

**BOARD MEETING**

Westin Los Angeles Airport Hotel  
5400 W. Century Blvd.  
Los Angeles, CA 90045  
(310) 216-5858

**Thursday, May 10, 2018**

Stephen Phillips, JD, PsyD, Board President, called the open session meeting to order at 9:05 a.m. A quorum was present and due notice had been sent to all interested parties.

**Members Present**

Stephen Phillips, JD, PsyD, President  
Nicole J. Jones, Vice-President  
Lucille Acquaye-Baddoo  
Alita Bernal  
Sheryll Casuga, PsyD  
Michael Erickson, PhD  
Seyron Foo  
Jacqueline Horn, PhD

**Others Present**

Antonette Sorrick, Executive Officer  
Norine Marks, DCA Legal Counsel  
Sandra Monterrubio, Enforcement Program Manager  
Cherise Burns, Central Services Manager  
Curtis Gardner, Probation Coordinator

**Agenda Item #2: Presidents Welcome**

Dr. Phillips welcomed the attendees to the Board's quarterly meeting. He read the mission statement.

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

Dr. Phillips explained that public comment is the opportunity for members of the public to make comments on items not on the agenda. He reminded the Board that they could not discuss or act on any of the comments received.

Mark Trustin, Member of the Advisory Board at Ryokan College, stated that Ryokan was engaged in national accreditation and recently switched its focus to regional accreditation. He stated that Ryokan would prefer to allocate their resources to the accreditation process and nothing further.

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

50  
51 Ms. Sorrick provided the Executive Officer's Report.

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53 **Agenda Item #5: DCA Executive Update**

54  
55 Ms. Sorrick provided the Executive Update.

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57 **Agenda Item #6: Petition for Reinstatement – Simone Ravicz, PhD**

58  
59 Administrative Law Judge Cindy F. Forman presided. Deputy Attorney General Brian D. Bill was  
60 present and represented the People of the State of California. Simone Ravicz, PhD, was  
61 present and was represented by Adam Brown, JD.

62  
63 **Agenda Item #7: Petition for Reinstatement – Roberto Velasquez, PhD**

64  
65 Administrative Law Judge Cindy F. Forman presided. Deputy Attorney General Brian D. Bill was  
66 present and represented the People of the State of California. Roberto Velasquez, PhD, was  
67 present and was represented by A. Steven Frankel, PhD, JD.

68  
69 **Agenda Item #8: Petition for Early Termination of Probation – Joan Dawson, PsyD**

70  
71 Administrative Law Judge Cindy F. Forman presided. Deputy Attorney General Brian D. Bill was  
72 present and represented the People of the State of California. Joan Dawson, PsyD, failed to  
73 appear for the hearing.

74  
75 **Agenda Item #9: Closed Session**

76  
77 The Board met in closed session pursuant to Government Code Section 11126(c)(3) to discuss  
78 disciplinary matters including the above Petitions, Proposed Decisions, Stipulations, Petitions  
79 for Reconsideration, and Remands.

80  
81 **Agenda Item #10: Closed Session**

82  
83 The Board met in closed session pursuant to Government Code Section 11126(e) to confer with  
84 and receive advice from Legal Counsel regarding pending litigation.

85  
86 **Friday, May 11, 2018**

87  
88 Stephen Phillips, JD, PsyD, Board President, called the open session meeting to order at 9:02  
89 a.m. A quorum was present and due notice had been sent to all interested parties.

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91 **Members Present**

92 Stephen Phillips, JD, PsyD, President  
93 Nicole J. Jones, Vice-President  
94 Lucille Acquaye-Baddoo  
95 Alita Bernal  
96 Sheryll Casuga, PsyD  
97 Michael Erickson, PhD  
98 Seyron Foo  
99 Jacqueline Horn, PhD

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**Others Present**

Antonette Sorrick, Executive Officer  
Norine Marks, DCA Legal Counsel  
Sandra Monterrubio, Enforcement Program Manager  
Cherise Burns, Central Services Manager  
Stephanie Cheung, Licensing Manager  
Liezal McCockran, Continuing Education and Renewals Coordinator

**Agenda Item #11: Public Comment for Items not on the Agenda. Note: The Board May Not Discuss or Take Action on Any Matter Raised During this Public Comment Section, Except to Decide Whether to Place the Matter on the Agenda of a Future Meeting [Government Code sections 11125 and 11125.7(a)]**

Dr. Phillips explained that the public comment is the opportunity for members of the public to make comments on items not on the agenda. He reminded the Board that they could not discuss or take action on any of the comments received.

