	22%	0%	0%
<b>Very Poor</b>	12%	0%	0%
Total %	100%	100%	100%
Total Responses	421	9	14

### Summary of Board Operations Strengths

1. External stakeholders appreciate receiving regular, timely notifications about upcoming meetings and how to join them as well as the meeting frequency.
2. External stakeholders describe BOP operations as effective overall, saying it appears the Board is well run, organized, and has a clear structure and purpose.
3. External stakeholders like having the option to virtually attend board meetings and find it helpful.
4. Board members praise BOP for having strong leadership through its executive officer and management team.

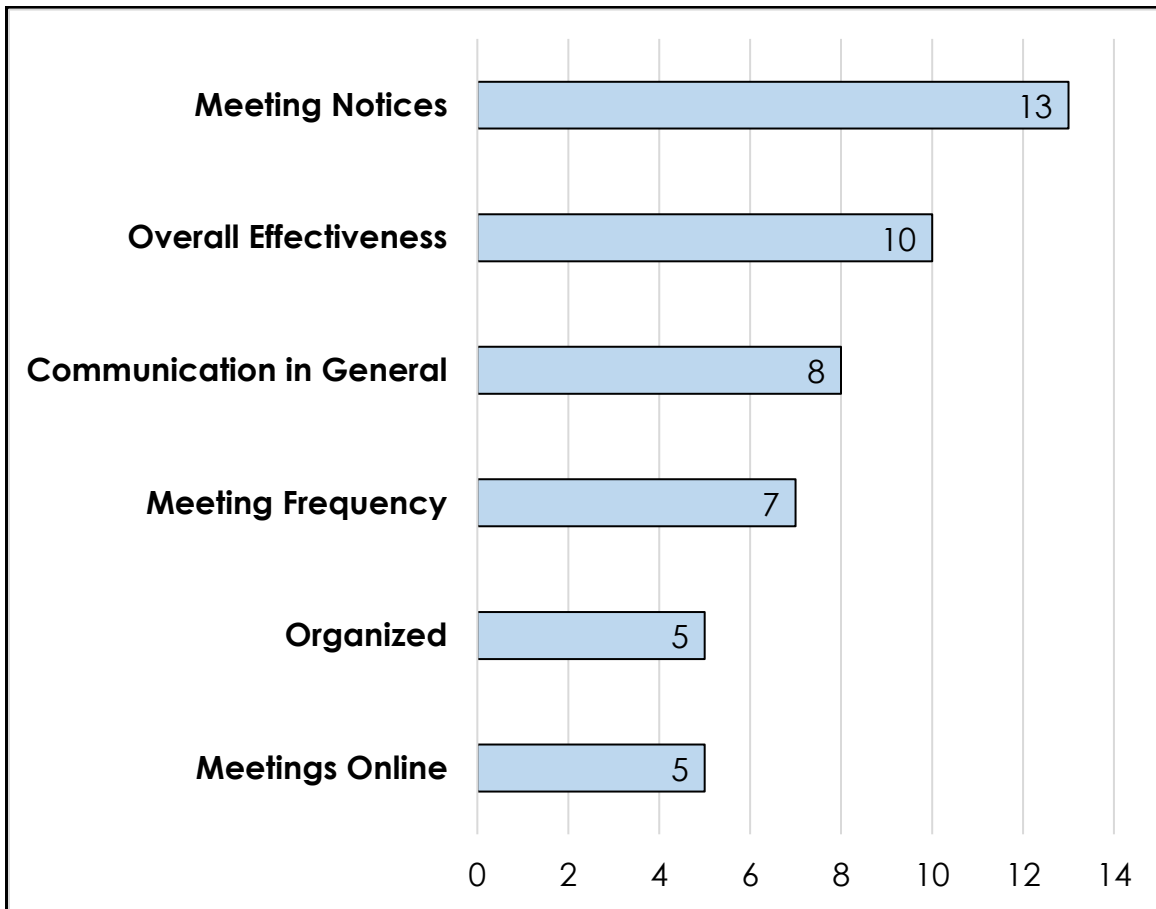
## Summary of Board Operations Weaknesses

1. External stakeholders list the timeliness of Board responses and processes as a weakness, citing slow processing times and delays for responses.
2. External stakeholders and leadership and staff agree BOP needs more effective staffing levels, while board members would like to see better employee retention.
3. External stakeholders want BOP to improve its communication by:
  - Communicating more about BOP's purpose and accomplishments
  - Simplifying meeting agendas and attaching them to meeting announcements
4. External stakeholders want BOP to improve its responsiveness by replying to emails and voicemails in a timely manner.
5. External stakeholders feel BOP staff lack customer service skills, finding them rude and unpleasant to deal with.

## Trends in Board Operations Strengths

### External Stakeholder Comment Trends

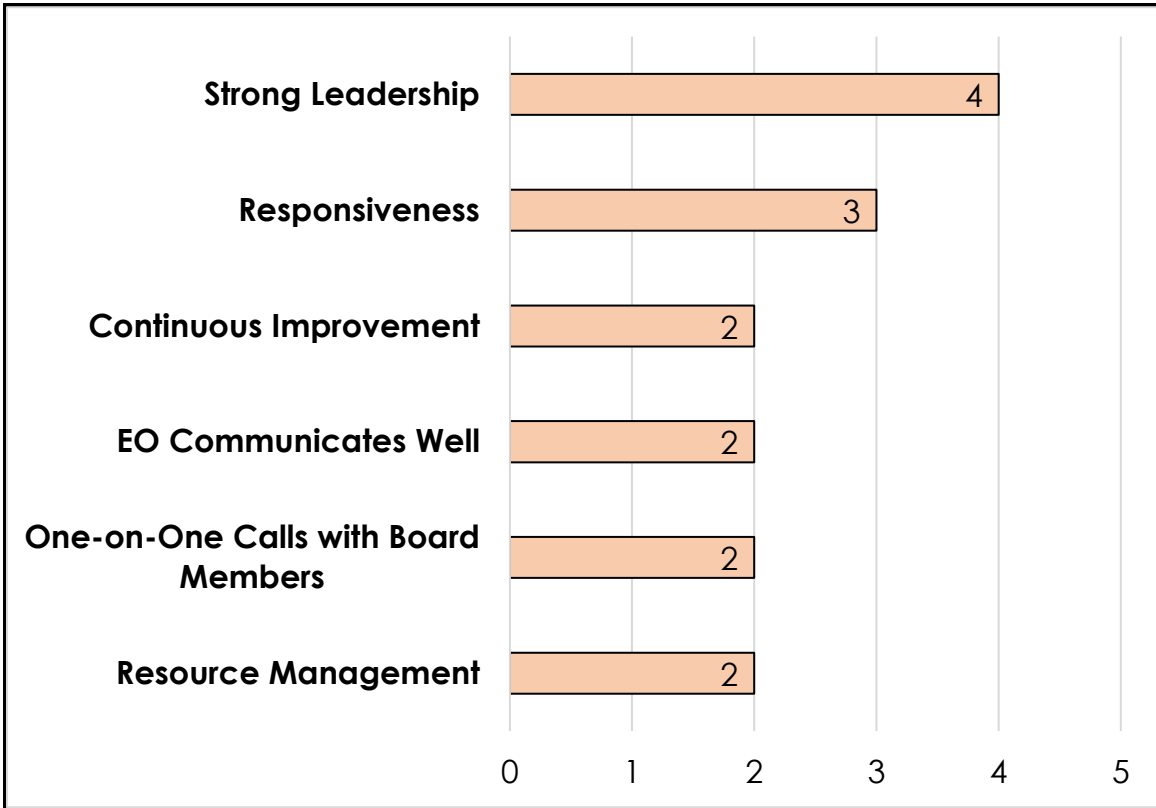
The chart below lists the top trends along with the corresponding number of comments for feedback provided by external stakeholders.





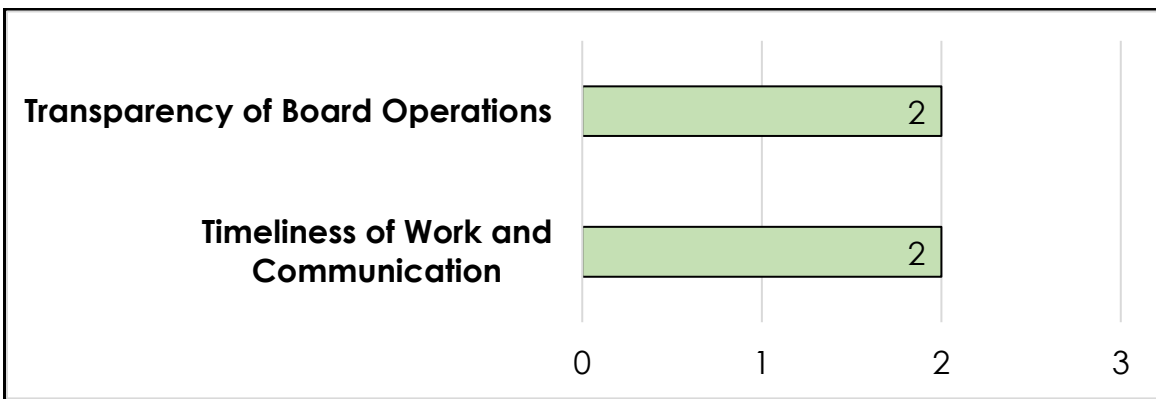
### Board Member Comment Trends

The chart below lists the top trends along with the corresponding number of comments for feedback provided by board members.



### Leadership and Staff Comment Trends

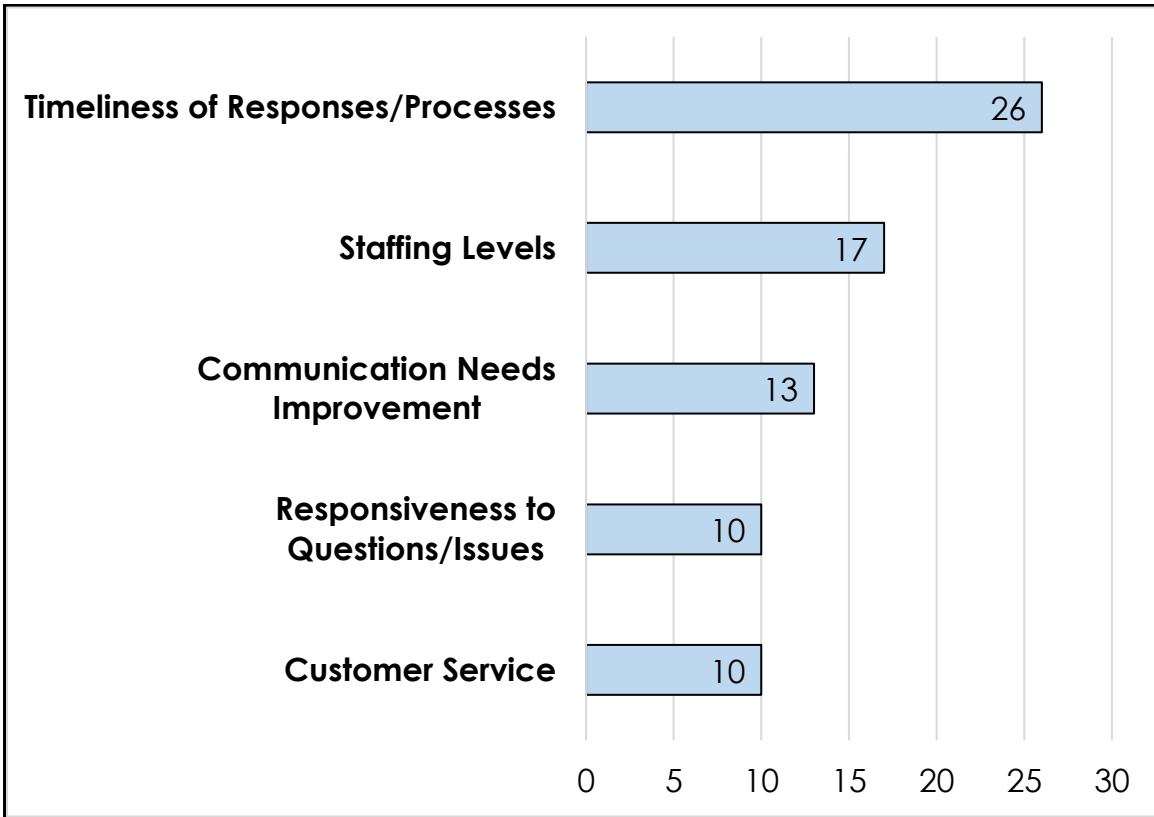
The chart below lists the top trends along with the corresponding number of comments for feedback provided by leadership and staff.



## Trends in Board Operations Weaknesses

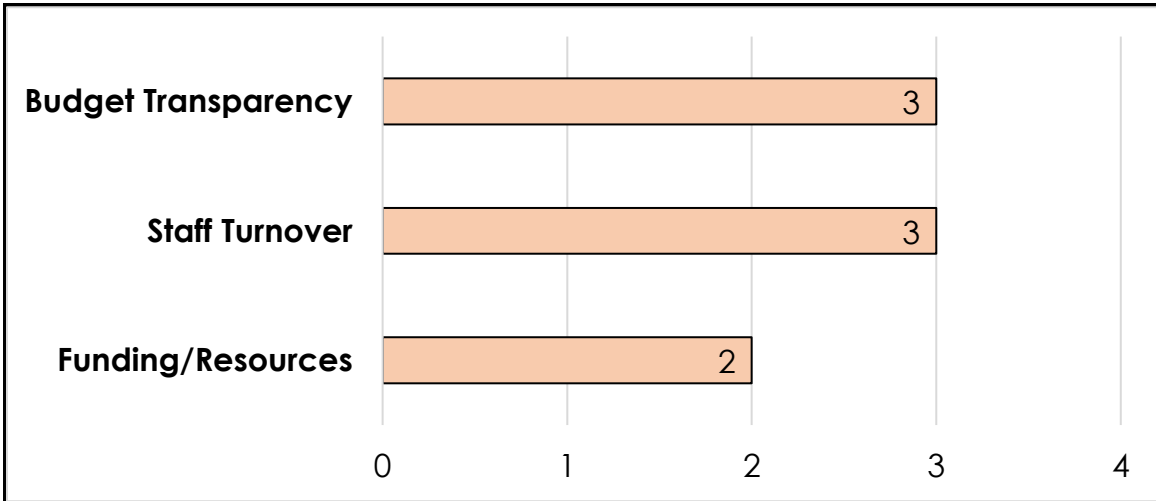
### External Stakeholder Trends

The chart below lists the top trends along with the corresponding number of comments based upon feedback provided by external stakeholders.



### Board Member Trends

The chart below lists the top trends along with the corresponding number of comments for feedback provided by board members.



### Leadership and Staff Trends

The chart below lists the top trends along with the corresponding number of comments for feedback provided by leadership and staff.



## Opportunities & Threats Summary

There are many factors that may impact the future direction of the psychology profession. These could be opportunities BOP may want to capitalize on or threats it needs to mitigate or prepare for.

Stakeholders were asked to list potential opportunities and threats in the BOP's external environment that they felt could impact the profession and BOP's regulatory role. The following are common responses that BOP might reference when developing its strategic plan.

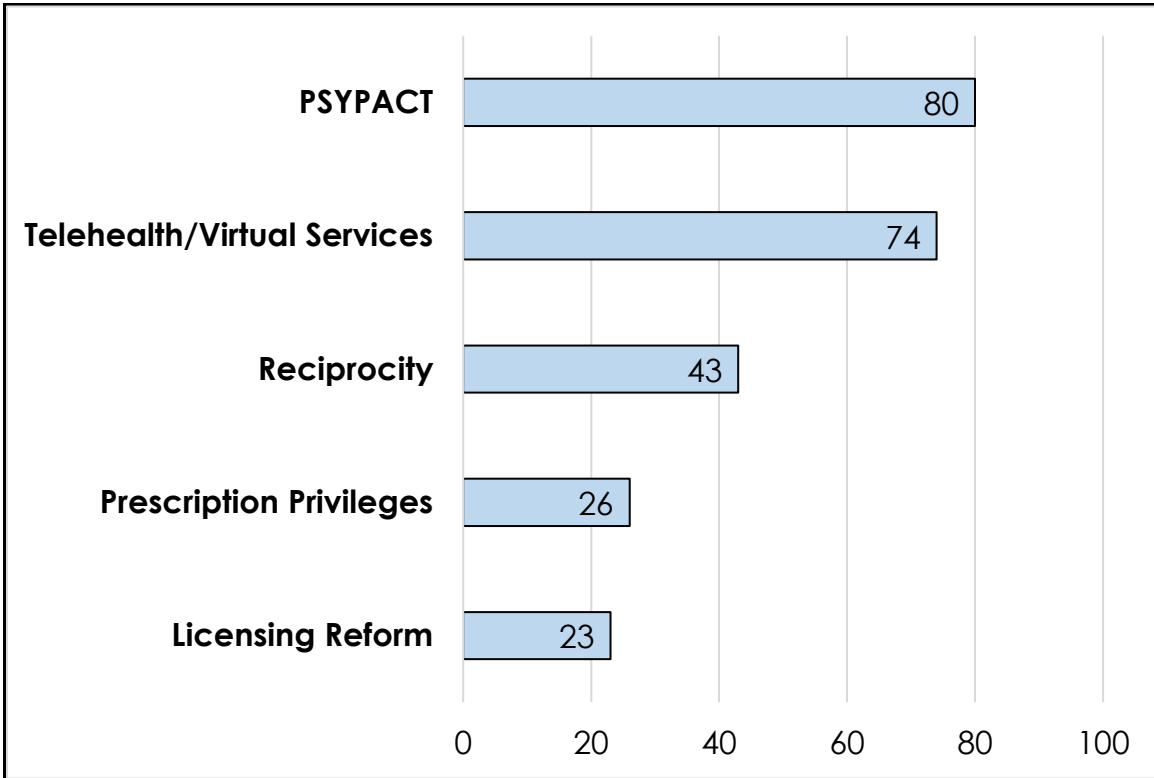
### Summary of Opportunities

- External stakeholders believe BOP joining PSYPACT would expand licensees' professional opportunities and help patients who travel.
- External stakeholders view telehealth/virtual services as a way to expand access to care, while leadership and staff would like the Board's jurisdiction to cover telehealth.
- External stakeholders see reciprocity as an opportunity to practice across state lines and maintain continuity of care for their clients.
- External stakeholders think giving licensees the ability to prescribe medications would advance the quality of patient care, while leadership and staff would like to see the Board's jurisdiction expand to cover prescription privileges.
- External stakeholders see many opportunities to reform licensing, such as:
  - Streamlining the licensure process
  - Requiring life coaches to be licensed
  - Playing a role in credentialing psychologists
  - Reinstating a career-practice registration category
  - Accepting hours and education/experience from other countries.

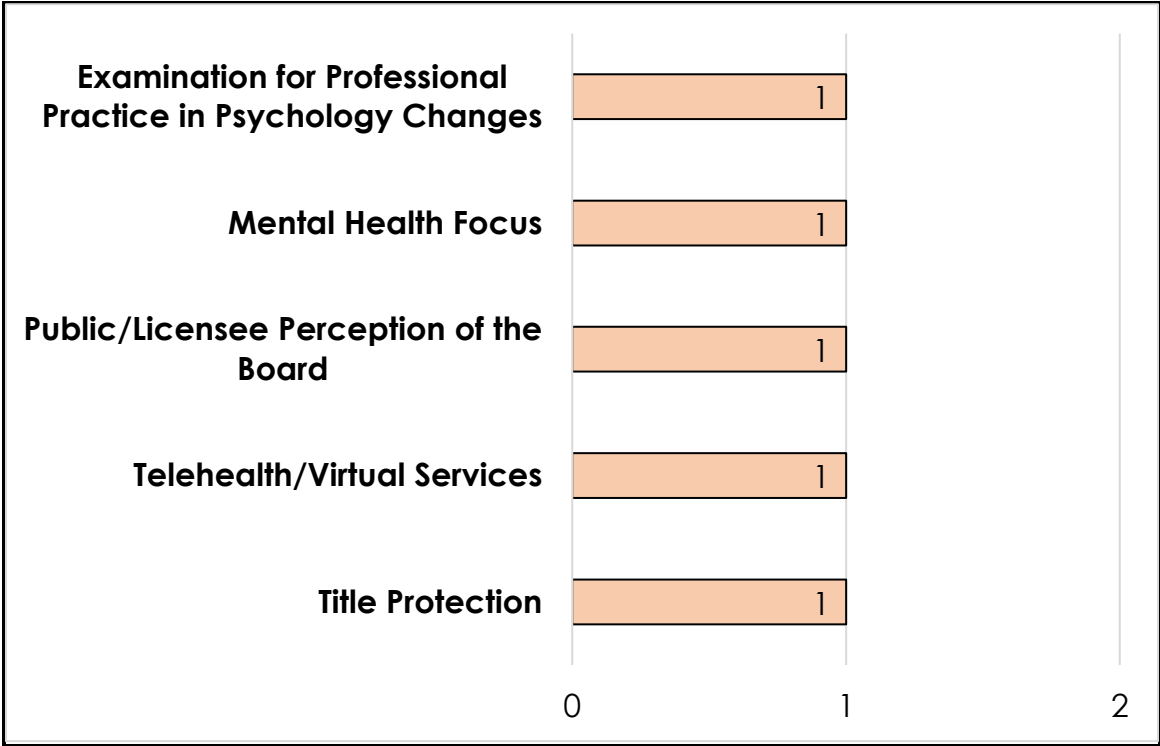
### Opportunity Trends

The chart(s) below lists the top trends along with the corresponding number of comments for feedback provided by stakeholders.

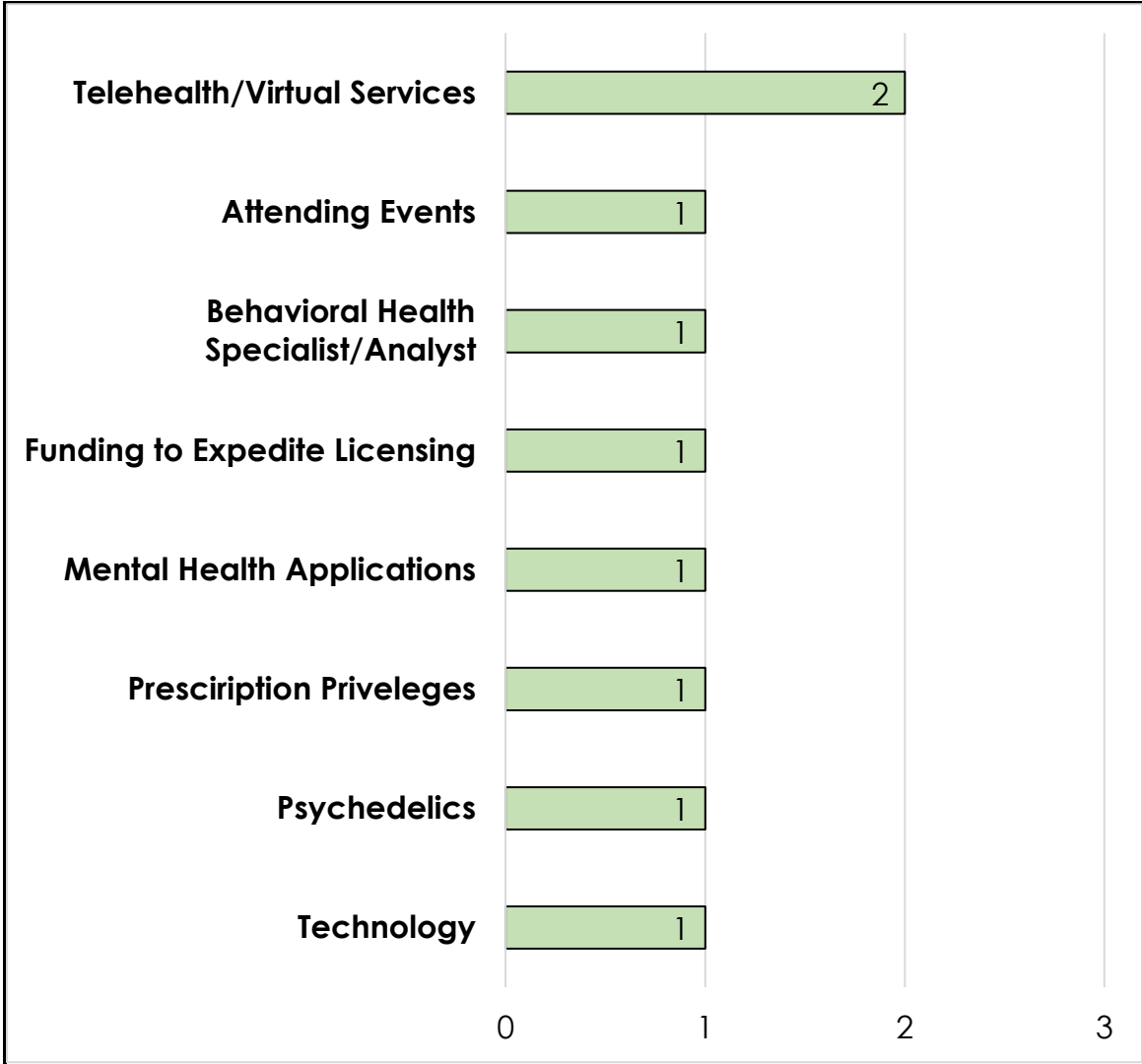
#### External Stakeholder Comment Trends



**Board Member Comment Trends**



**Leadership and Staff Comment Trends**



## Summary of Threats

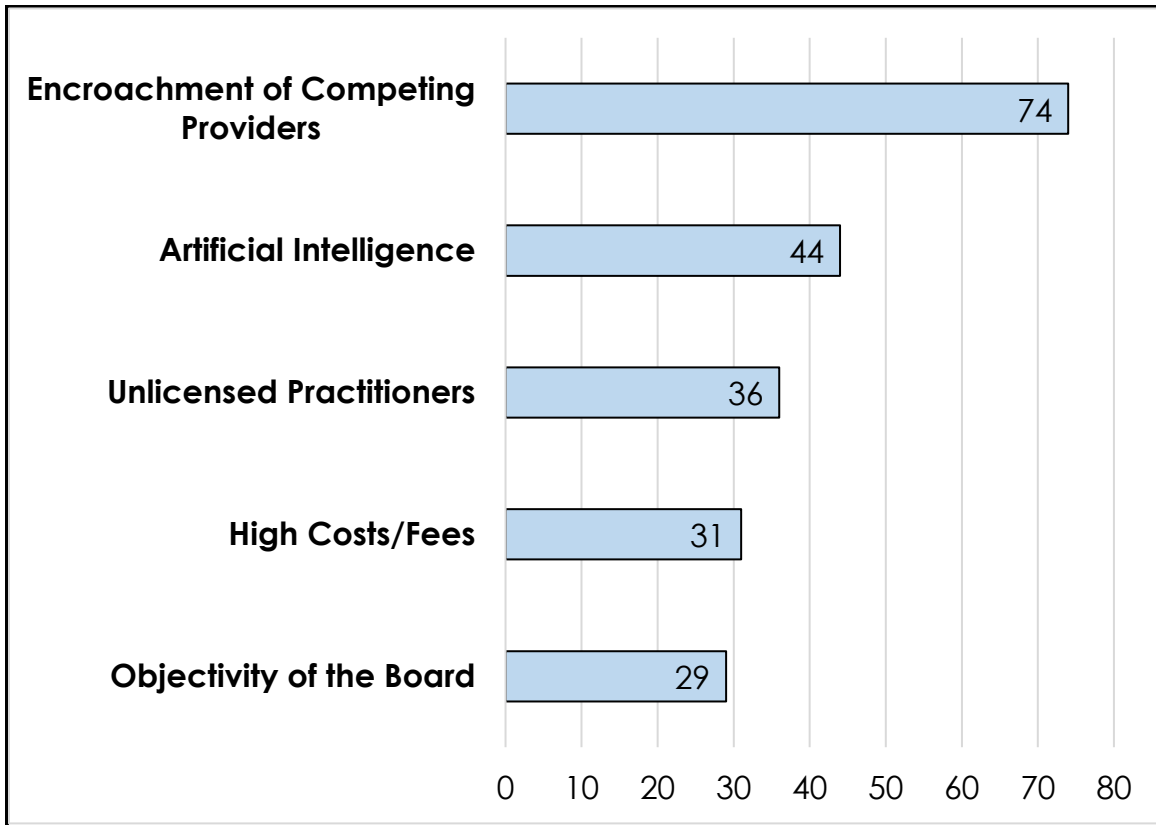
1. External stakeholders list encroaching service providers as a threat, saying clinics and insurance companies devalue psychologists by using master's degree level clinicians in their place to reduce costs, causing a decrease in the quality of patient care.
2. External stakeholders say BOP needs to be prepared to address the impact of artificial intelligence on the field of psychology.
3. External stakeholders express concern over the increase in unlicensed individuals providing psychological services, as this trend makes it harder for psychologists to earn a living.
4. External stakeholders say the fees and costs of becoming a psychologist are too high and will discourage people from pursuing the profession.
5. External stakeholders perceive BOP lacks objectivity and fear social pressures and political interests are affecting Board decisions and policies.



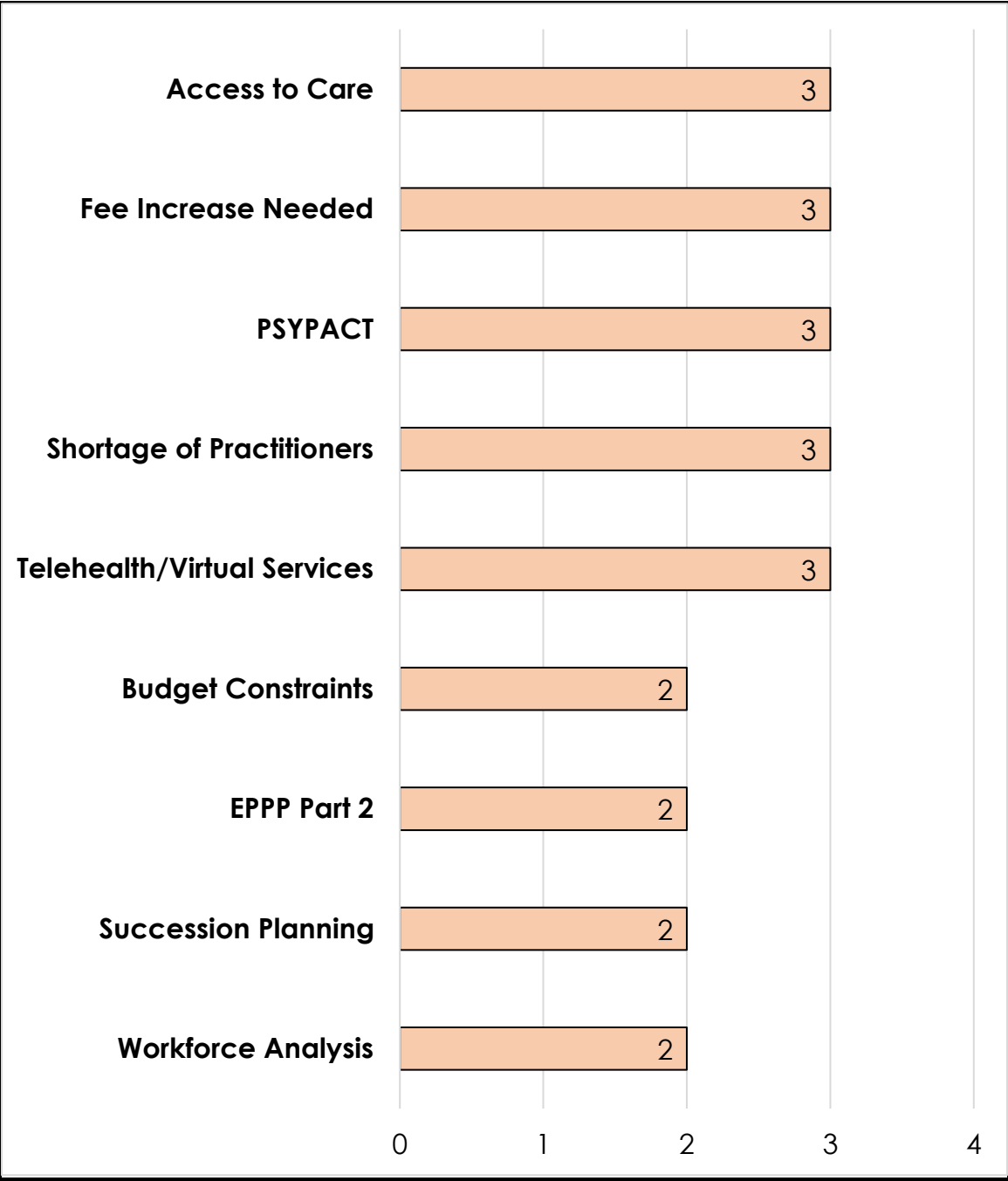
### Threat Trends

The chart(s) below lists the top trends along with the corresponding number of comments for feedback provided by stakeholders.

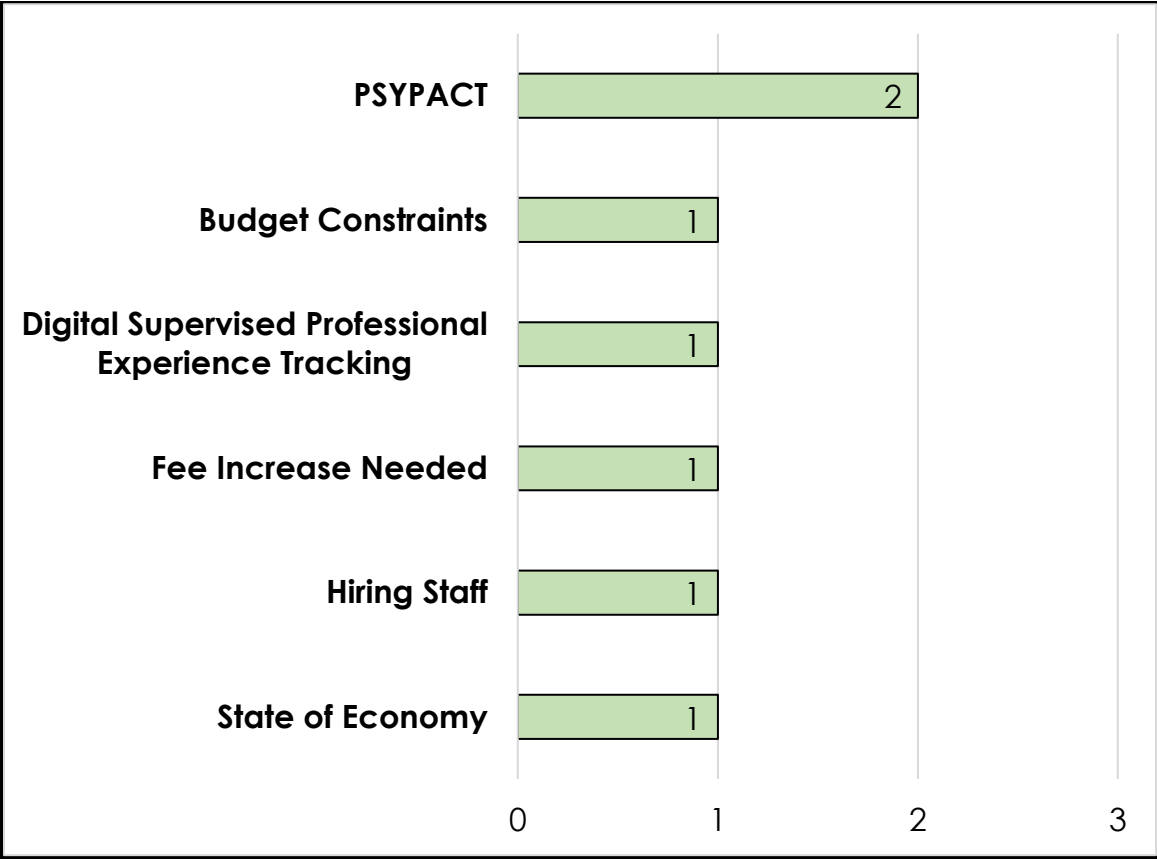
#### External Stakeholder Comment Trends



**Board Member Comment Trends**



**Leadership and Staff Comment Trends**



## Diversity, Equity, and Inclusion

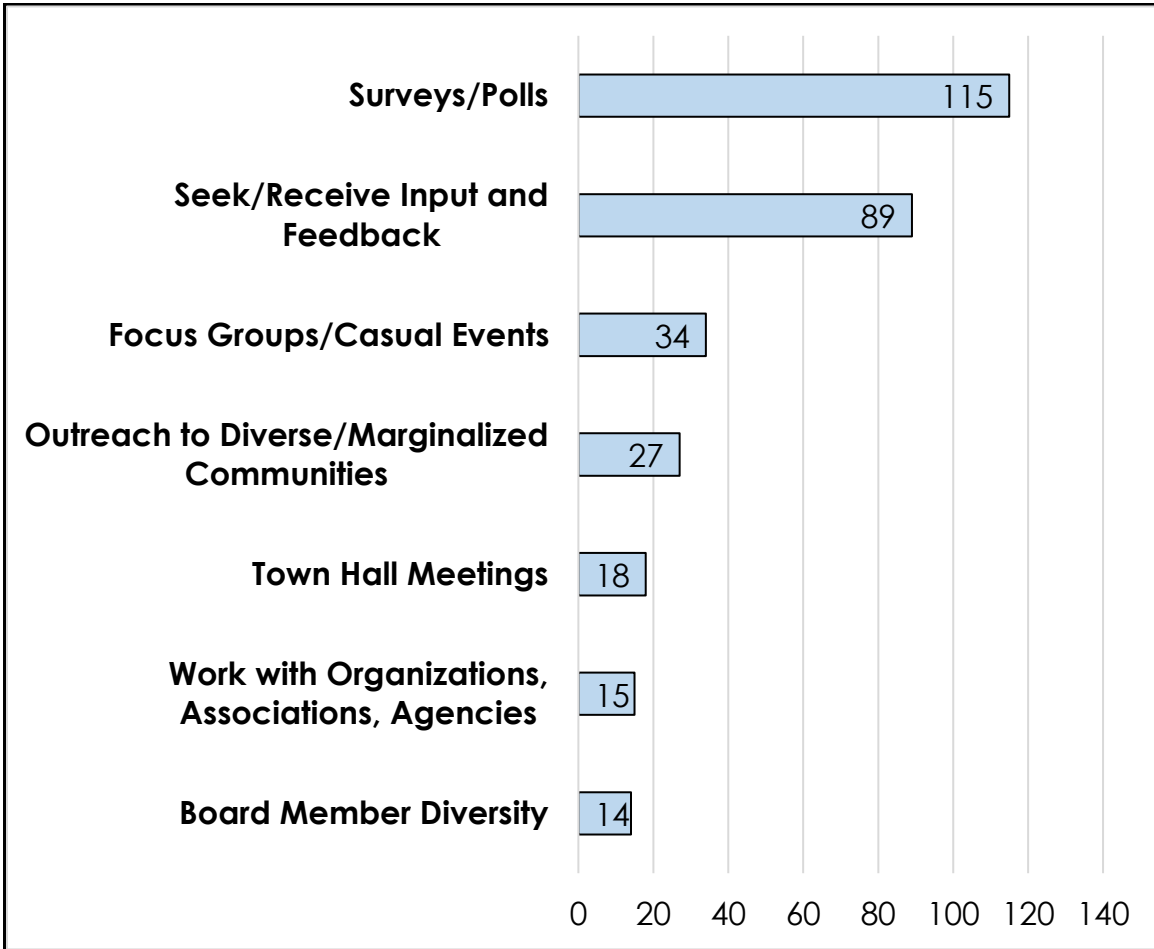
Specific questions have been incorporated into the environmental scan surveys to gather demographic data and for strategic planning participants to consider DEI impacts of policy decisions such as regulatory, statutory, and continuing education requirements, when developing strategic objectives. Consider:

- Who will benefit from or be burdened by the particular decision or proposal?
- Are there needs that may be different for demographic or geographic groups?
- Once implemented, how will the Board measure effect on impacted populations?
- What data/metrics will be used to evaluate the impacts?

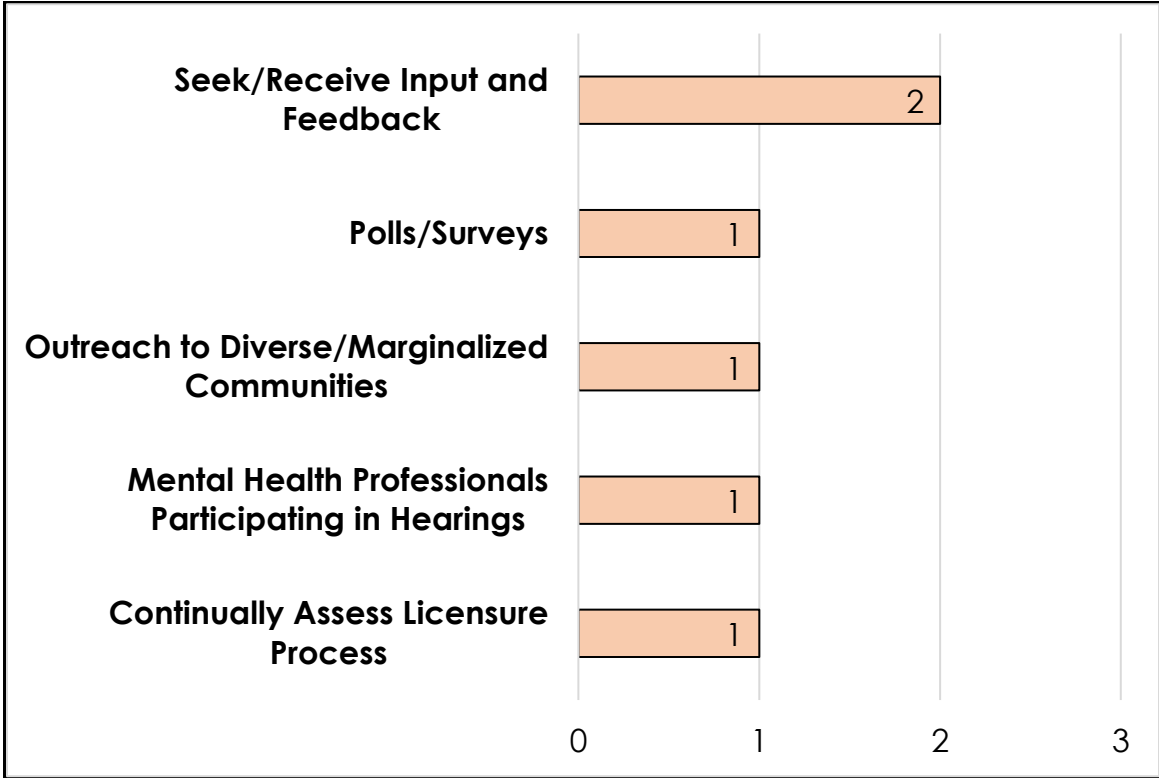
## Ways to Gain Different Perspectives Trends

The chart(s) below lists the top trends along with the corresponding number of comments for feedback provided by stakeholders.