Sandy Ross, member of the public, wanted to bring to the Board's attention the issue of child safety in child custody cases. She asked the Board to look at research on child safety issues when addressing complaints. Ms. Ross quoted studies to the Board in hopes to educate the Board as to her concerns.

Jaimie Gay, member of the public, spoke about reunification programs. She stated how these types of programs are unsuccessful, discriminatory based on socioeconomic status, and requested active monitoring of these programs.

Kathleen Russell, Executive Officer for the Center of Judicial Excellence, compared the reunification programs to gay conversion therapy. She stated that she filed a complaint with the Board against a licensee who is part of the reunification programs and the complaint is currently being investigated by the Department of Investigations (DOI).

**Agenda Item #12: Approval of Meeting Minutes: February 15-16, 2018**

Dr. Horn and Ms. Jones provided changes to staff.

It was M(Foo)/S(Horn)/C to approve the minutes as modified.

Vote: 8 aye (Acquaye-Baddoo, Bernal, Casuga, Erickson, Foo, Horn, Jones, Phillips), 0 no

**Agenda Item #13: Budget Report**

Ms. Burns provided the budget report. She stated that there are still problems with the Fi\$CAL program. Dr. Phillips asked about how the Budget Office processes the line items. Ms. Burns stated that the Budget Office has the numbers, but because they cannot generate reports they are unable to provide a break down.

**Agenda Item #14: Enforcement Report**

149 Ms. Monterrubio provided the Board with an overview of Enforcement activity. She stated that  
150 the Enforcement Unit is actively recruiting an Office Technician position. She stated that staff  
151 had conducted expert training on April 13, 2018. Experts were trained in writing analyses,  
152 working with the Board's investigative unit, and testifying at administrative hearings. Board staff,  
153 the Office of Attorney General and the Board's Investigative unit assisted with the training. She  
154 stated that since July 1, 2017 a total of 926 complaints have been received. Ms. Monterrubio  
155 talked about Performance Measure 4 which tracks the timeline of investigations. She broke  
156 down the processes in each phase of investigations and how long it takes Board staff to  
157 process. Ms. Monterrubio provided the Board with the Probation Program statistics, indicating  
158 that there are currently 49 probationers, 18 of which are out of compliance.  
159

160 Ms. Jones requested the breakdown of the Board's performance measures in the legislative visit  
161 presentation.  
162

163 The Board Members asked Ms. Monterrubio questions regarding the enforcement activity. She  
164 stated that since the Board moved from Health Quality Investigation Unit (HQIU) to the  
165 Department of Investigations (DOI), PM4b, which is the investigation length of time, has  
166 reduced significantly. She stated that only sexual misconduct on the part of the psychologist  
167 cases are still referred to HQIU. Ms. Monterrubio stated that although she does not know the  
168 statistics for PM4 for other boards and bureaus, she does know that other boards and bureaus  
169 are having a difficult time reaching the PM4 goal set forth by the Department. Ms. Monterrubio  
170 also stated that there are currently eight enforcement staff members and each staff member is  
171 working on 90 – 110 cases with a turnaround time of 10 days.  
172

173 Kathleen Russell, Center for Judicial Excellence, asked to see a copy of the legislative visit  
174 presentation. She also asked if licensees who have multiple complaints are being fast tracked,  
175 and if not, then why not.  
176

177 Ms. Monterrubio stated that the issue of licensees receiving multiple complaints was discussed  
178 at the Berkeley meeting on September 16, 2017. She stated that for each complaint received,  
179 staff reviews the licensee's entire enforcement history, compares allegations in prior complaints  
180 to what is being alleged in the current complaint, and each case gets evaluated individually to  
181 determine how to proceed.  
182