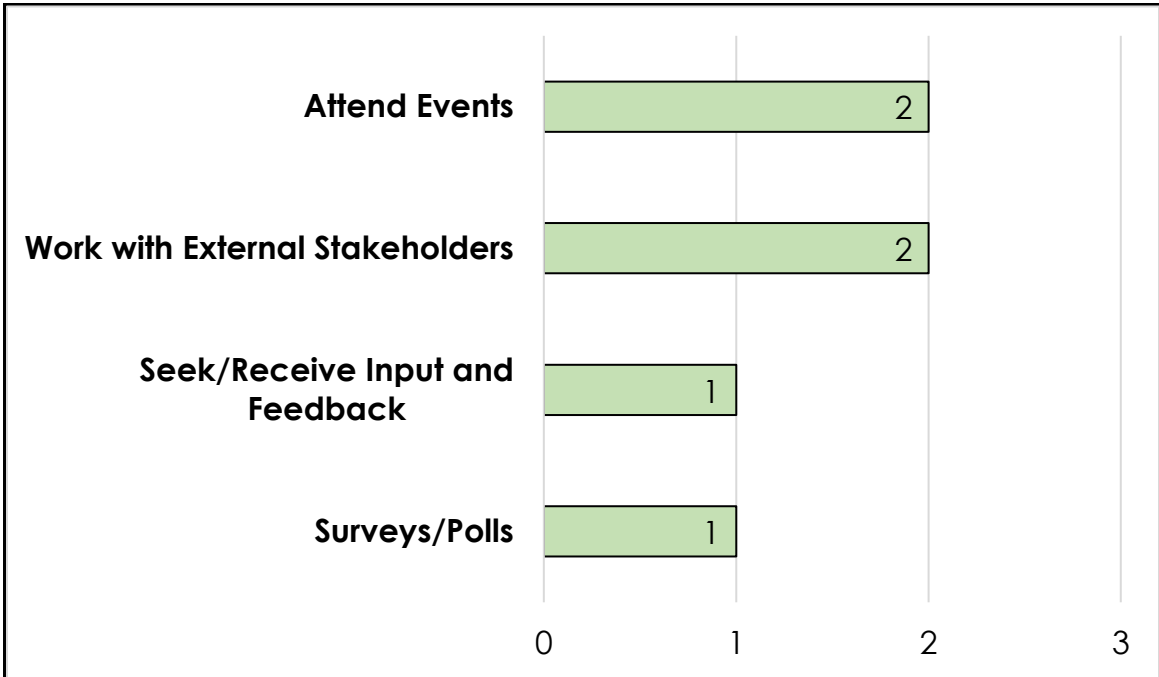
### External Stakeholder Comment Trends



**Board Member Comment Trends**



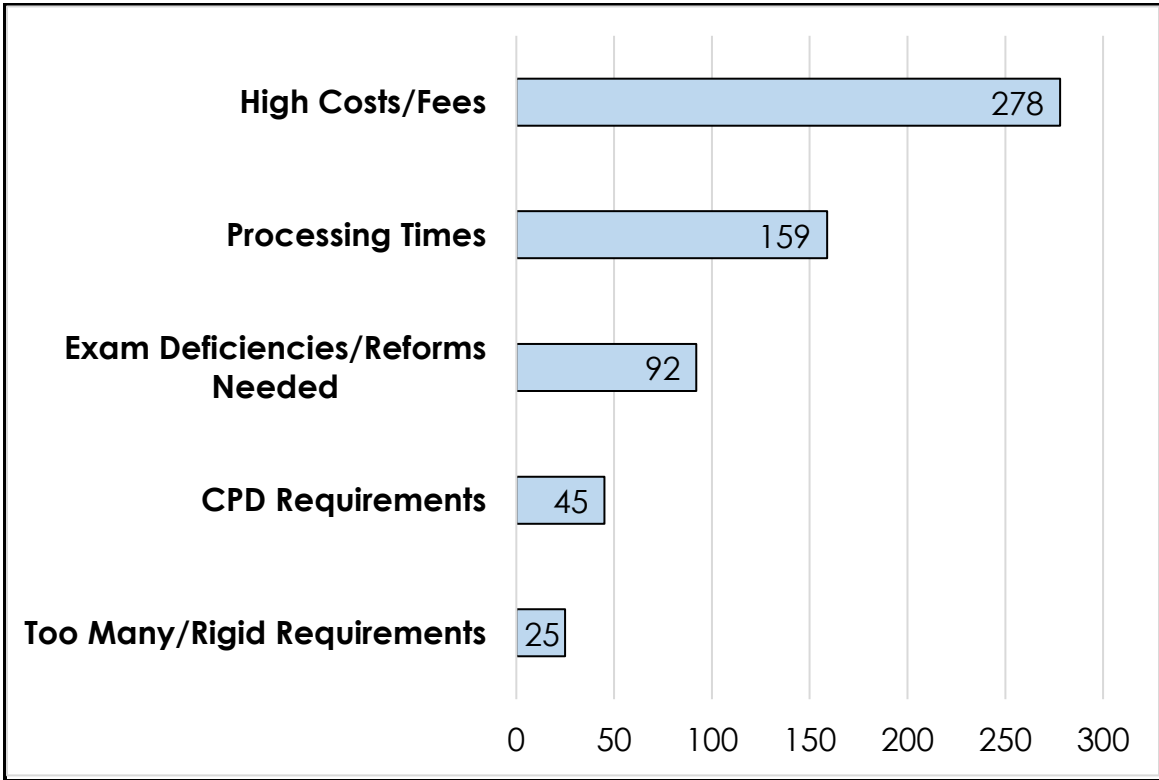
**Leadership and Staff Comment Trends**



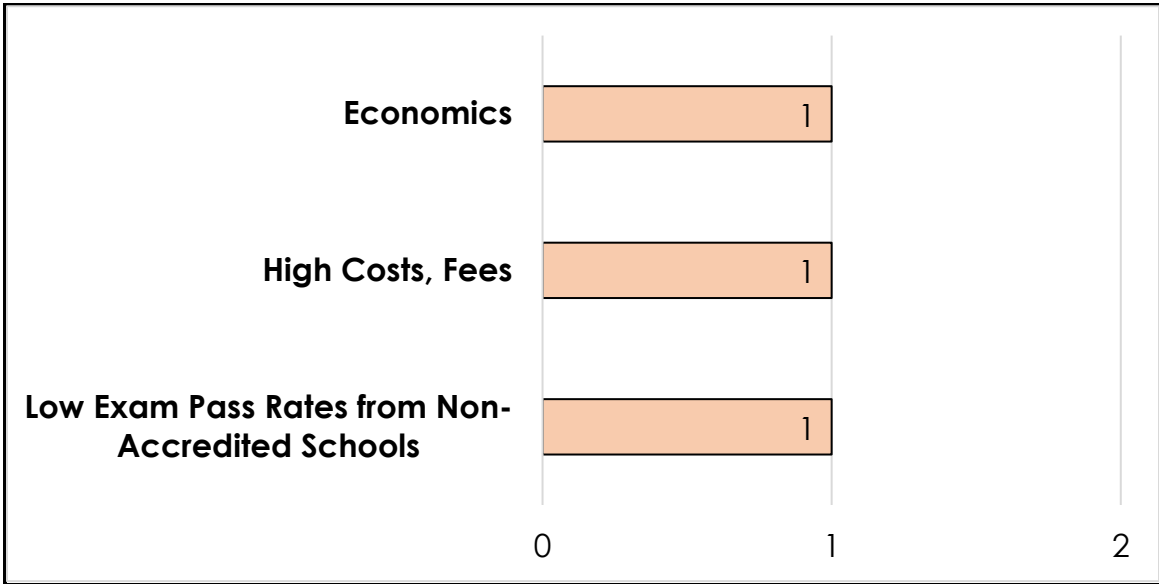
### Barriers to Licensure Trends

The chart(s) below lists the top trends along with the corresponding number of comments for feedback provided by stakeholders.

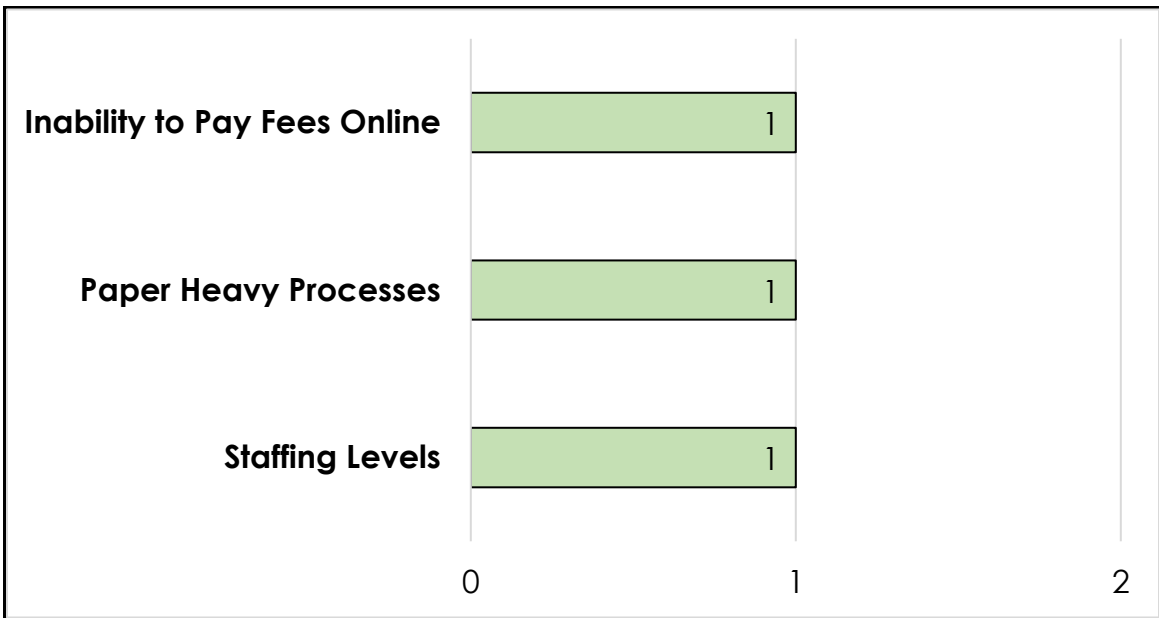
#### External Stakeholder Comment Trends



**Board Member Comment Trends**



**Leadership and Staff Comment Trends**

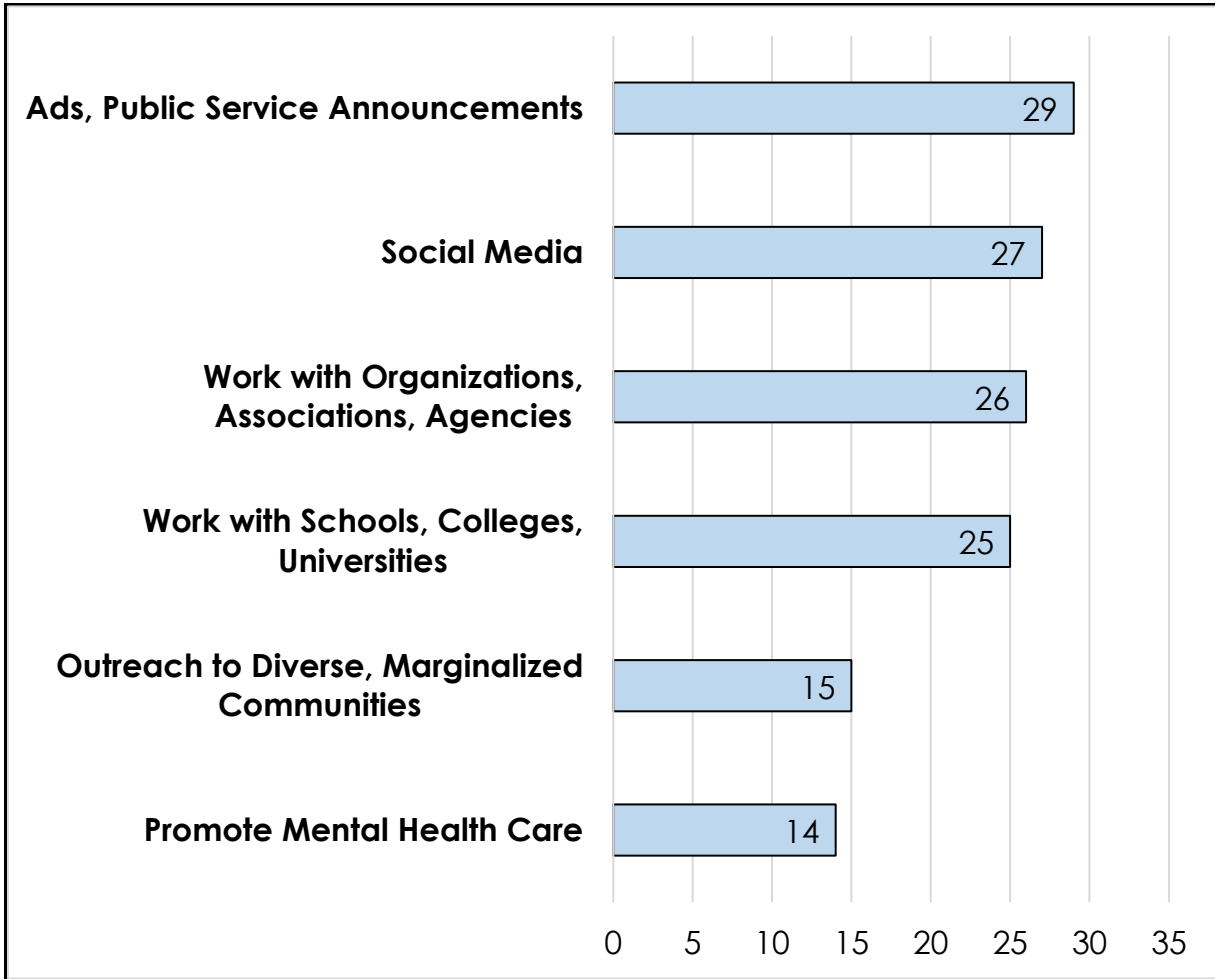




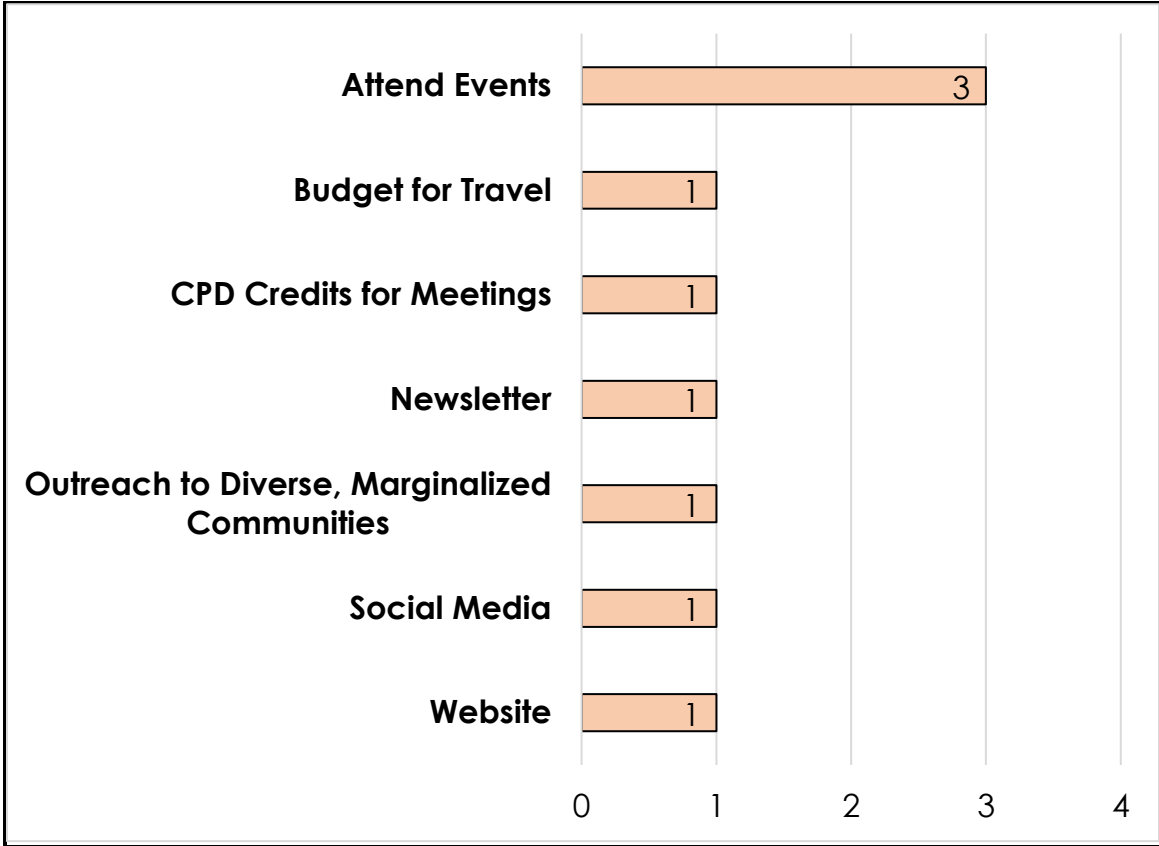
## Outreach to Diverse and Underrepresented Communities Trends

The chart(s) below lists the top trends along with the corresponding number of comments for feedback provided by stakeholders.

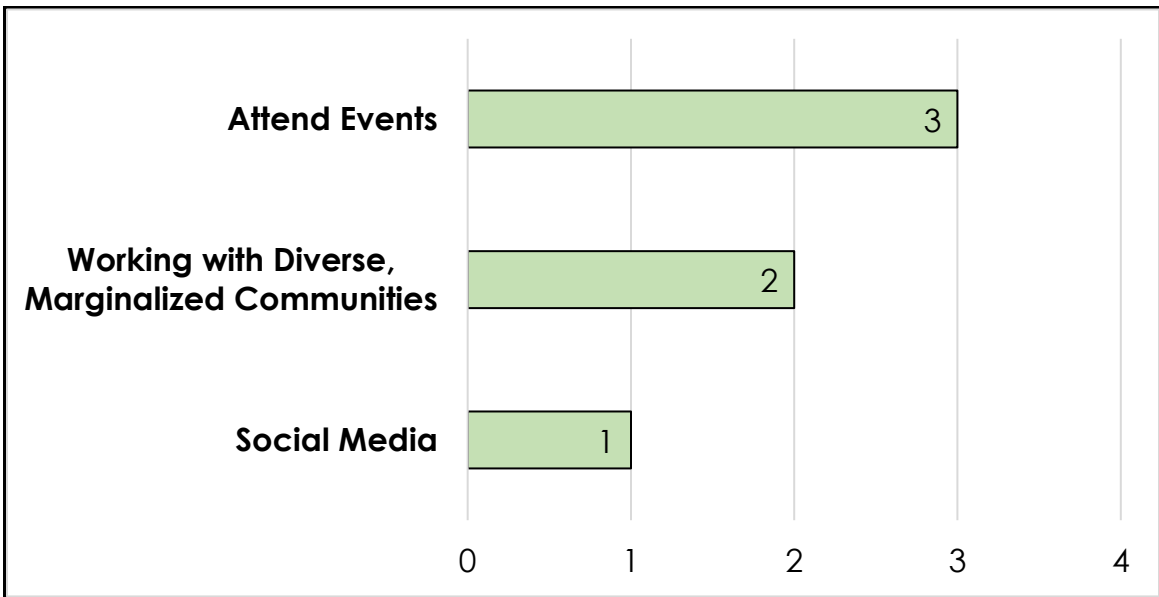
### External Stakeholder Comment Trends



**Board Member Comment Trends**



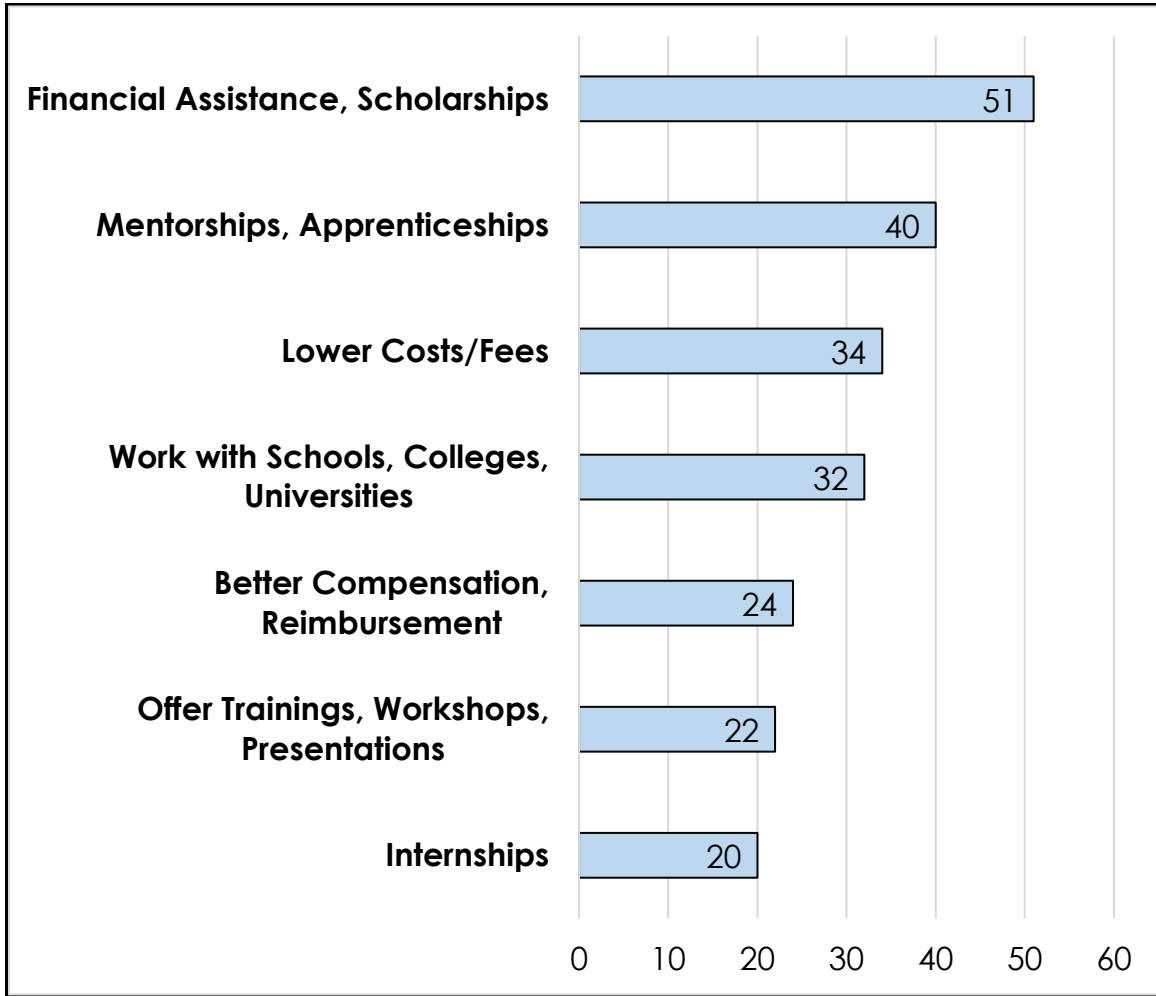
**Leadership and Staff Comment Trends**



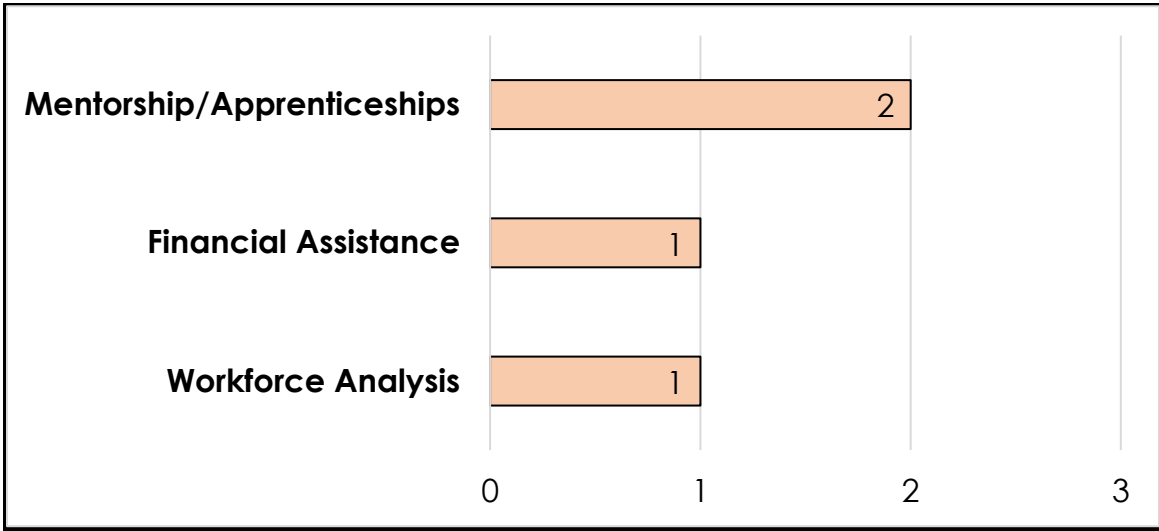
## Opportunities for Equitable Outcomes Trends