183 Jaimie Gay, member of the public, asked if an allegation of child abuse by a psychologist is  
184 moved up in priority and whether psychologists who work for the court have immunity from the  
185 Board. Ms. Monterrubio stated that staff follows the DCA Prioritization Guidelines which  
186 emphasize which cases are formally investigated by Division of Investigation and which cases  
187 are investigated by Board staff.  
188

189 Dr. Jo Linder-Crow, California Psychological Association (CPA), asked the Board for more  
190 information on the legislative visits. She also asked how the Board is addressing the issue of  
191 lengthy processing times.  
192

193 Ms. Jones stated that when she mentioned legislative visits, she was referring to the visits made  
194 this past February to the legislature which were talked about in the last Policy and Advocacy  
195 meeting. She reiterated that there were no new visits made. Dr. Phillips stated that the Board  
196 switched from HQIU to DOI to reduce the processing times. He also stated that Board staff is  
197 actively working with Gloria Castro, the Senior Assistant Attorney General of the Health Quality  
198 Enforcement Section Civil Division, to improve processing times.

199 Kathleen Russell, Center for Judicial Excellence, asked Board staff if they can explain what an  
200 interim suspension order is and to also provide the definition of Penal Code 23. Mr. Templet,  
201 Deputy Attorney General, explained how the application of Penal Code 23 fits in the  
202 investigation phase for specific types of cases to restrict the practice of a licensee and that the  
203 order is issued by the criminal court.  
204

205  
206 Jamie Gay, member of the public, asked what is the substantial evidence needed to file a  
207 complaint through the Board. Mr. Templet stated that for action to be taken against a licensee,  
208 the burden of proof is "clear and convincing" evidence.  
209

210 Sandy Ross, member of the public, wanted to thank the Board for the report as it helps provide  
211 a better understanding.  
212

213 **Agenda Item #15: Enforcement Committee Report and Consideration of Committee**  
214 **Recommendations**

215  
216 **a) Amendments to Title 16 CCR Section 1395.2 – Disciplinary Guidelines**  
217

218 Ms. Acquaye-Baddoo stated that the Enforcement Committee met on March 8-9, 2018 to make  
219 the proposed changes to the Disciplinary Guidelines. The Committee also reviewed and made  
220 changes to the complaint forms and to the acknowledgement and closure letters.  
221

222 The Board and Ms. Marks provided their edits on pages 3 – 15 of the Disciplinary Guidelines to  
223 staff.  
224

225 Dr. Elizabeth Winkelman, CPA, requested that the Board consider changing the language  
226 where it states that sexual misconduct is an automatic revocation (lines 192-196 of the  
227 Guidelines). She stated that behaviors such as hand holding may be inappropriate but should  
228 not merit automatic revocation.  
229

230 Discussion ensued regarding the reference to sexual misconduct and Ms. Marks clarified that  
231 when there is sexual contact involved, there is no discretion by the Administrative Law Judge  
232 regarding the discipline imposed pursuant to statute. Mr. Templet stated that sexual misconduct  
233 is broad but the law itself relating to revocation uses the specific term of sexual contact, which is  
234 narrow.  
235

236 Dr. Phillips stated the discussion will be continued after the Board meets in closed session.  
237

238 **Agenda Item #9: CLOSED SESSION**  
239

240 The Board met in closed session pursuant to Government Code Section 11126(c)(3) and  
241 11126(e) to discuss disciplinary matters including Petitions, Proposed Decisions, Stipulations,  
242 Petitions for Reconsideration, Remands.  
243

244 **Agenda Item #10: CLOSED SESSION**  
245

246 The Board Met in Closed Session Pursuant to Government Code Section 11126(e) to Confer  
247 with and Receive Advice from Legal Counsel Regarding Pending Litigation.  
248

249 **Agenda Item #19 – Overview of the Role in the Office of the Attorney General in the**  
250 **Administrative Enforcement Process – Office of the Attorney General**

251  
252 Gloria L. Castro, Senior Assistant Attorney General of the Health Quality Enforcement Section,  
253 Civil Division, from the Office of the Attorney General and Joshua Templet, Deputy Attorney  
254 General, provided an overview of the role of the Office of the Attorney General in the  
255 Administrative Enforcement Process.