The chart(s) below lists the top trends along with the corresponding number of comments for feedback provided by stakeholders.

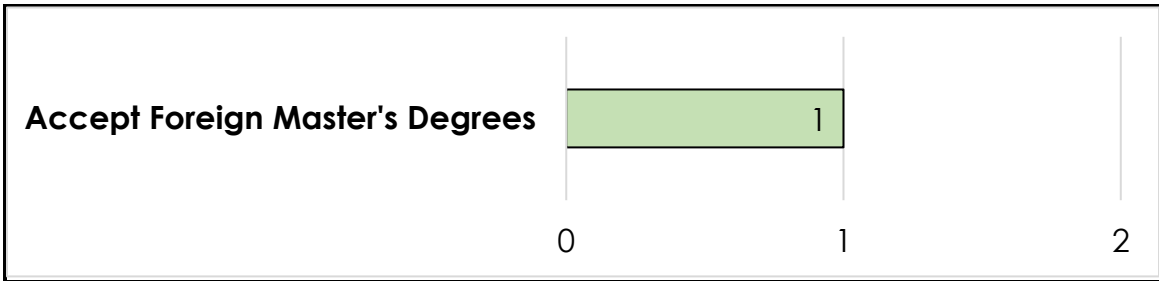
### External Stakeholder Comment Trends



**Board Member Comment Trends**



**Leadership and Staff Comment Trends**



## Appendix A – Acronym List

Acronym	Definition
<b>DCA</b>	Department of Consumer Services
<b>DEI</b>	Diversity, Equity, and Inclusion
<b>BOP</b>	Board of Psychology
<b>CE</b>	Continuing Education
<b>CPD</b>	Continuing Professional Development
<b>EPPP</b>	Examination for Professional Practice in Psychology
<b>PSYPACT</b>	Psychology Interjurisdictional Compact

## Appendix B – Data Collection Method

Data for this report was gathered by surveying stakeholder groups that are important to the success of the Board of Psychology. Stakeholders include any individual or group who is influenced by or influences a program. Information for this survey was gathered by surveying external stakeholders and internal stakeholders using the following methods:

- Phone/online interviews with board members and executive leadership during August and September of 2023.
- Online surveys with board management and staff, as well as external stakeholders, during the month of September 2023.

Classification of Stakeholder Relationship with BOP:

Relationship with BOP	Number of Responses	Response Rate
<b>Leadership</b>	5	100%
<b>Staff</b>	14	52%
<b>Board Members</b>	9	100%
<b>Licensee</b>	1,916	1
<b>Preparing to Become a Licensee</b>	131	1
<b>Not Licensee, Work in a Related Field</b>	19	1
<b>Consumer</b>	32	1
<b>Government Agency</b>	23	1
<b>Professional Association/Group</b>	24	1
<b>Educational/School Association/Group</b>	21	1
<b>Other*</b>	48	1

<sup>1</sup> A response rate cannot be determined for these external stakeholders because of the undetermined number having access to the survey link.

\*Respondents listed in the “Other” category identified themselves as follows (the number of duplicate relationships is in parentheses):

- All
- Attorney
- Former Applicant
- Inactive Licensee (14)
- Lawmaker
- License Under Investigation
- Monitor
- No Comment (2)
- Nonprofit
- Retired Psychologist (14)
- Semi-Retired Psychologist (2)
- Subject Matter Expert
- Tribal Health Employee

## Appendix C – Survey Data Reliability

This section discusses external stakeholder data only. The external stakeholder survey received 2,083 responses. Participants could skip questions or select “no experience/not applicable”; thus, individual questions may have less than 2,083 responses/comments.

### Goal Area Effectiveness Data Reliability

Based on the number external stakeholder survey responses to each goal area’s effectiveness question, we can be 95% confident their opinions represent all California stakeholders plus or minus the confidence interval percentage indicated below. The table below provides data reliability for each goal area; for a narrative explanation see each goal area data reliability statement.

#### Goal Area Effectiveness Data Reliability Table

Goal Area	Number of Responses	Confidence %	Confidence Interval %	% of Responses (Very Effective/Effective)	% of Stakeholders that Would Rate Effectiveness the Same Way
Licensing	1,401	95%	3%	80%	77%-83%
Continuing Professional Development	1,161	95%	3%	69%	66%-72%
Policy and Advocacy	732	95%	4%	59%	55%-63%
Enforcement	690	95%	4%	80%	76%-84%
Outreach and Communication	662	95%	4%	61%	57%-65%
Board Operations	421	95%	5%	66%	61%-71%

### **Goal Area 1: Licensing Data Reliability Statement**

Based on 1,401 external stakeholder survey responses regarding Licensing, we can be 95% confident their opinions represent all California stakeholders plus or minus 3%. From the responses, 80% of external stakeholders rated BOP's overall Licensing effectiveness as Very Effective or Effective. Based on the response rate, we can be 95% confident between 77% and 83% of external stakeholders would rate BOP's Licensing effectiveness the same way.

### **Goal Area 2: Continuing Professional Development Data Reliability Statement**

Based on 1,161 external stakeholder survey responses regarding Continuing Professional Development, we can be 95% confident their opinions represent all California stakeholders plus or minus 3%. From the responses, 69% of external stakeholders rated BOP's overall Continuing Professional Development effectiveness as Very Effective or Effective. Based on the response rate, we can be 95% confident between 66% and 72% of external stakeholders would rate the BOP's Continuing Professional Development effectiveness the same way.

### **Goal Area 3: Policy and Advocacy Data Reliability Statement**

Based on 732 external stakeholder survey responses regarding Policy and Advocacy, we can be 95% confident their opinions represent all California stakeholders plus or minus 4%. From the responses, 59% of external stakeholders rated the BOP's overall Policy and Advocacy effectiveness as Very Effective or Effective. Based on the response rate, we can be 95% confident between 55% and 63% of external stakeholders would rate the BOP's Policy and Advocacy Data effectiveness the same way.

### **Goal Area 4: Enforcement Data Reliability Statement**

Based on 690 external stakeholder survey responses regarding Enforcement, we can be 95% confident their opinions represent all California stakeholders plus or minus 4%. From the responses, 80% of external stakeholders rated BOP's overall Enforcement effectiveness as Very Effective or Effective. Based on the response rate, we can be 95% confident between 76% and 84% of external stakeholders would rate the BOP's Enforcement effectiveness the same way.



### **Goal Area 5: Outreach and Communication Data Reliability Statement**

Based on 662 external stakeholder survey responses regarding Outreach and Communication, we can be 95% confident their opinions represent all California stakeholders plus or minus 4%. From the responses, 61% of external stakeholders rated the BOP's overall Outreach and Communication effectiveness as Very Effective or Effective. Based on the response rate, we can be 95% confident between 57% and 65% of external stakeholders would rate the BOP's Outreach and Communication effectiveness the same way.

### **Goal Area 6: Board Operations Data Reliability Statement**

Based on 421 external stakeholder survey responses regarding Board Operations, we can be 95% confident their opinions represent all California stakeholders plus or minus 5%. From the responses, 66% of external stakeholders rated the BOP's overall Board Operations effectiveness as Very Effective or Effective. Based on the response rate, we can be 95% confident between 61% and 71% of external stakeholders would rate the BOP's Board Operations effectiveness the same way.

### **Data Reliability Statement**

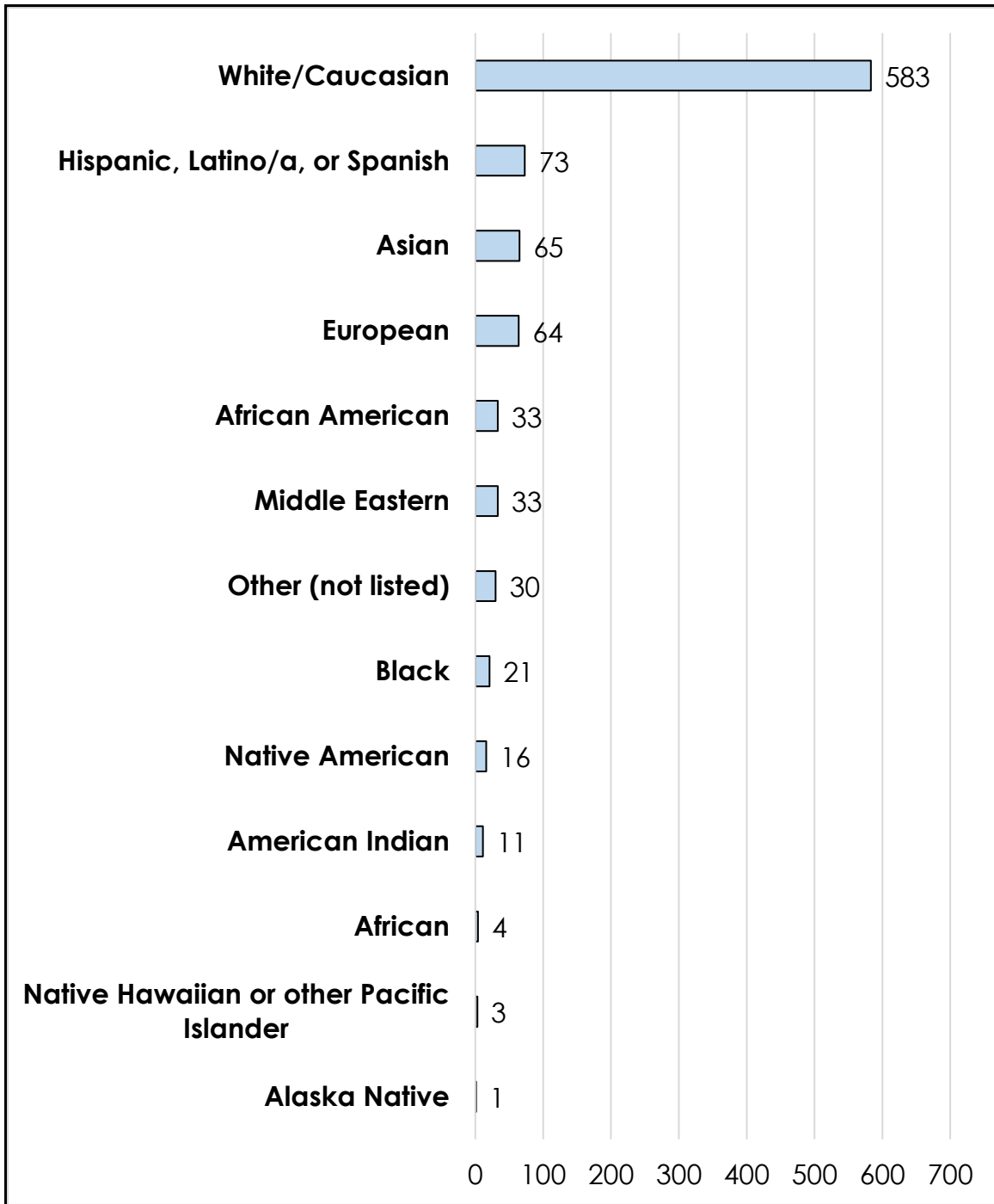
Data reliability calculator: <https://www.surveysystem.com/sscalc.htm>

To help improve data integrity, the online survey did not provide a neutral option when asking about overall effectiveness. Instead, stakeholders completing the survey chose between a positive choice (Very Effective or Effective) and a negative choice (Very Poor or Poor). This allows BOP to better understand whether stakeholders have a positive or negative view of BOP in various areas.

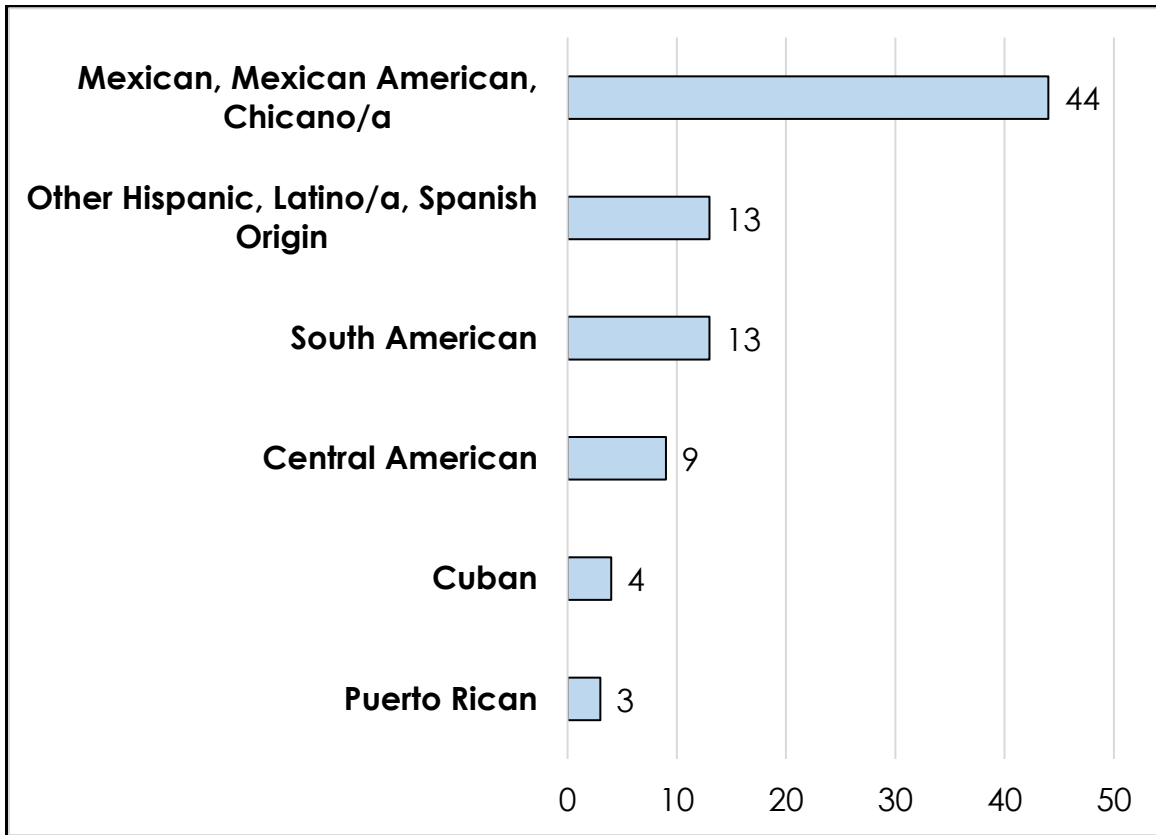
## Appendix E – Demographic Data

### Race

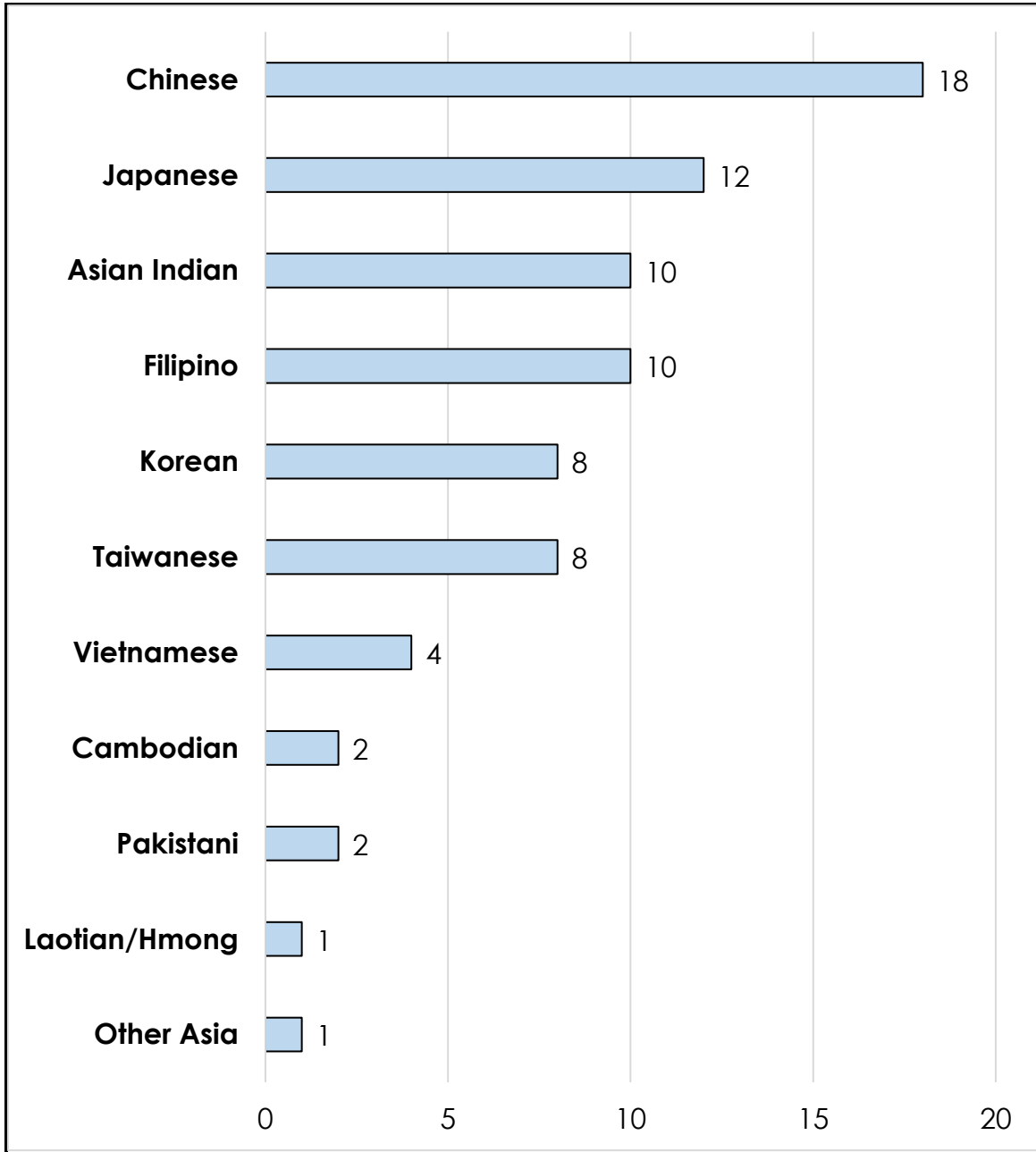
Races Stakeholders Identified With



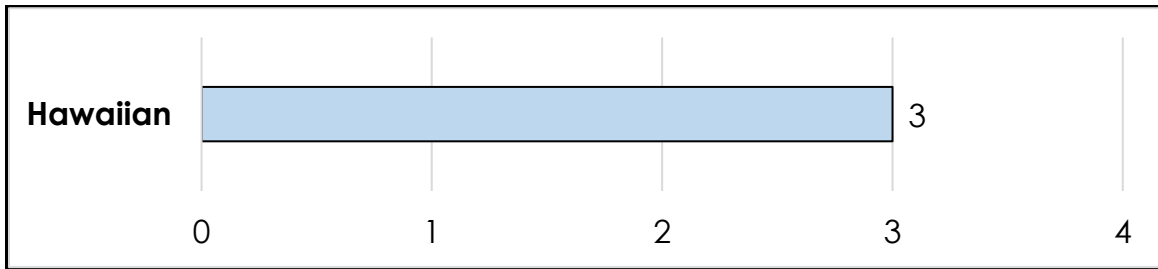
Hispanic, Latino/a, or Spanish Stakeholders Identified With