256  
257 Once the presentation concluded, the Board asked how long prior discipline stays on record  
258 with the Health Quality Enforcement Section Civil Division. Mr. Templet stated that he has seen  
259 records for 10 years, and Ms. Castro confirmed that prior discipline is considered by the Office  
260 of the Attorney General's Office especially when it is related to the same topic they were  
261 disciplined for in the past. Ms. Monterrubio stated that, for the Board of Psychology, prior  
262 discipline stays on file indefinitely and that information is transmitted to the Office of the Attorney  
263 General with the case. The Board also asked about the Office of the Attorney General's success  
264 rate in prosecuting Board cases and if this was due to adequately vetting cases before  
265 proceeding to prosecution. Ms. Castro confirmed that this is part of the liaising process and  
266 strengthens cases to meet the burden of proof, and for this Board, there is a good rate with only  
267 two withdrawn cases of the 30 in their current report. The Board also asked if the Office of the  
268 Attorney General has its own prioritization guidelines or tool. Ms. Castro stated that although  
269 their office was not involved in the process of setting the DCA Prioritization Guidelines, they are  
270 aware of them, and the Office of the Attorney General can work with those standards and the  
271 needs of the Board. She also stated that highly complex and sensitive cases like the ones the  
272 Board has can take longer than the time DCA established for performance measures.

273  
274 A member of the public stated that she is an international journalist caught in a custody battle in  
275 Los Angeles. She wanted to know how a court appointed psychologist is vetted and who  
276 oversees them. She stated there is a lack of oversight of the evaluators.

277  
278 Ms. Castro stated that the Board does have a history of issuing discipline on child custody  
279 evaluators; however, it is very case-specific and each case is weighed on its own merits.

280  
281 Kathleen Russell asked if "simple cases", which are those involving conviction of a crime,  
282 dishonesty or fraud and discipline by another state, are handled more quickly. Also, she would  
283 like to know why revocations are so rare for even egregious behavior.

284  
285 Ms. Castro stated that the use of the term "simple" means that an expert is not needed to make  
286 the legal determination to file a determination. She stated she does not have the data, but these  
287 types of cases can have a shorter course of investigation by the agency. Ms. Castro addressed  
288 the issue of revocations and stated she does not have the exact statistics of revocations, but a  
289 license is a property right so the proceedings require adequate consideration of due process for  
290 the licensee. Licensees who lose their license are required to rehabilitate and provide evidence  
291 of how they are ready for reinstatement at a petition hearing where the Office of the Attorney  
292 General represents the people of California.

293  
294 The Board asked Ms. Castro and Mr. Templet to explain how the Topanga case ruling affects  
295 the Board in terms of revocation and the disciplinary cases that come before the Board. Ms.  
296 Marks provided a brief description of the Topanga case stating that it is related to the analytical  
297 framework that must be demonstrated in any of the decisions issued by the Board. The decision  
298 must show that the evidence supports the factual findings and the factual findings support the

299 legal conclusions. Ms. Castro stated that it usually affects cases that reach the Superior Court  
300 by way of a writ rather than through administrative hearings.

301  
302 Ms. Sorrick asked Ms. Castro to speak to Health Quality Investigative Unit's involvement in  
303 negotiating the surrender of a license. Ms. Castro stated that discoveries are made as early as  
304 possible and provided to opposing counsel. She stated that many of the Board's licensees have  
305 counsel who can advise the licensee to surrender their license. Surrenders are ideal for cases  
306 where licensees cannot demonstrate rehabilitation to the Board in accordance with the  
307 Disciplinary Guidelines. Mr. Templet stated that surrenders are a very helpful tool for both  
308 parties to streamline the process in those specific cases.

309  
310 **Agenda Item #15: Enforcement Committee Report and Consideration of Committee**  
311 **Recommendations (Continued)**

312  
313 **a) Amendments to Title 16 CCR Section 1395.2 – Disciplinary Guidelines (Continued)**

314  
315 The Board and members of the public provided their edits/suggestions on the remaining pages  
316 of the Disciplinary Guidelines to staff.

317  
318 Dr. Schaeffer, Division 2 CPA, stated that the provisions on Tolling for Ceased Practice were  
319 confusing and lacked clarity. Dr. Phillips provided an example of how this mechanism works,  
320 which provided clarity for Dr. Schaeffer.

321  
322 Ms. Jones suggested that for the technical grammatical items, the Board could delegate to staff  
323 to make the changes suggested by Board Members. Ms. Marks provided language for such a  
324 motion and asked if there was any additional clarity needed in the language that Dr. Schaeffer  
325 asked about. Ms. Jones stated that the issue Dr. Schaeffer raised is a good reminder that  
326 educational materials with specific examples are needed for implementation rather than a  
327 change to the language itself. Ms. Sorrick stated that the Initial Statement of Reasons requires  
328 the changes to be explained and this would be a good place to include this clarifying  
329 information.

330  
331 No further public comment was received.

332  
333 It was M(Phillips)/S(Casuga)/C to approve the language for noticing and set for hearing.

334  
335 Vote: 8 aye (Acquaye-Baddoo, Bernal, Casuga, Erickson, Foo, Horn, Jones, Phillips), 0 no

336  
337 It was M(Jones)/S(Erickson)/C to delegate to the Executive Officer the authority to initiate  
338 rulemaking and to make any non-substantive changes including grammatical changes.

339  
340 Vote: 8 aye (Acquaye-Baddoo, Bernal, Casuga, Erickson, Foo, Horn, Jones, Phillips), 0 no

341  
342 The Board suggested edits on the Complaint Form, acknowledgement letters, and closure  
343 letters. The Board members asked a question about the language in the authorization for  
344 release of patient information and if this language is too narrow for our licensees who provide an  
345 array of psychological services outside of healthcare settings. Discussion ensued on this issue  
346 and it was determined that the Board would send the Complaint Form back to the Committee  
347 with general suggestions that can be finalized at the Committee.

348

349 Kathleen Russell, Center of Judicial Excellence, commended the Board for revising these forms  
350 and letters and suggested including the DCA Prioritization Guidelines with the Complaint Form  
351 to better educate consumers filing complaints. Discussion ensued regarding the DCA's  
352 prioritization guidelines and which version would be included in the Complaint Form. Ms.  
353 Monterrubio explained it will be printed on the back of the Complaint Form.

354  
355 A member of the public asked if an acknowledgement letter was sent to all complainants. Ms.  
356 Monterrubio confirmed that an acknowledgement letter is sent for every complaint that is  
357 opened. She also stated that staff's average response time for the enforcement email,  
358 [BOPenforcement@dca.ca.gov](mailto:BOPenforcement@dca.ca.gov), is about two to three working days.

359  
360 Dr. Schaeffer, Division 2 CPA, commented that it could be helpful to email these forms to  
361 recipients so there is a record of the letter being sent. Ms. Monterrubio stated that a copy of all  
362 letters is included in the complaint file.

363  
364 It was M(Jones)/S(Horn)/C to accept the Enforcement Committee's report.

365  
366 Vote: 8 aye (Acquaye-Baddoo, Bernal, Casuga, Erickson, Foo, Horn, Jones, Phillips),  
367 0 no

368  
369 Kathleen Russell, Center of Judicial Excellence, asked about the different types of letters and  
370 whether the psychologist and complainant are informed of the status of the complaint when a  
371 complaint is opened, and an investigation moves forward. Ms. Monterrubio stated that all  
372 complainants are sent an acknowledgement letter, but status update letters are not sent out due  
373 to workload. She stated that anyone can call at any time to get an update on the status of his or  
374 her case.

375  
376 Dr. Linder-Crow, CPA, asked whether a psychologist who is the subject of a complaint can call  
377 and get an update on the status at any time. Ms. Monterrubio confirmed that they can.

378  
379 Dr. Winkelman asked if psychologists are informed when an investigation is opened, or a  
380 complaint is received. Ms. Monterrubio confirmed when and under what circumstances the  
381 licensee is informed of an investigation, noting that no contact will be made to the licensee if the  
382 Board does not have jurisdiction or if there is an undercover investigation.