Asian Stakeholders Identified With

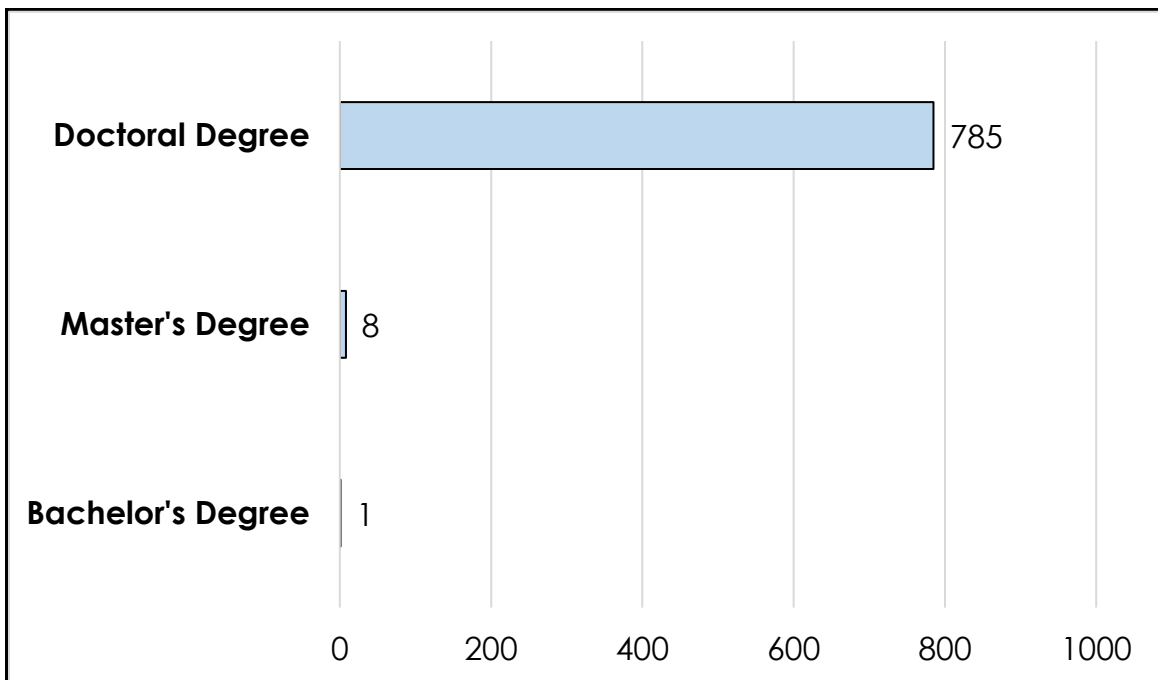


Native Hawaiian or Other Pacific Islander Stakeholders Identify With



## Education

External Stakeholders' Highest Level of Education



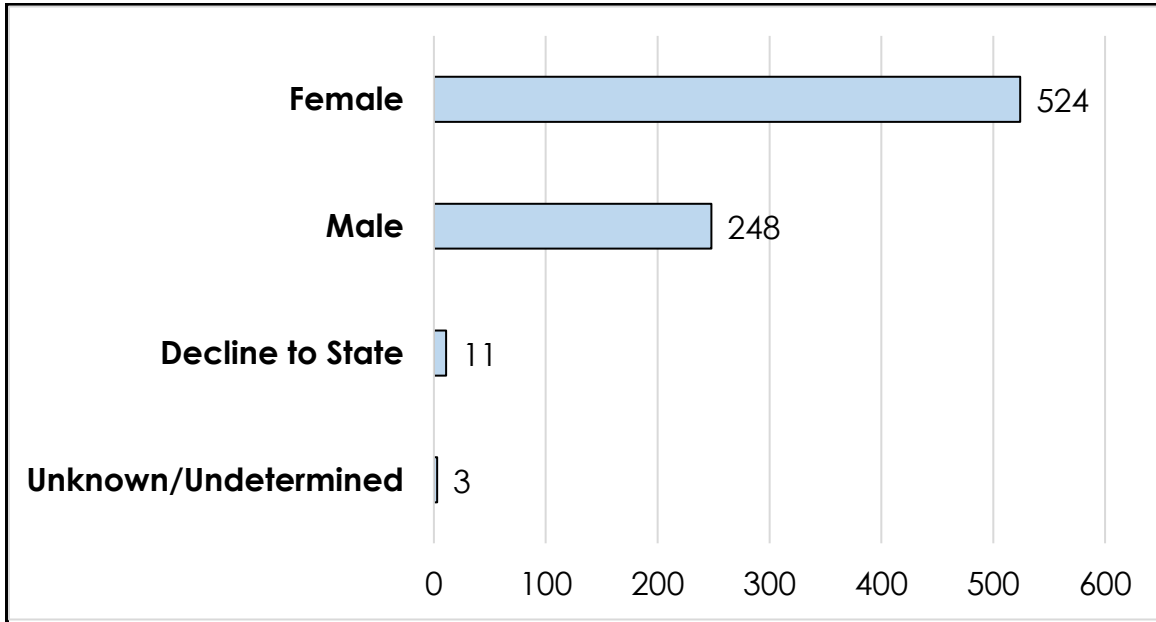
## Languages

Languages External Stakeholders Speak Fluently



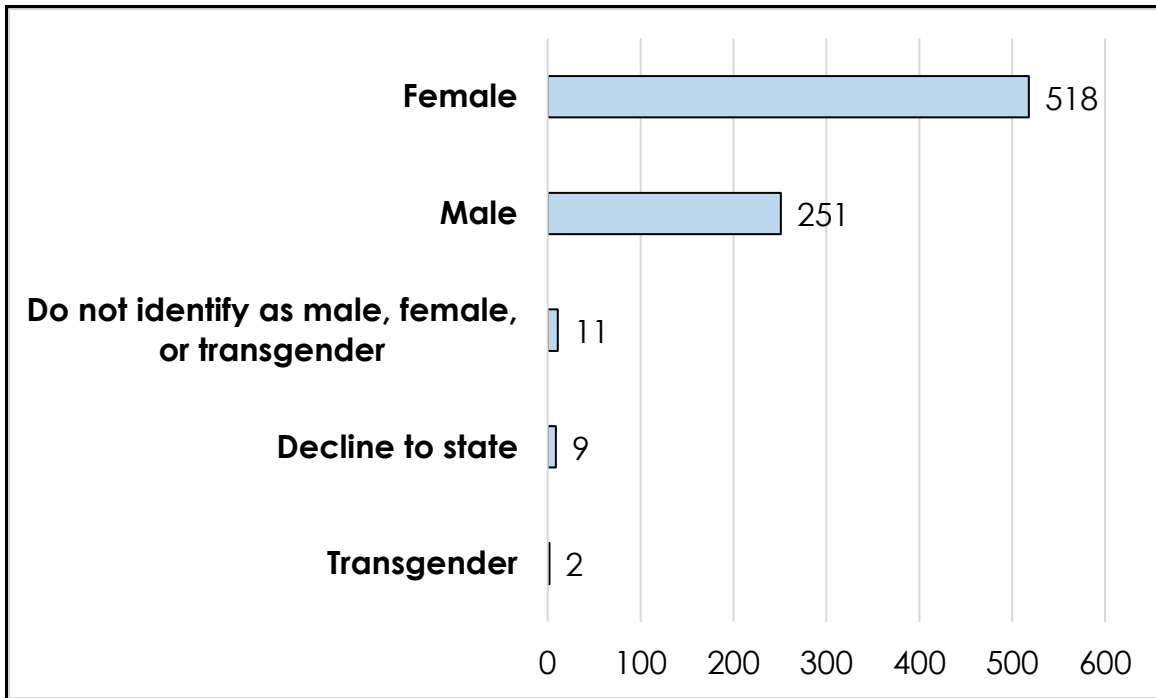
## Birth sex

External Stakeholders' Assigned Sex at Birth



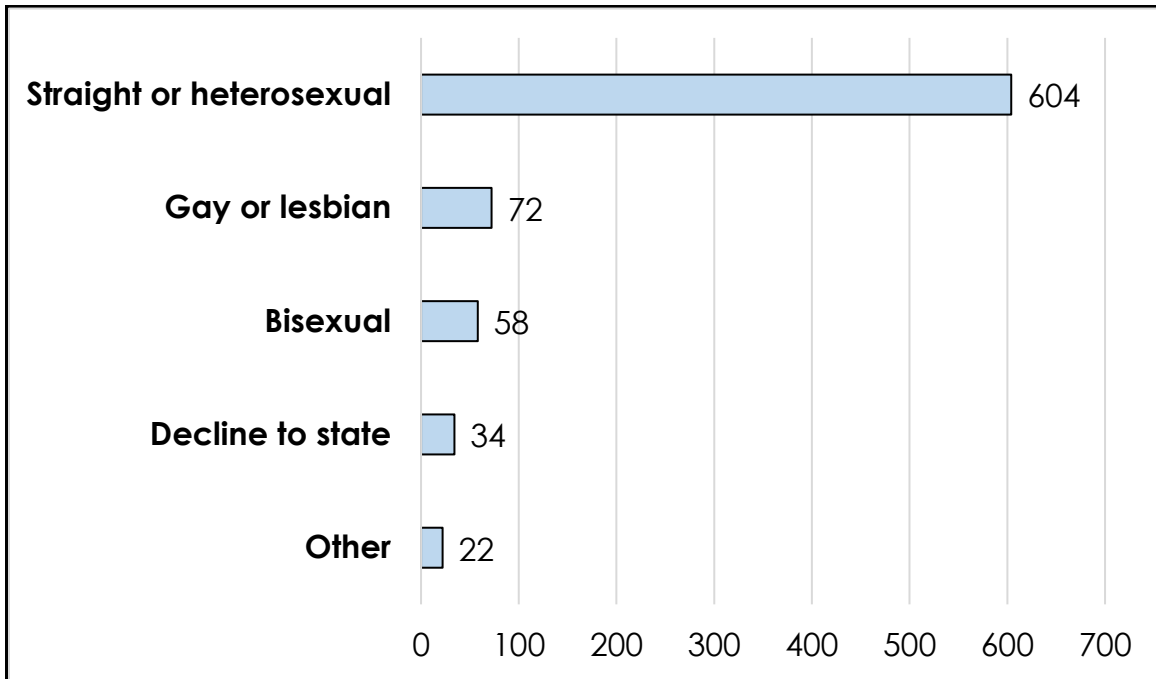
## Current gender

How External Stakeholders Describe Themselves



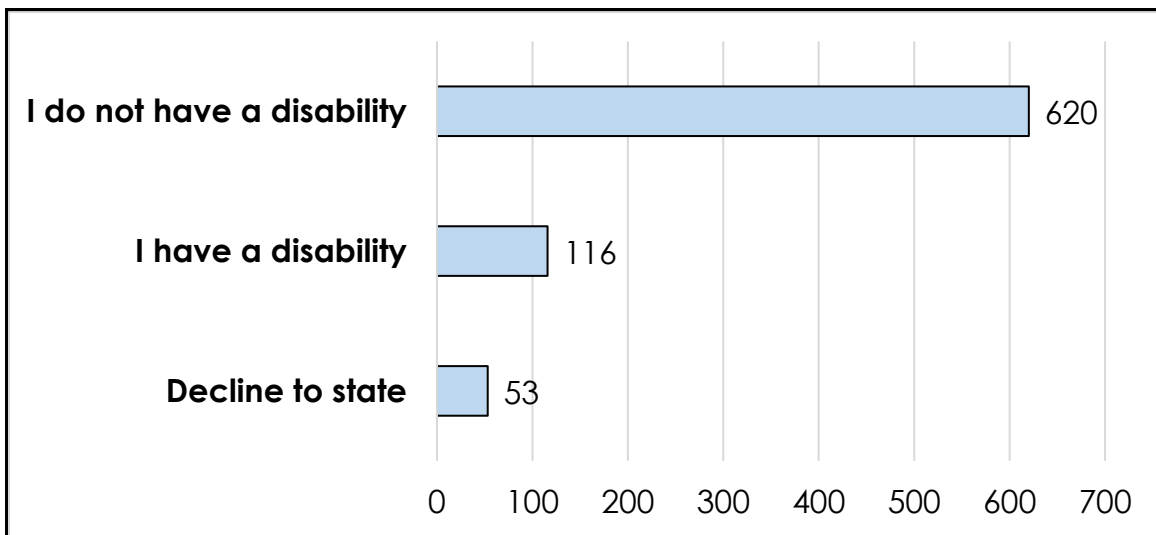
## Orientation

External Stakeholders' Orientation



## Disability status

External Stakeholders' Disability Status





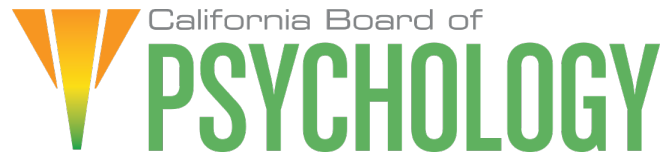


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# **BOP Strategic Planning**

## Objectives Workbook

Planning Session:  
December 7 and 8, 2023



## Instructions

As we get ready for the Strategic Planning Session, take a moment to think about what you would like to see the Board work on over the next few years.

Consider the following:

- Review of the Environmental Scan Report
- Items outlined in the last Sunset Review
- Experience and previously identified needs

### **Determine Issues/Areas for Improvement and Brainstorm Solutions**

What issues/areas for improvement come to mind for the following strategic goal areas? Record issues/areas for improvement and identify solutions on the attached worksheets.

1. Licensing
2. Continuing Professional Development
3. Policy and Advocacy
4. Enforcement
5. Outreach and Communication
6. Board Operations

## SMARTIE Methodology

For more effective objectives, consider the SMARTIE methodology when coming up with solutions to issues/areas for improvement:



### Specific

*Details what needs to be done*



### Measurable

*Success that can be measured*



### Actionable

*Uses action words*



### Realistic

*Possible to attain*



### Time-Based

*Deadline can be attached*



### Inclusive

*Brings in all individuals*



### Equitable

*Creates pathways to equal outcomes*

## Goal 1: Licensing

The Board establishes pathways to obtain and maintain a license to provide psychological services in California.

Issue/Area for Improvement	Solution(s)

Please take a moment to review full summaries on Environmental Scan pages 8 through 13. Areas for improvement are summarized below for your convenience.

### Summary of Licensing Weaknesses

- Lengthy processing times
- Responsiveness and timeliness
- Access to staff
- Communication needs improving
- High costs of licensure
- Customer service

## Goal 2: Continuing Professional Development

The Board ensures that licensees maintain competency to practice psychology in California.

Issue/Area for Improvement	Solution(s)

Please take a moment to review full summaries on Environmental Scan pages 14 through 19. Areas for improvement are summarized below for your convenience.

### Summary of Continuing Professional Development Weaknesses

- Licensees are confused by new CPD guidelines
- Licensees prefer old Continuing Education requirements
- Communication about CPD could be clearer and simpler
- Licensees find CPD requirements burdensome

## Goal 3: Policy and Advocacy

The Board advocates for statutes and develops regulations that provide for the protection of consumer health and safety.

Issue/Area for Improvement	Solution(s)

Please take a moment to review full summaries on Environmental Scan pages 20 through 25. Areas for improvement are summarized below for your convenience.

### Summary of Policy and Advocacy Weaknesses

- Communicate policy and advocacy directly, using simpler language
- External stakeholders want more information regarding what the Board does in this area
- External stakeholders want BOP to advocate for them, especially regarding reimbursements
- External stakeholders want BOP to join PSYPACT

### External Threats that May Apply to Policy and Advocacy

- Encroaching service providers, Master Level clinicians
- BOP needs to prepare for how AI will impact psychology
- External stakeholders fear outside influences are coloring BOP's decisions
- External stakeholders say the costs of becoming a psychologist are too high

## Goal 4: Enforcement

The Board investigates complaints and enforces the laws governing the practice of psychology in California.

Issue/Area for Improvement	Solution(s)

Please take a moment to review full summaries on Environmental Scan pages 26 through 31. Areas for improvement are summarized below for your convenience.

### Summary of Enforcement Weaknesses

- External stakeholders view BOP enforcement as too harsh
- Enforcement process takes too long, leaving patients at risk
- Licensees want Enforcement to build a relationship with them
- Better communication is needed with complainants and licensees under review
- External stakeholders view publishing enforcement actions as public shaming

### External Threat that May Apply

- There is an increase in unlicensed individuals providing psychological care



## Goal 5: Outreach and Communication

The Board engages, informs, and educates consumers, licensees, students, and other stakeholders about the practice of psychology and the laws that govern it.

Issue/Area for Improvement	Solution(s)

Please take a moment to review full summaries on Environmental Scan pages 32 through 37. Areas for improvement are summarized below for your convenience.

### Summary of Outreach and Education Weaknesses

- External stakeholders have no awareness of any outreach
- Licensees want clear, simple updates on changes to law/regulations
- BOP needs to increase outreach
- BOP needs to educate the public more about the differences between a psychologist and other health care professionals

# Goal 6: Board Operations

Board members and staff work together to maintain the resources necessary to implement the Board's mission and meet its goals.

Issue/Area for Improvement	Solution(s)

Please take a moment to review full summaries on Environmental Scan pages 38 through 43. Areas for improvement are summarized below for your convenience.

**Summary of Board Operations Weaknesses**

- Timeliness of responses and processes
- Staffing needs to increase, turnover needs to decrease
- BOP can communicate more about its role and achievements, as well as attach agendas to meeting notices
- BOP needs to improve responsiveness by replying to emails and voice mails in a timely manner
- Staff need better customer service skills

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## Q5.5 - Please explain any administrative issues not previously listed

Please explain any administrative issues not previously listed

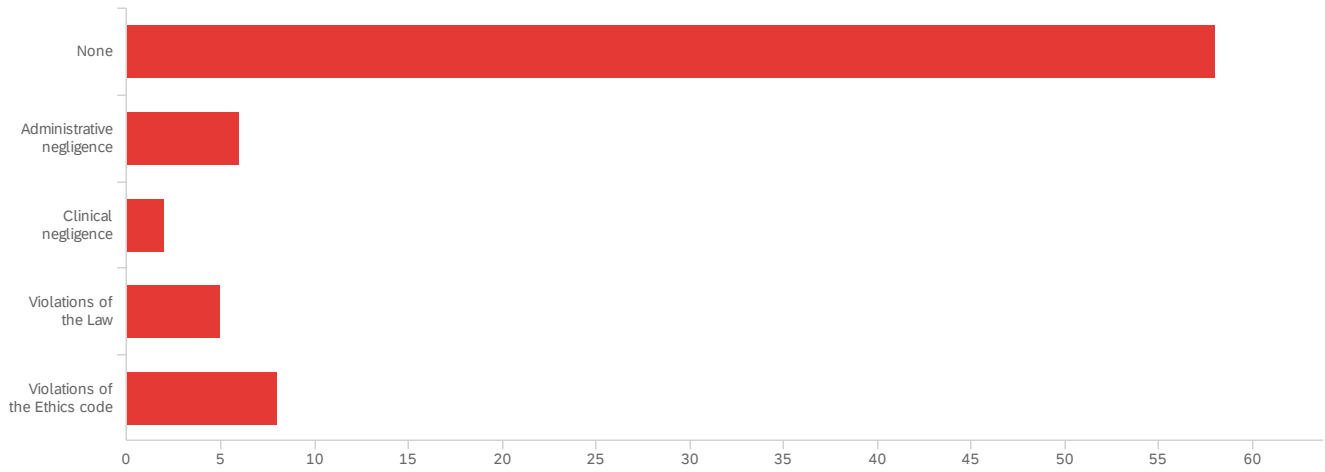
---

Dealing fairly with a complaint and choosing competent experts in reviewing the records and complaints. Ignoring their own investigator's results of the investigation in order to file an accusation against me that does not follow the ethics code or state laws.

License renewed but never received in mail.

## Q6 - What enforcement/disciplinary issues, if any, have you experienced with the BOP?

(check all that apply)

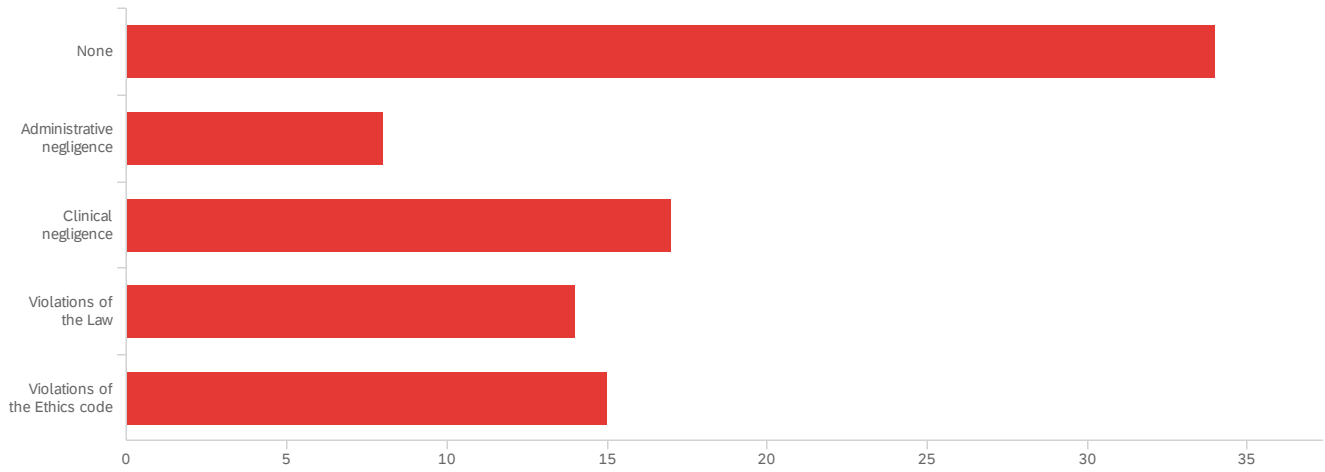


#	Field	Choice Count
1	None	73.42% 58
2	Administrative negligence	7.59% 6
3	Clinical negligence	2.53% 2
4	Violations of the Law	6.33% 5
5	Violations of the Ethics code	10.13% 8
		79

Showing rows 1 - 6 of 6

## Q7 - What kinds of issues/behavior do you wish the BOP acted on MORE when

complaints are filed? (Check all that apply)



#	Field	Choice Count
1	None	38.64% 34
2	Administrative negligence	9.09% 8
3	Clinical negligence	19.32% 17
4	Violations of the Law	15.91% 14
5	Violations of the Ethics code	17.05% 15
		88

Showing rows 1 - 6 of 6

## Q7.5 - Any additional information or context you would like to share?

Any additional information or context you would like to share?

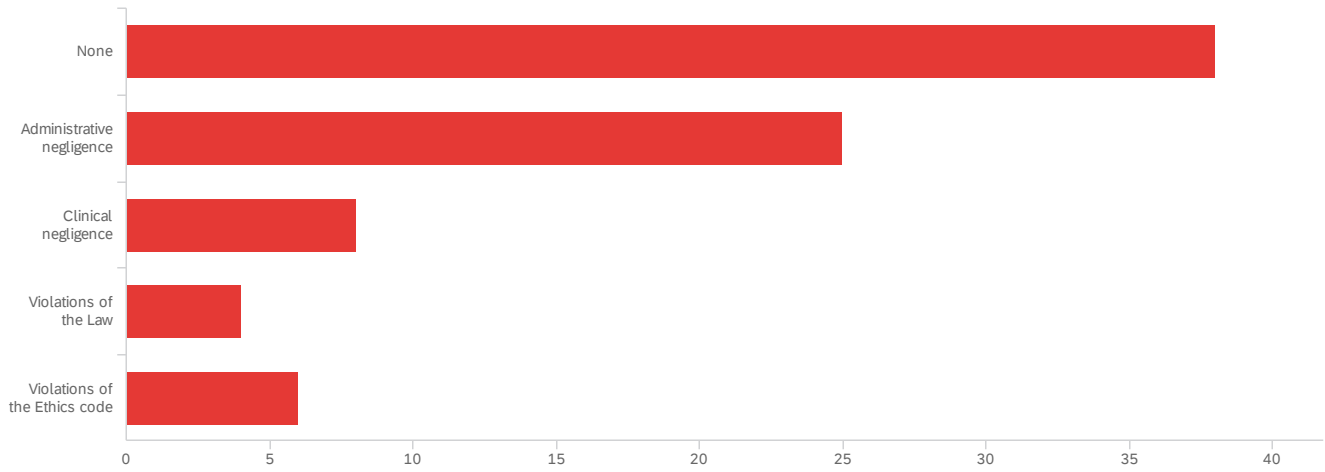
---

What type of SUPERVISOR qualification process does the CA BOP have in place for POST DOCs and Pre-Licensed future psychologists?



## Q8 - What kinds of issues/behavior do you wish the BOP acted on LESS when

complaints are filed? (Check all that apply)



#	Field	Choice Count
1	None	46.91% 38
2	Administrative negligence	30.86% 25
3	Clinical negligence	9.88% 8
4	Violations of the Law	4.94% 4
5	Violations of the Ethics code	7.41% 6
		81

Showing rows 1 - 6 of 6

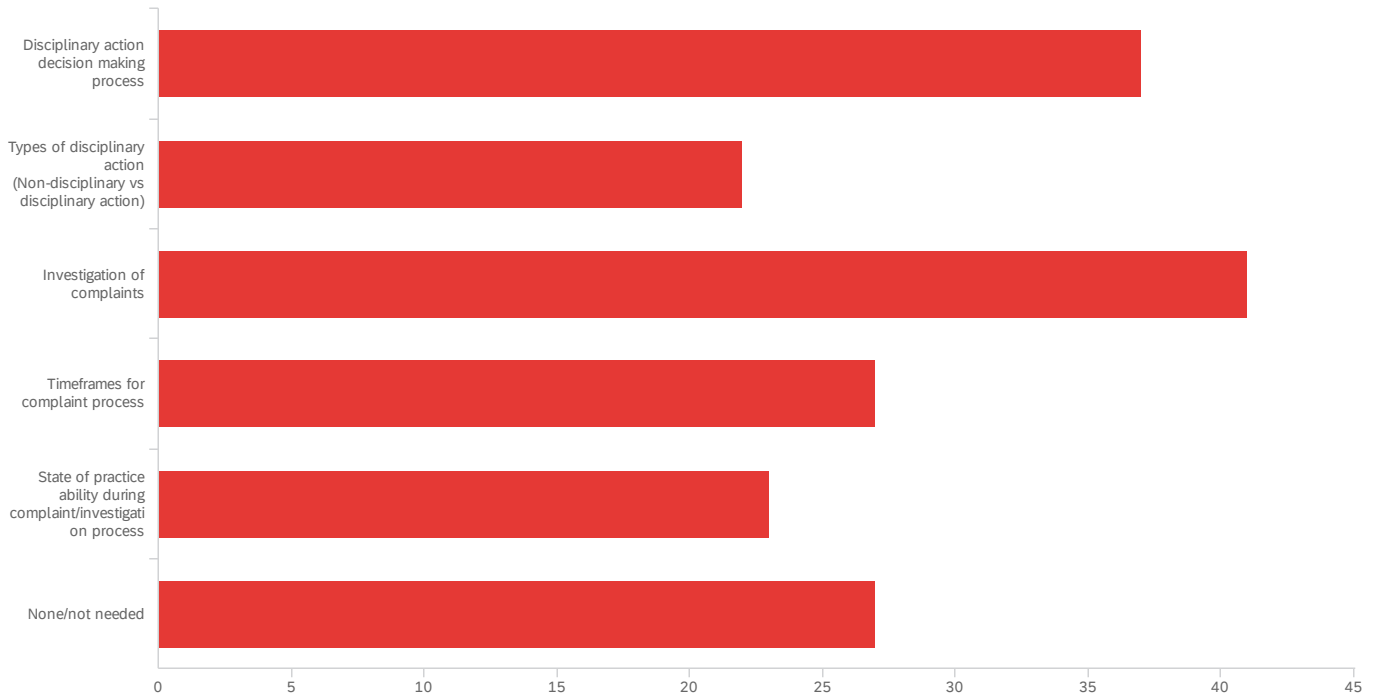
## Q8.5 - Click to write the question text

Click to write the question text

---

# Q9 - Which BoP enforcement processes do you wish you knew more about? (check all

that apply)

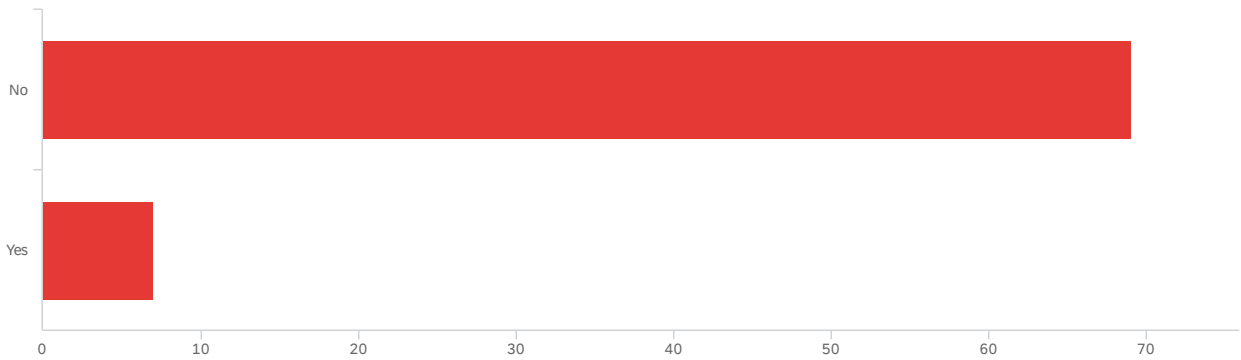


#	Field	Choice Count
1	Disciplinary action decision making process	20.90% 37
2	Types of disciplinary action (Non-disciplinary vs disciplinary action)	12.43% 22
3	Investigation of complaints	23.16% 41
4	Timeframes for complaint process	15.25% 27
5	State of practice ability during complaint/investigation process	12.99% 23
6	None/not needed	15.25% 27

177

Showing rows 1 - 7 of 7

Q10 - Have you ever reported someone to the BoP? If so, how was that process for you?



#	Field	Minimum	Maximum	Mean	Std Deviation	Variance	Count
1	Have you ever reported someone to the BoP? If so, how was that process for you?	1.00	2.00	1.09	0.29	0.08	76

#	Field	Choice Count
1	No	90.79% 69
2	Yes	9.21% 7

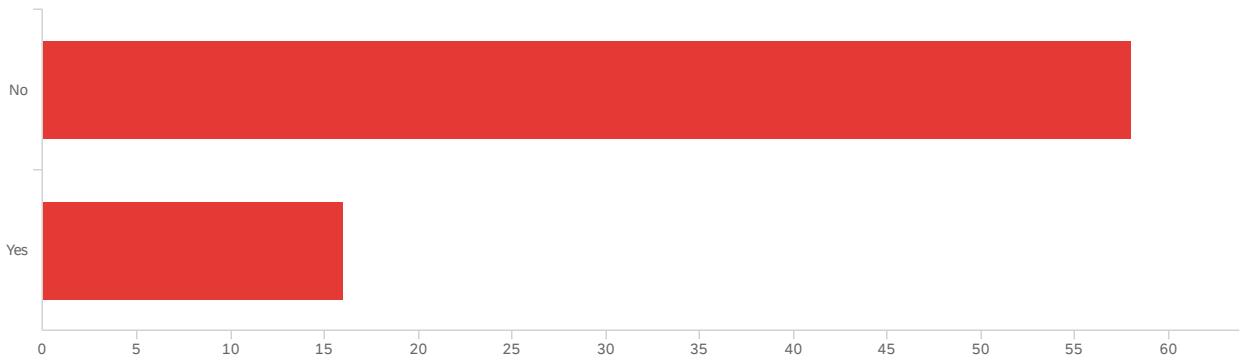
76

Showing rows 1 - 3 of 3

Q10.5 - How was that process for you?

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# Q11 - Have you ever been reported to the BoP? If so, how was that process for you?



#	Field	Minimum	Maximum	Mean	Std Deviation	Variance	Count
1	Have you ever been reported to the BoP? If so, how was that process for you?	1.00	2.00	1.22	0.41	0.17	74

#	Field	Choice Count
1	No	78.38% 58
2	Yes	21.62% 16

74

Showing rows 1 - 3 of 3

## Q11.5 - How was that process for you?

How was that process for you?

It was the most traumatizing, disrespectful, negligent, horrific, one-sided experience of my entire life.

I felt the "deck" was totally stacked against the psychologist

Usually, reasonably quick and satisfactory. However, the Board relies too heavily on their investigative arm, which starts from a punitive position.

very bad. Still dealing with it and now in appellate courts because ALJ and Superior court judge both ignored the evidence and the facts and rubber stamped the Board decision even though their decision violated state laws and also did not match the ethics codes..

Wife of a client complained to the BOP. They sent me a letter. I replied. That was the end of it

One two occasions state hospital inmates (actually their attorneys) filed complaints with BOP that I had used records improperly. The records had been furnished by the Department of State Hospitals. The complaints were dropped.

Painful and anxiety-provoking while 6 months pregnant.

Ok

Scary, but straitforward and fair in my case.

Had to hire a lawyer. A complete waste of time. NO findings which was easily apparent from the outset.

Absolutely horrible process. A former patient filed a complaint against me, and waited 6 1/2 years into the 7 statute of limitations to file the complaint. The situation was that following Couples Therapy, the partners quit therapy and filed for divorce. I was approached at that time to provide information. During the investigation of me by the BOP, I learned that a document I had been presented with, which I understood to represent a court order (had the letterhead of the court on it, and I knew wasn't a subpoena because if it had been, I know I would have been served) was in fact not a court order. It was an honest mistake, and I believe the appropriate discipline would have been for me to receive a Letter of Education, and to take a course on Forensic matters in Psychology. The severity of the PUNISHMENT the BOP currently operates under is getting increasingly more draconian. I had to hire an attorney, spend over \$70,000 in attorney fees and fines, and ultimately received a Letter of reprimand for my error, in which, when the Complainant was asked what harm had come to them, had nothing to offer. The BOP's attorney wanted me to be on Probation for 5 yrs for this mistake, at which point, my career would have ended because my practice was almost entirely insurance-based, and if I had been put on Probation for even one year, all the insurance panels would have dropped me and I would have been stripped of my ability to make a living. This was all very traumatic for me, as someone who had tried for over three decades to practice with a high level of ethics and integrity. The BOP for the past 20 yrs is out of control. It is their Enforcement Unit that is the problem. After they signed a court order with me, they violated their own court order twice, but nothing ever happened to the administrative staff that made the errors in violating their legal contract with me. The severity of the BOP to even minor violations such as mine has resulted in my losing almost all my passion and interest in practicing as a psychologist. I will never fully recover from this terrible injustice, and have stopped practicing clinical work now, many years earlier than I would have, had this experience never happened. I know of many other psychologists in San Diego who have had similar experiences to mine. I think unless a psychologist in California has had something like this happen to them, they just don't realize what can happen to them if they make minor errors in judgment. They are naive, and don't have a realistic understanding of how hard the current BOP comes down on people. There are psychologists in California who do make minor violations of laws and ethics, like having sex with patients, driving while intoxicated, and should have their licenses revoked. But the BOP treats both minor and major violations with equal impunity - they come after psychologists with a vengeance for both and make no differentiation. It is a deeply disturbing situation.

Gut wrenching

Stressful, but luckily resolved in couple months.

An anonymous letter, I met one time with an investigator and it went no further but very stressful

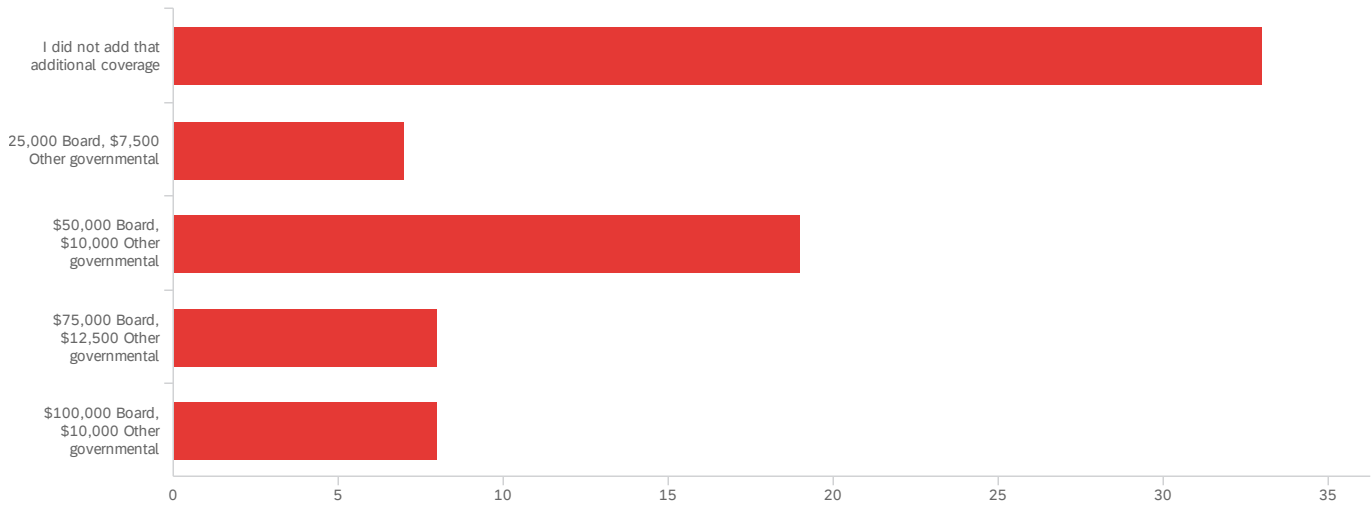
How was that process for you?

---

A borderline complained about couples therapy. After getting a lawyer involved there were no findings.



Q12 - Most malpractice insurance policies do not offer protection against the board as standard, rather offering it as an add-on. What level of liability insurance coverage have you added specifically for board complaint defense?



#	Field	Minimum	Maximum	Mean	Std Deviation	Variance	Count
1	Most malpractice insurance policies do not offer protection against the board as standard, rather offering it as an add-on. What level of liability insurance coverage have you added specifically for board complaint defense?	1.00	5.00	2.35	1.40	1.96	75

#	Field	Choice Count
1	I did not add that additional coverage	44.00% 33
2	\$25,000 Board, \$7,500 Other governmental	9.33% 7
3	\$50,000 Board, \$10,000 Other governmental	25.33% 19
4	\$75,000 Board, \$12,500 Other governmental	10.67% 8
5	\$100,000 Board, \$10,000 Other governmental	10.67% 8
		75

Showing rows 1 - 6 of 6

Q13 - Based upon the personal experience of you and your colleagues, please describe any systemic/administrative problems you see with the BoP, with a focus on recommended solutions.

Based upon the personal experience of you and your colleagues, please descr...

When I was licensed in 2017 things moved at a moderate pace, but since covid delays are far beyond reasonable. Stop spending so much money on disciplinary investigations that are often not recouped and instead use that money to hire enough staff to function effectively

It seems that when a psychologist has been cited for a minor administrative oversight, i.e., turning a license renewal late, the penalty is overly harsh. There should be a more nuanced approach to handing down sanctions for minor administrative infractions.

I found the licensure process to be extremely privilege-based. The cost of the process seemed unreasonable, with the last \$400 payment being for seemingly nothing but to put money in the Board's pocket. I had to take out loans to live while I was waiting for licensure because I wasn't able to work as a licensed psychologist of course, so couldn't get a job. I was finally able to work as a psych assistant thanks to my employer, who was very compassionate.

They operate as if they hold 100% of the power. They presume you are guilty and need to prove your own innocence. Even when new information was identified, they never took it into consideration. They lied and said it would be only a 1 year probation but then were "too busy" to process my request they said I could ask for to terminate probation. After 1 year and 7 months they literally asked me why I was bothering to end the probation since the 2 years was almost over.

The Board needs to vet its Expert Case Reviewers more thoroughly.

It is not clear the Board actually sees the investigation or evidence and only sees the accusation, and just votes on it without the records. They should see the counter information when the psychologist is not agreeing with the accusation. They also need to be able to review their own experts and see their reports to know if they are competent. The accusations should be based on the evidence and not on trying to make an example of someone. I have more too but too many to list here.

Too harsh a consequence for committing an error on the number of CE credits earned.

Impossibly slow administration of even the most brief and straightforward paperwork!

None

Have had very little contact, only aware of how painfully slow the application process was to be given permission to take the EPPP and other follow up licensure steps. Months of waiting.

Long processing time of my new license/Psychologist in 2021.

It does not appear there is fairness across the board for violations. Some are more heavily disciplined for minor offenses and given harsher disciplines than those that seem to have a greater offense, yet less disciplinary action. See below for my thoughts on change.

Based upon the personal experience of you and your colleagues, please descr...

I know of horror stories that clinicians have felt harassed and assumed guilty with little control over what happens to them once in the BoP disciplinary system. The BOP has no diversion program or "Intervention Program" for funneling cases that have to do with a cause for discipline relating to the clinicians mental health issues. Other disciplinary fields such as CA Registered Nurses (e.g. rn.ca.gov under "Intervention" tab) and different state's Boards of Psych, do have diversion programs so that the goal is to work with the clinician and aim is to rehabilitate clinician but not to punish and publicly shame the clinician (publish disciplinary actions in Bop newsletter with identifying information). Furthermore, if a clinician tries to take on the BoP legally in a civil court room and chooses to not settle the complaint and wants to contest the allegations - the BoP legally does not have to implement what the civil judge decides. There are laws in place in CA that protect the BoP from having the choice to overturn and do whatever they see fit "in order to protect the public". Clinicians do not want to share that they are living this nightmare with anyone. It goes on with no way for clinicians to blow a whistle because there is no way to make a complaint about the board anyway. I have heard the CA BoP described as a bully not only by other psychologist who've dealt with them but also by the defense lawyers of psychologists who've taken on the CA BoP.

All of my interaction with the board has been regarding the licensing process as I'm a newly licensed clinician. I felt that several steps could have been streamlined such as possibly submitting electronically that I passed the EPPP and would like to apply to take the CPLEE. The wait times were extremely difficult for me financially and professionally. I know the board members work hard and are probably short staffed, but I think examining what can possibly be streamlined would help. I also think more support for new graduates on the next steps would be helpful. It felt like I was constantly reaching out to others about what steps to take next and where to go and trying to grab at straws by word of mouth. This may be more of a suggestions for schools than the board itself.

Hire more people as it is unacceptable to make psychological associates wait so long for their registration numbers, their approval to take the CPLEE, and finally, their actual license number after passing both exams. It limits their ability to earn money and is an awful way to treat these early professionals.