383  
384 **Agenda Item #18: Licensing Committee Report and Consideration of Committee**  
385 **Recommendations**

386  
387 a) Standardization of Training Categories

388 b) Pathways to Licensure:

389 1) Proposed Amendments to Business and Professions Code:

390 §§ 25, 28, & 2915.5 (Training in Human Sexuality, Child, Elder, and  
391 Dependent Adult Abuse Assessment and Reporting, and Aging and  
392 Long-term Care);

393 • § 27 (Disclosure of Information);

394 • § 2903 (Licensure Requirements);

395 • §§ 2909, 2909.5, 2910, & 2911 (Exemptions);

396 • § 2913 (Psychological Assistant);

397 • § 2914 (Applicant's Requirement);



- 398 • § 2915 (Continuing Professional Development);
- 399 • §§ 29 & 2915.7 (Continuing Education: Chemical Dependency and
- 400 Alcoholism and Aging and Long-term Care)
- 401 • §§ 2940 & 2941 (Application and Examination Fees);
- 402 • §§ 2942, 2943, & 2944 (Examination Time and Subjects);
- 403 • § 2946 (Reciprocity and Temporary Practice);
- 404 • § 2948 (Issuance of License); and
- 405 • § 2960 (Grounds for Disciplinary Action)
- 406
- 407 2) Proposed Amendments to Title 16 of the California Code of Regulations:
- 408 • § 1380.3 (Definitions);
- 409 • §§ 1381, 1381.1, & 1381.2 (Applications);
- 410 • § 1381.4 (Failure to Appear for an Examination);
- 411 • § 1381.5 (Failure to Pay Initial License Fee);
- 412 • § 1381.6 (Permit Processing Times);
- 413 • §§ 1382, 1382.3, 1382.4, 1382.5, & 1382.6 (Pre-licensing Courses);
- 414 • § 1386 (Evaluation of Education);
- 415 • § 1387 (Supervised Professional Experience);
- 416 • §§ 1387.1 & 1387.2 (Qualifications of Primary and Delegated Supervisors);
- 417 • § 1387.3 (Non-Mental Health Services);
- 418 • § 1387.4 (Out-of-State Experience);
- 419 • § 1387.5 (SPE Log);
- 420 • §§ 1388, 1388.6, 1389, & 1389.1 (Examinations-
- 421 Waiver/Reconsideration);
- 422 • §§ 1387.7, 1390, 1390.1, 1390.2, & 1390.3 (Registered Psychologists);
- 423 • §§ 1387.6, 1391, 1391.1, 1391.2, 1391.3, 1391.4, 1391.5, 1391.6, 1391.7,
- 424 1391.8, 1391.10, 1391.11, & 1391.12 (Psychological Assistants);
- 425 • § 1392.1 (Psychological Assistant Fees); and
- 426 • § 1397.71 (CE Provider Status)
- 427

428 Dr. Phillips stated that because of time constraints, the Board would proceed to Item 18c and  
 429 will continue the above-mentioned items to the next Board meeting.

430

431 c) Consideration of Licensing Committee Recommendations Regarding an Extension of the 72-  
 432 Month Registration Period Limitation for Registered Psychological Assistant Pursuant to Section  
 433 1391.1(b) of Title 16 of the California Code of Regulations

434

435 Dr. Horn provided a summary of PSB #1's extension request.

436

437 It was M(Acquaye-Baddoo)/S(Erickson)/C to accept the committee's recommendation to deny  
 438 the request for a 10 to 15-year extension of the 72-month limitation for the psychological  
 439 assistant registration, but to grant a one-year period of extension from the current expiration  
 440 date of the registration to make any necessary arrangements.

441

442 Vote: 8 aye (Acquaye-Baddoo, Bernal, Casuga, Erickson, Foo, Horn, Jones, Phillips), 0 no

443

444 **Agenda Item #21: Legislative Update**

445

446 a) Sponsored Legislation for the 2018 Legislative Session: Review and Potential Action,  
447 Recommendations to the Full Board

448 1) AB 2968 (Levine) – Amend Sections of the Business and Professions Code Regarding the  
449 Brochure Addressing Sexual Contact Between a Psychotherapist and a Patient

450  
451 Ms. Jones provided an update on the bill stating that this bill heads to the Assembly Committee  
452 on Appropriations for its next hearing. Ms. Jones stated that no action needs to be taken.  
453