They're to harsh, too punitive

More support for the psychologist vs the patient who filed the complaint

NONE

Psychologists need to be remain aware of the laws and regs relating to practice, after initially becoming licensed. Maybe the BOP could include reviews of laws and regs as a CE requirement. Or have a monthly newsletter (electronic, PDF) highlighting laws and regs which are most often violated. Advising psychologists to understand the APA ethics, and how this can guide effective, responsible clinical parctice, could help (I understand the BOP does not enforce ethical violations).

Absolutely abysmal administrative negligence. Outlandish delays to hear back about licensing proceedings, which is particularly problematic when this can make the different of someone being employed or not and, thus, being able to make a living--the timeline is just indefinite. It was hard to believe it could get any worse but it obviously did during COVID, with colleagues I know who have had to wait 6 months just to hear back from the board. Regarding solutions, I'm imagining the board needs more employees and more trained employees in order to handle the volume of California psychologists' needs.

I had a tremendously difficult time getting a hold of the board throughout the entire licensure process. I feel that having more staff would be helpful as it was actually impossible to get anyone on the phone and my emails were either not responded to or responded to months later. Having more trained staff to manage the administrative process is necessary as my licensure process was held up for months.

It seems like there are some fairly intense violations that get managed by the Board, but lesser infractions seemed to be managed the same way. Perhaps clarification of how infractions are addressed and how discipline not only punishes the violator but also helps that therapist perform better.

Difficulty getting into contact with anyone at BOP. I have not had my calls returned, even after leaving voicemails.

Response time for emails...especially needed is a PHONE CONTACT or an EMAIL response in a duty for those of us who have questions

I have received no reply to my letters expressing concern about resistance to joining PsyPact.

It takes 5-6 months to get a psych associate number which could set someone back from Graduation by a whole year or more and this could cost someone thousands of dollars and leave them jobless as well. Its a very terrible position to put students in and professionals as well who are needing help in their practice

Based upon the personal experience of you and your colleagues, please descr...

Stop publishing the names of colleagues who are disciplined. Public execution is unnecessary. For years, the benefit of the doubt has always gone to the patient and it seems the BOP was out to get Psychologist.

Black and white approach. Overzealous prosecution. Need room for light to moderate penalties v. draconian ones.

BoP needs to consider any violation of the APA's Ethics Code in the context of the psychologist's overall record of conformity and allegiance to that Code. Severely penalizing a psychologist what could be one major mistake in a practice in which, say, 1,000 clients were seen in maybe 40 years of practice with not a single other complaint made is to be excessively punitive.

The Enforcement Unit of the Board is practicing gross prosecutorial overreach. They need to be removed, and replaced with relatively more reasonably-minded individuals who will make a differentiation between how they discipline minor versus major violations of laws and ethics.

Need more timely response to written requests sent to the BOP

Seem to be adversarial rather than professional with psychologists. It is absolutely unacceptable to take as long as they do to process paperwork. When I look at other states' time frames, it is around 2-3 weeks even during the pandemic.

Every complaint doesn't require being investigated when a complaint is clearly bogus

Time to issue licenses and lack of response to emails

I know too little about the BOP to make recommendations.

1. Better staffing so it's actually possible to speak to someone on the phone or get email response. 2. Total re-design of website to make it user friendly and easier to navigate, especially when it comes to recent law changes.

I am aware of some very unethical practices involving social media that have been reported to the board with no resolution.

The impersonal interactions from the board personnel are disheartening and the slow administrative processes they currently have are problematic.

1. There is a lack of thorough investigation of complaints and just decisions. Complaints should be taken seriously and investigated more thoroughly. There should be other psychologists involved in the decision making process, so that there is a good understanding of the ethical code. 2. The BoP takes too long to even start investigating a complaint during which time a psychologist can do quite a bit of harm to the community if not disciplined or stopped. It is possible that this lag is caused either by staffing issues or poor management. I am not familiar with the internal processes of the BoP. 3. It takes too long for those who have passed their licesning exams to be issued a license number and receive the license in the mail. In my time, this was a quick process, while now it seems to be taking many months. This contributes to the problem of the shortage of psychologists in the community and the ability of these newly licensed psychologists to employed. 3.

N/A

More staff to process licenses and psychological assistant paper work.

Just bogged down system, sometimes hard to know who to talk to about various issues, slow response time at times (though I'm also licensed through the BBS and the BOP is much better and responsive in general).

They are not responsive to communications. Very long wait time for applications to be processed.

More response to calls.

Based upon the personal experience of you and your colleagues, please descr...

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This is less about discipline, but a systemic issue. It seems to me that the BoP misses the opportunity to provide better service to the public when considering accessibility issues (e.g., interstate telehealth compacts.) The Board has been unwilling to move forward with Psypact, even though it would open access to California residents. Board member from that committee explained to me that this was done because not all California psychologists would qualify for the e passport given that California will allow for licensure of individuals attending non accredited programs. This clearly had nothing to do with the Board's mandate to protect the public--it was done apparently to protect psychologists from unaccredited programs. So my focus on recommended solutions is to consider this issue more broadly and from the perspective of California residents who wish to maintain continuity of care with their California psychologist when traveling to a PSYPACT state.

None

Very slow during the pandemic getting PA's and Licenses out to folks who passed the exams.

## Q14 - Do you have any thoughts on what changes need to be made to the BoP's disciplinary guidelines?

Do you have any thoughts on what changes need to be made to the BoP's disci...

The uniform standards for substance abusing licensees are highly inconsistent with evidence based practices for addictive problems. Mandates of total abstinence and invasive, dehumanizing drug testing procedures are punitive and ineffective. Gross negligence is grossly over-applied by the board in disciplinary cases.

As cited above, there needs to be a range of options employed in handing down disciplinary decisions. Some wrongful actions i.e., having sex with a client, need to be punished severely, but other actions like a minor breach of confidentiality should not have the same punishment. As in our criminal court system, there are sentencing guidelines that are designed to match the crime. I think we need a similar system where discipline is meted out in a proportional way that matches the offense. It seems the Board is not giving itself enough reasonable choices to hand out its discipline.

1. Lowering administrative fees to an affordable rate for ALL. 2. Aligning standards and practices of the Board with the Code of Ethics, which purports access to ALL.

Yes, when considering complaints from high asset, high powered litigators in child custody cases, have the complainant first address the concern with the current judicial officer assigned to the case. The Board of Psychology should not be a part of a retaliatory child custody litigant's "revenge."

The BOP's definition of some offenses, such as gross negligence, can be very arbitrary which can make the discipline recommendations, which are very defined, to be unfair depending upon how the offense is defined in a particular case. Extenuating circumstances do not seem to be given much credence.

These are unnecessarily punitive and should focus more on education.

Yes but too many to list here based now on my case.

Aside from the fine incurred by mistake, shaming the provider by leaving a complaint attached to your license for 5 years is an excessive punishment.

Triaging of paperwork and more things moved to Breeze.

None

Am unaware of any issues as have not participated in anything of this nature yet.

no

More transparency and explanation of how the decision was made.

There needs to be a diversion or intervention program established that takes psychology/mental health factors into account when the case or problem relates to the mental health of the clinician. If other disciplines in CA and other states have these programs, it makes no sense that as CA psychologists we would not be allowed this route in the disciplinary decision tree. We need to change the law so that psychologists have the true ability to defend themselves in a civil court and the BOP would not be allowed to overturn the judge's decision. Whether the BOP means to or not, this law makes it so psychologists are merely told to settle because though they "can" go against the board they are legally counseled/told they will waste money and time taking the BOP to court and the BOP can still decide to ignore the outcome of this. It leaves us with no recourse.

No. Years ago they seem to harsher on women.

Do you have any thoughts on what changes need to be made to the BoP's disci...

Educate, educate, educate

NO

While I understand the BOP exists to protect the consumer, one way they could accomplish this is to emphasize CE of laws and regs. Maybe the BOP could focus part of their mission to helping psychologist refresh their knowledge of laws and regs, and ethics, as these apply to typical clinical practice. An ounce of prevention (in the form of education) is worth a pound of cure.

I am unfamiliar with this process.

None

sometimes I feel as if violations need to have more logical consequences- sometimes the actions don't seem to "fit the crime" and sometimes they do.

Speak with the psychologists or those being investigated as well as the person filing the complaint.

Full disclosure via information on BOP website so we are aware of "who" is a poor supervisor, "who" is not acting in the best interest of furthering the careers' of future psychologists

Maybe a newsletter with disciplines made so we can have a better idea of what type of issues are handled by the BOP

Stop investigating complaints by borderlines or narcissist. I avoid treating them today because I don't want to deal with the BOP.

Members of the Board need to realize that their role is not principally to be punitive, but to protect consumers of psychotherapy and advise psychologists when they've been remiss on an issue important to the public. Now the emphasis seems to be far more on doling out extreme punishments for any infractions than anything else.. Many psychologists have retired rather than submit to the onerous conditions set by the Board for a probationary supervisory period. These conditions are nothing short of humiliating the therapist and in the great majority of cases NOT deservedly so. The Board fundamentally violates itself what is known about psychology and psychotherapy generally, stressing harming the psychologist rather than working with them to ensure that the particular mistake made by them isn't repeated in the future.

Current guidelines may be fine, in my estimation - the problem is that relatively lesser levels of disciplinary actions need to be used much more frequently for minor deviations from the standard of care than are currently used. For example, in response to a situation like mine, appropriate disciplinary action would be a Letter of Education, not to be put on Probation for five years. The BOP says their mission is to protect the consumer, but they hurt the psychologist so deeply that they also hurt the consumer because when psychologists know they are going to be punished so severely that they no longer want to be in practice, they hurt the consumer as well. There is high demand for psychologists in CA, but the way the BOP operates, less psychologists want to practice, and it hurts the consumer because they will have less psychologists available to provide services.

The policies seem to be blanket policies and not individualized enough.

See above response

Please see above

It seems that the guidelines are fair and appropriate.

No

Communication with a person versus just email. #

Nope

Do you have any thoughts on what changes need to be made to the BoP's disci...

---

I would like to see more focus on consumer responsibility.

Greater transparency.

NO

Not sure. I know this is very hard work.

Not at this time

They have had a history going after psychologist seemingly to justify their continued existence. I resigned from CPA when they became a MCEP enforcement arm of the BOP. I dislike the public display of those psychologist who have enforcement actions in their newsletter.



Q15 - Based upon the personal experience of you and your colleagues, please describe any ways the disciplinary process could be improved giving emphasis to perceived problems in the system and recommended solutions.

Based upon the personal experience of you and your colleagues, please descr...

Licensees should not be disciplined for substance-related legal issues that occur prior to licensure. Licensees should not be unilaterally disciplined for substance-related legal issues that arise outside of practice - not all DUIs constitute unprofessional conduct or poor judgment (e.g. DUI charge due to positive drug test for cannabis even though the licensee was not under the influence at the time of the charge). Not all use of illegal substances constitutes poor judgment on the part of the clinician, recall that legal problems were removed as a diagnostic criteria for substance use disorders in DSM-5 (nearly 10 years ago now)

I think the timeliness of decisions needs to be improved. It is often the case that psychologists are kept waiting for months to have their case heard and in the process they undergo great stress. The Board should have enough staff and consultants to carry out their duties without undue delays.

N/A

They must have some kind of oversight. I was told by the AG that I had to settle because the Board of Psych could actually choose not to accept the results of the hearing. How could that be? They should not have that kind of power. It should go to a real judge in a real court room where they can't play games.

Being more public/transparent about the Board's interpretation of various laws and regulations -- for example, how they will handle an issue regarding a minor if that minor will have an 18th birthday in a week or to. I guess this is about how they exercise their discretion.

As above.

See above and feel free to contact me.

A less punitive approach to less serious mistakes, where no one is hurt, needs to be taken.

Publication of a code of sanctions for specific violations, like a penal code that articulates standardization of enforcement actions in response to violations by type of violation.

Not familiar enough with the whole process to critique it.

Unaware

n/A

Establish a more standardized disciplinary process for offenses rather than subjective disciplines. In other words, the same measured discipline for the same or similar offenses to licensees. It seems some are disciplined greater than others for the same offense. Also, businesses or sites including hospitals should have greater responsibility for violations when they occur rather than psych assistants, interns, and students.

I did this above, please see above. The stigma associated with psychologists having gotten "in trouble" with the BOP means that CA psychologists will never unionize or help each other legally against being bullied by the BoP. When you get in trouble one of your options is to surrender your license. Given the climate of our field, I know of at least 2 psychologists who just decided to surrender their license early and tell people that they "retired." So really these issues I bring to light just keep going and going. It is very concerning and there is no where to go with this and be anonymous or feel safe from some kind of retaliation from the Bop.

Based upon the personal experience of you and your colleagues, please descr...

Interview colleagues of the accused.

Instead of being "guilty" before proven innocent- Help the psychologist

MORE INFO SHARED ON WHAT ACTIONS ARE BEING TAKEN FOR WHAT

What is the data on different types of violations? What are the factors that differentiate violators vs none-violators? If this is known, and published to all psychologists, this may help some psychologists avoid making the same mistakes.

I am unfamiliar with this process.

Better education for the psychologist not to respond to anything without first speaking with a lawyer!

Improve investigation by acknowledging the psychologist's expertise, perspective, and reasoning - not just the clients'.

For example, IVAT's Dr Robert Geffner's disciplinary actions took years for the BOP to do anything. He has violated many aspects of his role as a Supervisor, and he has not compensated interns, Master level and Pre/Post docs for work, which provided his IVAT team hundreds of thousands of dollars over the years...

Unsure

CPA needs to be a clear advocate for Psychologist and not the BOP. This is why I refuse to be a member of CPA.

Most important, review and reevaluate the disciplinary measures used with errant psychologists, making them less draconian and, frankly, more humane.

This is a very perplexing and complicated problem. The Dept of Justice/Attorney General/BOP attorneys are invested in being Prosecutors, and getting notches in their belts to win at all costs, even if it destroys the lives and careers of psychologists. We have an INjustice system in our country that is very broken. I wish I had more constructive ideas to offer on how to fix the problem, but my best solution would be to make all psychologists be more aware of just how severe the Enforcement is operating (even coming after the co-Chair of the CPA Ethics Committee in recent years) and demanding that this draconian method of disciplining psychologists for even minor deviations be stopped.

Too strict

See above responses.

Increase easier access to education about it and make it easier to understand.

It is the application of the guidelines that is a problem. The BoP needs competent individuals and psychologists who know how to do an investigation in a just manner and with the safety of the community in mind. Additionally, they may need more staff or competent management to improve timeliness. Perhaps they can even take volunteer psychologists or students, who can learn in the process of working there.

More accessible customer's services.

Dunno, haven't experienced this thank goodness!

the approach to addictive problems is out of date

Does not apply

Based upon the personal experience of you and your colleagues, please descr...

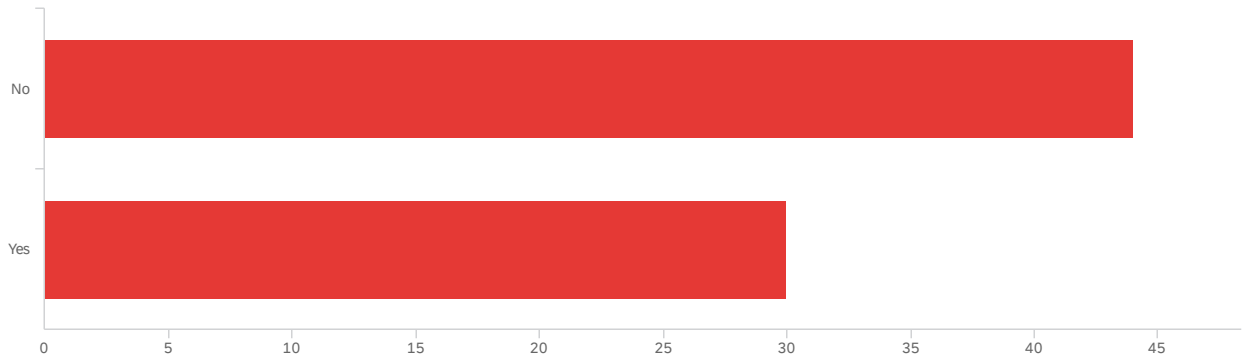
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Improved timeliness to all matters and improved transparency

The most recent newsletter seemed much more supportive...we'll see if it lasts. Stop publically executing members who are disciplined. The Board of Medical Quality Assurance is not nearly as draconian handling it's members. It would be nice if CPA was more loyal to it's members than the BOP.

## Q16 - Would you be willing to talk with a member of the SDPA Government Affairs

Committee about your experiences with the BoP (your information and your name can be kept confidential upon request)?



#	Field	Minimum	Maximum	Mean	Std Deviation	Variance	Count
1	Would you be willing to talk with a member of the SDPA Government Affairs Committee about your experiences with the BoP (your information and your name can be kept confidential upon request)?	1.00	2.00	1.41	0.49	0.24	74

#	Field	Choice Count
1	No	59.46% 44
2	Yes	40.54% 30
		74

Showing rows 1 - 3 of 3

## Q16.5 - Please add your preferred method of contact. (Phone or email)

Please add your preferred method of contact. (Phone or email)

[thad.camlin@practicalrecovery.com](mailto:thad.camlin@practicalrecovery.com)

[drlorlove@yahoo.com](mailto:drlorlove@yahoo.com)

I filled this out last night and said to contact me via phone but did not leave my phone- 858-405-7756. Thx. Bob Geffner

[rgold2@san.rr.com](mailto:rgold2@san.rr.com)

phone

6198049584

email: [Drerindoherty@gmail.com](mailto:Drerindoherty@gmail.com)

858-500-2434

[drtillquist@gmail.com](mailto:drtillquist@gmail.com)

[erinn@hillcrestpsych.com](mailto:erinn@hillcrestpsych.com)

[plibero333@gmail.com](mailto:plibero333@gmail.com)

858-481-8810

email

[ariannazabriskie@gmail.com](mailto:ariannazabriskie@gmail.com)

[drtomhabib@gmail.com](mailto:drtomhabib@gmail.com)

[lseltze1@san.rr.com](mailto:lseltze1@san.rr.com)

619-291-9164

Phone contact

[polinar27@hotmail.com](mailto:polinar27@hotmail.com)

[saltzmanjody@gmail.com](mailto:saltzmanjody@gmail.com)

(858) 333-2027 or [gohar.gyurjyan@bemindwise.com](mailto:gohar.gyurjyan@bemindwise.com)

Phone

Please add your preferred method of contact. (Phone or email)

---

[baltoro@att.net](mailto:baltoro@att.net)

[tom.horvath@practicalrecovery.com](mailto:tom.horvath@practicalrecovery.com)

email

[drtomhabib@gmail.com](mailto:drtomhabib@gmail.com)

**End of Report**

## GAC Survey preliminary results:

Recently the Governmental Affairs Committee surveyed SDPA members investigating members understanding of the board of psychology, as well experiences navigating the licensing/administrative wing, and the enforcement/disciplinary wing of the California Board of Psychology (BoP). Results of the survey will be disseminated in two parts. Below you will find the qualitative results comprising part 1 of the results report. Qualitative results (part 2) will be forthcoming over the next few months.

Readers should be aware the results were obtained from a self-selecting population sample who chose to participate in a survey regarding the BoP. Self-selecting samples inherently have a high propensity to create biased results as those who choose to participate are more likely to have had more extreme experiences motivating participation. Results should be taken with precaution.

The survey garnered a total of 83 participants with 89.41% being 'licensed psychologists,' and 'students,' 'doctoral level pre-licensed,' and 'psychologists no longer licensed' each accounting for 3.53% of respondents respectively. The survey was only sent to SDPA membership; however, it is possible non-SDPA members also might have answered as no question was asked specifically about SDPA membership.

The survey explored SDPA members' understanding of the mission the BoP serves. 81.58% of participants correctly identified the primary role of the BoP as "Protecting the public and assuring minimal qualifications and standards for psychologists granted licensure". Of the 14 respondents with misperceptions, 12 of them were 'licensed psychologists;' while 'psychologists no longer licensed' accounted for 1 incorrect response, and 'students' the remaining two responses.

The majority of participants (72.5%) have had 1 or more contacts with the board of psychology above and beyond the normal initial licensure and renewal processes (1-2 separate issues = 45% of participants; 3-4 separate issues = 18.75%; 4 or more separate issues = 8.75). Only 27.5% of participants have only communicated with the board about initial licensure or renewal.

Communications with the BoP were indicated to be most successful when conducted via email (51 indications); communications by phone being second most successful (32 indications); written correspondence third (12 indications). Communications by fax, public hearing, and in-person were equally reported as least successful (2 indications each). Post-hoc interpretation of this question's answer profile along with qualitative data from participants indicates this question asking about "success" of communication vehicles might be conflated with "most used" communication vehicles. If this were the case, forms of communication such as public hearing and in-person could be very successful ways of communicating with the BoP, however not frequently utilized accounting for their low rating.

The survey assessed participant **satisfaction** on the following questions:

	Question	Very Low	Low	Moderate	High	Very High
1	How responsive has the California Board of Psychology (BoP) been to your communications with them?	15.28%	15.28%	43.06%	18.06%	8.33%
2	How would you rate the level of satisfaction you have had with your contacts with the BoP?	21.62%	25.68%	25.68%	20.27%	6.76%
3	How would you rate your level of satisfaction with the licensure (Initial, Psych Associate, SPE, ext.) aspects of your contacts with the BoP?	17.57%	17.57%	39.19%	20.27%	5.41%
4	How would you rate the timeliness of the licensure process by the BoP?	30.14%	16.44%	32.88%	16.44%	4.11%
5	How would you rate your perception of the level of fairness in enforcement/discipline actions taken by the BoP?	16.18%	17.65	41.18%	17.65	7.35%
6	How would you rate the timeliness of enforcement/discipline actions taken by the BoP?	14.29%	19.05%	46.03%	14.29%	6.35%
7	How do you rate the quality of how the BoP handles enforcement/disciplinary issues? (appropriate disciplinary action, due diligence, fairness to all parties, etc.)	16.92%	15.38%	43.08	16.92	7.69
8	How familiar are you with the processes the BoP takes in determining the response to complaints?	16.00%	37.33%	20.00%	18.67%	8.00%

Participant responses to each item fell on a positively skewed normal curve, with the greatest dissatisfaction being reported regarding **timeliness of the licensure process** ( $M = 2.48$ ,  $SD = 1.19$ ). Participants reported the greatest satisfaction with the BoP's **responsiveness to communications** ( $M = 2.89$ ,  $SD = 1.12$ ). Participant's satisfaction was most discrepant when it came to satisfaction regarding **contacts with the BoP** ( $SD = 1.21$ ), whereas participant reporting was least varied regarding satisfaction with **timeliness of enforcement/discipline actions** taken by the BoP ( $SD = 1.06$ ).