454 b) Newly Introduced Bills – Review of Bill Analyses and Potential Action to Recommend  
455 Positions to the Full Board

456 1) Recommendations for Active Positions on Bills

457 A. AB 282 (Jones-Sawyer) – Aiding, Advising, or Encouraging Suicide: Exemption from  
458 Prosecution

459  
460 Ms. Burns provided an overview of the bill stating this bill codifies the intent of the End of Life  
461 Option Act to create a safe and legal way for physicians and psychologists to assist individuals  
462 suffering from terminal illnesses to die with dignity. This bill simply codifies that professionals'  
463 participation in this process, when done in compliance with the End of Life Option Act, is not a  
464 prosecutable offense.  
465

466 It was M(Foo)/S(Casuga)/C to support AB 282.

467  
468 Vote: 7 aye (Bernal, Casuga, Erickson, Foo, Horn, Jones, Phillips), 1 no (Acquaye-Baddoo)  
469

470 B. AB 1779 (Nazarian) – Sexual Orientation: Change Efforts

471  
472 Ms. Burns stated that the author is no longer pursuing this bill.  
473

474 C. AB 2044 (Stone) – Child Custody: Safety of the Child

475  
476 Ms. Burns stated this bill would require, when considering the factors for child custody  
477 determination, or in overcoming the presumption against the award of sole or joint legal or  
478 physical custody to a person who has perpetrated domestic violence, that the safety of the child  
479 have priority over all other considerations. Ms. Burns stated that during the Policy and Advocacy  
480 Committee meeting, the Committee voted to watch AB 2044 and delegate to staff and a  
481 Committee Member to contact Assembly Member Stone for additional information on possible  
482 unintended consequences on the provision relating to the rebuttable presumptions for custody  
483 and visitation.  
484

485 D. AB 2138 (Chiu) – Licensing Boards: Denial of Application: Criminal Conviction

486  
487 Ms. Jones stated that the Committee recommends an Oppose position. Ms. Burns stated the  
488 Committee recommends the Oppose position due to the bill's potential to diminish consumer  
489 protections integrated into the Board's licensing and enforcement processes and its  
490 infringement upon the Board's legislative mandate of consumer protection. Additionally, this bill  
491 would impose impossible deadlines on the Board's petition process. Ms. Marks stated that in  
492 addition to the 90-day timeline to hear petitions for early termination of probation, it would be  
493 deemed granted if it was not heard within the 90 days.  
494

495 It was M(Erickson)/S(Acquaye-Baddoo)/C to take an Oppose position to AB 2138.

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Mr. Foo asked if this is related to the ban the box campaign and asked what the response of other boards has been to this bill and if other boards have taken a position. Ms. Burns stated that they were receptive to these concerns and stated that other boards had other issues with this bill. Ms. Burns stated that she is unsure if some boards have taken an actual position yet, but others have expressed their concerns. Discussion ensued about the process for expressing the Board's concerns with the author and how and when an Oppose Unless Amended position is recommended.

Vote: 7 aye (Acquaye-Baddoo, Bernal, Casuga, Erickson, Horn, Jones, Phillips), 1 no (Foo)

E. AB 2943 (Low) – Unlawful Business Practices: Sexual Orientation Change Efforts

Ms. Burns stated that this bill would include, as an unlawful practice, prohibited under the Consumer Legal Remedies Act (CLRA), advertising, offering to engage in, or engaging in sexual orientation change efforts with an individual.

It was M(Foo)/S(Casuga)/C to adopt a Support position

Vote: 8 aye (Acquaye-Baddoo, Bernal, Casuga, Erickson, Foo, Horn, Jones, Phillips), 0 no

F. SB 1125 (Atkins) – Federally Qualified Health Center and Rural Health Clinic Services

Ms. Jones stated this bill would allow Medi-Cal reimbursement for a patient receiving medical services at a federally qualified health center or rural health clinic, to receive both medical services and to obtain mental health services on the same day they receive the medical services.

It was M(Bernal)/S(Acquaye-Baddoo)/C to adopt a Support position.