When assessing SDPA member's familiarity with the processes the BoP takes in determining the response to complaints, participant responses were again positively skewed with the majority reporting **low familiarity**.



Administrative issues SDPA members have experienced with the BoP were assessed. The most cited administrative issue was that of **long wait times for paperwork and/or problems with licensing approval process** (35 indications, 42.2%), with **lack of response to phone and email communications** (26 indications, 31.3%) being second most cited. **Customer service complaints** as well as **difficulties with the Breeze website** were equally experienced (16 indications each; 19.3%). Members also experienced difficulties regarding **complicated or difficult complaint process** (9 indications, 10.8%). 25.3% of participants reported **no administrative issues** with the BoP (21 indications). Twelve participants (11.8%) did not answer the question.

SDPA members reported enforcement/disciplinary issues personally experienced by the BoP. The most cited enforcement/disciplinary issues were **violations of the ethics code** (8 indications, 9.6%). Second most experienced enforcement/disciplinary issue being **administrative negligence** (6 indications, 7.2%), while **violations of the law** was third most cited (5 indications, 5.0%). The majority of SDPA members reported no experience of enforcement/disciplinary issues (58 indications, 69.9%). Eleven participants (12.9%) did not respond to the question.

Issues/behaviors participants thought the BoP should be more proactive about investigating/disciplining was assessed. Participants reported **clinical negligence** being the category they were most concerned about the BoP being more proactive about investigating (17 indications, 20.5%); followed by **violations of the ethics code** (15 indications, 18.1%), **violations of the law** (14 indications, 16.9%), and finally **administrative negligence** was the least concerning action (8 indications, 9.6%). 35 participants (42.2%) indicated there were no actions they wanted the BoP to be more proactive in disciplining.

Issues/behaviors participants thought the BoP should be less active about investigating/disciplining was assessed. Participants reported **administrative negligence** being the category they thought the BoP should be less proactive about investigating (25 indications, 30.1%); followed by **clinical negligence** (8 indications, 9.6%), **violations of the ethics code** (6 indications, 7.2%), and finally violations of the law was the category participants least wanted the BoP to take less action regarding (4 indications, 4.8%). 38 participants (45.8%) indicated there were no actions they wanted the BoP to be less proactive in disciplining.

SDPA members reported which aspects of the BoP's enforcement process they wanted to have more education regarding. The area of enforcement participants most wanted greater education regarding was **investigation of complaints** (41 indications, 49.4%), followed by the **disciplinary action decision making process** (37 indications, 44.6%). Participants showed similar interest for knowledge about the following topics: **Timeframes for complaint process** (27 indications, 32.5%); **State of practice ability during complaint/investigation process** (23 indications, 27.7%); **Types of disciplinary action** (22 indications, 26.5%). Twenty-seven participants (32.5%) indicated no desire for additional knowledge regarding the aforementioned topics.

Participants shared the level of additional liability coverage they retain specifically for defense against BoP complaints. Thirty-three participants (39.8%) indicated that they did not opt in for the additional coverage. Of the people who did opt in for the additional coverage, the most held coverage was at the **\$50,000 board, \$10,000 governmental** (19 indications, 22.9%). Both the **\$75,000 board, \$12,500 governmental** and the **\$100,000 board, \$10,000 governmental** were equally held by eight participants each (9.6%). Seven participants (8.4%) held the lowest level of coverage at **\$25,000 board, \$7,500 governmental**. Eight participants (9.6%) did not respond to the question.

#### Take aways:

- 18.54% of SDPA members do not understand the role and purpose the BoP serves and were unable to identify its correct role being 1) Protecting the public, 2) Assuring minimal qualifications and standards for psychologists granted licensure.
- 72% of SDPA members have had contacts with the BoP outside of standard licensing procedures. A 72% statistic highlights how relevant knowledge about the BoP's functioning, purpose, and how to navigate their various systems are as the likelihood of BoP contact over one's career is more likely than not.
- Communicating with the BoP was most successful when communications were conducted by email.
- Most participants indicated moderate satisfaction across all BoP domain interactions with the most dissatisfaction with licensure wait times, and the greatest satisfaction with responsiveness to communications.
- The most experienced disciplinary inquiry the BoP investigated members for were violations of the ethics code.
- Members wanted the board to be more diligent in investigating clinical negligence, and less pursuant of administrative negligence
- Most members reported low knowledge of the BoP's enforcement procedures and indicated wanted greater education regarding the BoP's investigation procedure.
- 39% of participants do not hold additional malpractice coverage which covers them from board investigation. Most people who did opt for the board protection add on purchased coverages at the \$50,000 (BoP); 10,000 (government) level.

Based upon these results (part 1) and the forth coming qualitative results (part 2), the Governmental Affairs committee will be developing a list of recommendations that will be disseminated out the SDPA membership.

Recommendations for the Board of Psychology (BoP) based upon research conducted by the Governmental Affairs Committee of the San Diego Psychological Association.

1. Review process
  - a. The full board should read the full complaint and the explanation by the accused before making its decision, not just the complaint and the review/recommendation of the in-house expert/enforcement division.
  - b. Make clear a reasonable timeline which still allows for comprehensive review.
  - c. In child custody cases, evaluator complaints should first be filtered by a neutral court judicial officer who would be a gate keeper for complaints to the board.
  - d. Change the procedure of investigating complaints to the orientation that the psychologists are innocent until proven guilty.
2. Reviewers
  - a. There needs to be ongoing evaluation of the work done by the experts to ensure that competent experts are being utilized.
  - b. There needs to be training and continuing education given to the experts to promote that fairness, accuracy, and comprehensiveness of expert reviews.
  - c. Reviewers should be pre-authorized to seek consultation as needed when evaluating enforcement complaints.
3. Punishments
  - a. The BoP should review the Disciplinary Guidelines to determine fairness and appropriateness of penalties to each offence.
  - b. The BoP should provide a clear understanding between various infractions and the discipline for these infractions. Too often the same offense receives a different disciplinary response. In some cases, minor offenses are punished more severely than major ones.
    - i. Low harm infractions could be addressed with educational interventions.
  - c. The board needs to develop an operational definition of "Gross Negligence". Have this definition be more specific and narrower to reduce ambiguity for reviewers.
  - d. Create clear guidelines for when the BoP would overrule the AG and continue to pursue a case against a psychologist.
  - e. The BoP should create a publication that highlights the more common ethical mistakes, and their solutions front and center in the form of informational articles sent out on a regular basis to all licensed California psychologists and Psychological Associates.
4. Licensure:
  - a. The BoP should create an online account of each applicant for licensure listing all the required elements for licensure. This account would have password protection and would be updated when new items are reviewed; it would show which items have been submitted successfully and which items still need to be submitted. Creating this account would save the applicant from having to call

the Board to find out if they have received a certain documentation and would save the Board administrative resources from having to respond to inquiries.

## E-NEWS ARTICLE FROM GAC

May 22, 2023

### UPDATE ON GOVERNMENT AFFAIRS COMMITTEE SURVEY OF SDPA MEMBERS' EXPERIENCES WITH THE BOARD OF PSYCHOLOGY: ENFORCEMENT

This is one in a series of E-news articles describing the Government Affairs Committee's findings regarding SDPA members' experiences with and perceptions of the California Board of Psychology (BoP). After the results of this investigation are reported to SDPA members in E-news articles, the GAC plans to present our findings to the California Board of Psychology.

Following our survey emailed to SDPA members in 2022, a dozen respondents offered to be interviewed by GAC members. SDPA members' experiences fell into two categories: experiences with the BoP Administrative Division, having to do with the licensing process, wait times, etc., and experiences with the BoP Enforcement Division, having to do with how complaints against psychologists are dealt with by the BoP. This article describes the members' experiences with the Enforcement Division. All of the Enforcement issues/problems listed below were cited by two or more respondents:

1. A MINORITY OF CASES: The majority of SPDA members reported having no experience with enforcement or disciplinary action from the BoP. (In fact, less than 4% of all complaints to the BoP result in an enforcement investigation).
2. TRAUMATIZING EXPERIENCES: Most of our respondents who were the subjects of BoP enforcement investigations reported lengthy, expensive, traumatizing experiences. Statements included: "When the Board of Psychology decides to go after you, they REALLY go after you"; "When you are investigated by the Board of Psychology, you are assumed guilty until proven innocent"; and "My case went on for years."
3. THE SLEDGEHAMMER: A common complaint against the BoP was that the Board came down hard on all cases they chose to investigate, making no distinctions between egregious violations and unintentional errors on the part of the psychologist, even when the unintentional errors did not lead to significant harm.
4. PROTECTING THE CONSUMER: A common complaint was that the Board justifies harsh punishments by claiming that in doing so they are protecting the consumers of psychological services. Respondents believed that the consumers would be better served by the Board taking an educative approach to unintentional errors, such as requiring that the offending psychologist engage in additional continuing education around their area of violation. Respondents also reported that the BoP's reputation for striking terror in the hearts of California psychologists and prospective psychologists only serves to discourage people from entering or staying in the field of psychology, at a time when there is already a shortage of psychologists and a lack of access for consumers. A punitive approach that further limits consumer access to mental health services cannot be justified as acting in the interests of the consumers.

5. THE PROCESS: The most common complaint from our respondents about the BoP investigative process, in addition to its length and cost, was the fact that the outcome was largely determined by one expert reviewer. Respondents reported that the full Board does not read the full facts of the case or the psychologist's defense or explanation of what transpired. Rather, the Board receives only the expert reviewer's summary and recommendations, which the Board routinely accepts. There were several problems cited with this model. One problem is the minimal requirements to be an expert reviewer (a California psychology license in good standing, some forensic experience, an active psychology practice, three or more years of expertise in the specific area of practice they are reviewing, no prior or current charges or formal disciplinary actions, and no criminal convictions). Another is the fact that the expert reviewer has no paid access to consultation from another Board expert reviewer. In fact, one of our respondents was a former expert reviewer who quit the job largely because of lack of consultative support provided for that position ("I was uncomfortable with too much power and responsibility in that position, with no support"). One of the SDPA respondents was notably senior in experience and reputation to the expert reviewer on his case (and in fact the respondent is also a former expert reviewer himself). The expert reviewer ruled against this respondent based on what the respondent knew to be erroneous information. Appealing the expert reviewer's findings and recommendations would have required more legal expenses and time than the respondent was willing to put in. Finally, the Board was perceived as "rubber-stamping" the expert reviewer's recommendations without reading the facts of the case. Given the fact that less than 4% of complaints result in investigations, carefully scrutinizing a full case before accepting the expert reviewer's recommendations would seem to be an important function for the full Board. Doing so could lessen the negative impact on the psychologists who come before the Board and also the negative impact on the BoP's credibility when the Board expert reviewer gets it wrong.

If you have any information or input that you think could inform our GAC investigation going forward, please email Dr Janet Farrell at [janetafarrell51@gmail.com](mailto:janetafarrell51@gmail.com). Thank you.

SDPA Government Affairs Committee

Dear Ms. St Clair,

Attached is the article I wrote summarizing some of the results of the survey done by the Government Affairs Committee of the San Diego Psychological Association. It was published in the May, 2022, edition of the SDPA E-News. This article is one in a series of three E-news articles reporting the results of the survey and of the telephone interviews done by the GAC in response to SDPA psychologists' complaints about the California Board of Psychology. The other two articles were written by other GAC psychologists and need their approval to send them to you, which we hope to obtain at tomorrow's GAC meeting. The first article was the quantitative results of our survey, which were similar to the questions in your survey and most probably garnered similar results. The second article was written by two SDPA psychologists who specialize in substance abuse disorders and addressed what they perceived to be the BOP's outdated definitions, labels and rules for substance-using psychologists.

A fourth article that I am in the process of writing has to do with the BOP's treatment of forensic psychologists who do custody evaluations. In my telephone interviews with two esteemed San Diego psychologists who do custody evaluations, they reported that it is typical for psychologists who do custody evaluations to receive a higher-than-average number of complaints to the BOP. These complaints are typically filed by disgruntled parents who are unhappy with the custody evaluator's findings and recommendations. When parents appeal the custody decision made by Family Court and the appeal is denied, the parents have no recourse to sue the custody evaluators. Their only way to express their displeasure is to file a complaint against that psychologist to the BOP. Historically, the BOP has dismissed these complaints. However, recently the BOP has taken up some of these complaints and ruled against the psychologists (based on the Board expert's recommendations). This has had a discouraging effect on forensic psychologists who do custody evaluations, a group that had already been in short supply before some complaints against them were recently validated by the BOP. If psychologists cease to do custody evaluations because of fear of successful parental reprisal at the BOP, the concern is that the children in the Family Court system will lose an expert resource who is acting in the child's best interest. If you wish, I can send this article to you once it is written and published; however, that will not be in time for your publication of your current survey results.

Thank you for accepting the enclosed information in spite of the fact that it is past your initial deadline.

Sincerely,

Janet A. Farrell, Ph.D.  
San Diego, California  
California License PSY9659

**From:** Robert Teel <drteel@drteel.com>

**Sent:** Saturday, September 30, 2023 11:19 AM

**To:** St.Clair, Trisha@DCA <Trisha.St.Clair@dca.ca.gov>

**Cc:** Jennifer Piper <piperjenniferl@gmail.com>; Janet Farrell <janetafarrell51@gmail.com>; Jessica Silsby PsyD <dr.silsby@followyourcompasstherapy.com>; Annette Conway <drconway@helptherapy.com>; Bruce Sachs <drbmsachs@yahoo.com>; Hugh Pates <hughpates@yahoo.com>; Julia Rosengren <drjuliarosengren@gmail.com>; Steve Tess <mstess86@aol.com>; Thaddeus Camlin <thad.camlin@practicalrecovery.com>; Mary Harb Sheets <mary@drmaryharbsheets.com>

**Subject:** BoP research results from the SDPA Governmental Affairs Committee.

**This Message Is From an Untrusted Sender**

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Good morning Ms. St.Clair,

My name is Robert Teel, and I am the chair of the Governmental Affairs Committee of the San Diego Psychological Association (SDPA). Per your discussions with Dr. Janet Farrell and Dr. Mary Sheets, we recently conducted a survey mainly consisting of SDPA members in San Diego regarding their experiences with the BoP investigating the areas of Enforcement and Licensure. From the results, Governmental Affairs Committee has produced four documents listed below:

- The quantitative results writeup (see attached)
- The qualitative results writeup (see document previously sent to you by Dr. Farrell)
- Discussion and recommendations regarding the handling of psychologist with substance abuse problems (see attached)
- Recommendations for the BoP (see attached)
- BoP survey graphed

Despite each of these documents being focused on ways the board of psychology can improve or change their policies/procedures, the vast majority of respondents communicated satisfaction with the BoP, that their interactions with the board met expectations, and respondents perceived the board to be functioning smoothly and effectively.

Please do not hesitate to contact me directly with any questions or concerns,

Robbie Teel, Ph.D.  
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California's Uniform Standards Regarding Substance-Abusing Healing Arts Licensees:  
Key Details, Critiques, and What Licensees Can Expect if Disciplined by the CA BoP

By Tom Horvath, PhD, ABPP and Thaddeus Camlin, PsyD

The Uniform Standards Regarding Substance-Abusing Licensees is a 29-page document, based on and including portions of California Senate Bill 1441 (Ridley – Thomas), and the implementation of that Senate Bill by the Department of Consumer Affairs, Substance Abuse Coordination Committee. The document establishes how “healing arts” providers (physicians, psychologists, dentists, chiropractors, nurses, etc.) are dealt with by their respective licensing boards if the licensee has or is suspected of having substance problems

The name of these standards (and the language throughout this document) is out of date, and pejorative. A better name would be: Uniform Standards Regarding Substance Problems or Suspected Substance Problems in Healing Arts Licensees. However, we can acknowledge how difficult it is to write legislation in language that stays current, given that the DSM gets revised approximately every decade.

What many licensees may not realize is how rigorous (punitive?) these standards are. We need a rapid and effective method for identifying and addressing licensees with substance problems. However, we need to match the response to the problem with approaches consistent with evidence-based substance use treatment. In our experience, the typical response to a licensee with potential substance problems is excessive.

Below is a hypothetical example of the probation requirements imposed by the California Board of Psychology in response to reaching a stipulated agreement with a licensee being disciplined by the Board for a substance-related issue (most commonly DUI). The example is based on reviews of disciplinary cases related to substance use from the California Board of Psychology from 2015 to the present. While the California Board of Psychology usually applies the Uniform Standards a bit differently in each individual case, the standards are often applied similarly when licensees are disciplined for a substance related issue. Ballpark out of pocket cost estimates are also included, but can vary substantially case-to-case.

- **Formal Psychological Evaluation with board approved evaluator** (~\$2000-\$5000).
- **Practice Monitor** – Licensees will likely be required to meet weekly with a licensed psychologist who monitors their practice. Practice monitors must submit quarterly reports to the board attesting to the probationer's safety to practice. The cost is likely the cost of the psychologist's hourly rate (~\$125-\$300/hr, weekly for 5 years = ~\$32,500-\$78,000).
- **Notification to Employer(s)** – Licensees will be required to inform all employers of probation.
- **Treatment** – Level of care can vary based on the recommendations of the formal Psychological Evaluation. However, it is not uncommon for residential treatment to be recommended, the cost of which would only be covered by insurance if the licensee is

diagnosed with a substance use disorder. The cost of one month of residential treatment and four weeks of intensive outpatient treatment can vary substantially, but could reasonably be expected to exceed \$50,000.

- **Ongoing care** – Many licensees disciplined for substance use are required to continue attending either groups or individual therapy after formal substance use treatment concludes. For those who attend groups like 12-Step or SMART Recovery the cost is free, save for optional donations. For licensees who prefer the anonymity of individual therapy, the cost is dependent upon the psychologist's hourly rate and any potential insurance coverage. From what we gather, the board generally requires licensees on probation to receive individual therapy from licensed psychologists (not Master's level therapists or counselors) who specialize in treating addictive problems. Four and a half years of weekly therapy at \$200/hr (~\$46,800).
- **Abstain from Drugs (including Alcohol) and Submit to Biological Fluid Tests** – Licensees on probation for a substance related issue are generally required to submit biological fluid samples for testing about 4x/month for the first two years of probation, then potentially decreasing down to about 1x/month towards the end of the probation period, so long as no positive tests occur. Licensees check in every morning, seven days a week, to see if they are called in for a random test.

Most tests are urine tests, requiring licensees to go into a local health clinic and urinate in front of a staff member at the clinic. However, during COVID the observed collection of biological fluids was achieved by licensees providing saliva samples while on a video call for monitoring. It is unclear if bodily fluid collection continues with saliva and video calls or if collection of biological fluids reverted back to observed urine collections as COVID restrictions eased.

The cost of a single drug test is roughly \$100, but sometimes the board requires blood tests which can be more expensive. The costs for biological fluid testing at the rate of 4x/month for two years (~\$9,600), 2x/month for two years (~\$4,800) and 1x/month for one year (~\$1,200) could reasonably be expected to total approximately \$15,000 or more.

- **Ethics Course** – Licensees are often required to take additional CE/CPD courses in ethics within 90 days of reaching a stipulated settlement with the board. Costs of ethics courses vary, but can reasonably be expected to range from \$25-\$250.
- **Probation Fees** – The board charges annual probation fees (can be paid as you go) that are generally in the range of \$1,500-\$2,500, but these totals can vary (~\$7,500-\$12,500).
- **Investigative costs** – The board passes all costs of investigating the case on to the licensee on probation. Investigative costs vary substantially based on how many resources the board employs to build its case against a licensee, ranging from a few thousand dollars to \$50,000 or more.

- **Obey all laws** – Licensees on probation who are charged with a crime will face revocation of their probation status and license.
- **Quarterly Reports** – Licensees are required to submit quarterly reports to the board attesting to their compliance with all requirements of probation.

In addition to the above requirements, many licensees disciplined for substance use must agree to appear in-person for interviews with the board or its designees at the request of the board and to notify the board of any changes in employment. Licensees on probation are not allowed to supervise psychological trainees during the time of their probation. A license put on probation is usually not permitted by insurance panels, so licensees disciplined for substance issues often have to terminate clinical work with any patients using insurance, something that can be disruptive to patients and costly to licensees.

Altogether, out of pocket costs for licensees vary significantly, but are generally substantial and could exceed \$100,000 for a five-year probation. The out-of-pocket cost estimates do not account for potential lost revenue from pauses in practice and the loss of clients due to no longer being able to accept insurance.

Licensees can petition for early termination halfway through their probation period (e.g. after 2.5 years of a 5 year probation). In a petition for early termination of probation licensees must appear in front of the board during one of their public meetings and the burden of proof of rehabilitation falls on the licensee. In our review of recent cases, the board seems to deny petitions for early termination more than they grant them.

We hope that the California legislature will consider revising this legislation, and that the Department of Consumer Affairs will implement the revised legislation in a flexible manner that protects the public while working with licensees experiencing substance problems responsibly, respectfully, and not punitively.