Vote: 8 aye (Acquaye-Baddoo, Bernal, Casuga, Erickson, Foo, Horn, Jones, Phillips), 0 no

2) Recommendations from Committee to Watch Bills

J. AB 2143 (Caballero) – Licensed Mental Health Service Provider Education Program: Providers

Ms. Burns stated that staff would like to talk about this bill. She stated that this bill relates to the current Licensed Mental Health Service Provider Education Program within the Health Professions Education Foundation (HPEF). This bill would add physician assistants who work in psychiatric mental health settings and psychiatric-mental health nurse practitioners to those licensed mental health service providers eligible for grants. There were amendments made on May 7, 2018 that stated that the added professionals would then have access to the Mental Health Fund which is currently only for individuals whose educational loans were incurred to become licensed psychologists. Staff recommends taking an Oppose position on this bill.

It was M(Horn)/S(Acquaye-Baddoo)/C to adopt an Oppose position.

Vote: 8 aye (Acquaye-Baddoo, Bernal, Casuga, Erickson, Foo, Horn, Jones, Phillips), 0 no

545 Ms. Jones stated that the Board would continue to Watch the rest of the bills in this section and  
546 the section on 2-year Watch bills. Item d was omitted due to time constraints.  
547

548 **Agenda Item #22: Legislative Items for Future Meeting. The Board May Discuss Other**  
549 **Items of Legislation in Sufficient Detail to Determine Whether Such Items Should be on a**  
550 **Future Board Meeting Agenda and/or Whether to Hold a Special Meeting of the Board to**  
551 **Discuss Such Items Pursuant to Government Code Section 11125.4**  
552

553 Dr. Horn asked if there was an update on CANRA. Ms. Jones stated that there is nothing new to  
554 report, but it will be added to the next meeting agenda.  
555

556 Mr. Foo asked that even though the Board took an Oppose position on AB 2138 if the Board  
557 can revisit this legislation and get an update in the August Board meeting. Ms. Jones stated that  
558 the Board will be provided with updates regardless of the position taken.  
559

560 There were no legislative items for future agendas.  
561

562 **Agenda Item #24: Regulatory Update, Review, and Consideration of Additional Changes**

- 563 a) 16 CCR Sections 1391.1, 1391.2, 1391.5, 1391.6, 1391.8,  
564 1391.10, 1391.11, 1391.12, 1392.1 – Psychological Assistants  
565 b) 16 CCR Section 1396.8 – Standards of Practice for Telehealth  
566 c) 16 CCR Sections 1381.9, 1381.10, 1392 – Retired License,  
567 Renewal of Expired License, Psychologist Fees  
568 d) 16 CCR Sections 1381.9, 1397.60, 1397.61, 1397.62, 1397.67  
569 – Continuing Professional Development  
570 e) 16 CCR Sections 1381.9, 1381.10, and 1392 - Retired  
571 Psychologist License: Issuance of a License in Retired Status  
572

573 For the sake of time, updates on the above-mentioned items will be provided in the August  
574 Board Meeting.  
575

576 **Agenda Item #23: Overview Presentation of the Legislative Process**  
577

578 Ms. Jones noted that due to time constraints the Board would not discuss this item specifically  
579 as it was for informational purposes only.  
580

581 **Agenda Item #25: EPPP2 Task Force Report**  
582

583 Dr. Horn recused herself from this agenda item and left the room as she is an employee of the  
584 Association of State and Provincial Psychology Boards (ASPPB) which currently owns the  
585 EPPP and is working on the development of the EPPP Part 2.  
586

587 Dr. Casuga, Chair of the EPPP2 Task Force, provided the Board with a summary of the EPPP2  
588 Task Force meeting that took place on April 5, 2018. After the Task Force meeting, it was  
589 decided that the Task Force would send a letter to ASPPB expressing their concerns to ASPPB.  
590 The Task Force will be meeting again on June 29, 2018 and is expecting a response from  
591 ASPPB by then. Mr. Foo wanted to acknowledge Dr. Casuga's expert navigation and leadership  
592 of the large and diverse Task Force and expressed his gratitude.  
593

594 **Agenda Item #28: President's Report**

595

596 a) **2018 Meeting Calendar and Locations**

597

598 The 2018 Meeting Calendar and locations was provided to the Board for informational  
599 purposes. There were no Board or public comments

600

601 **b) Committee Update**

602

603 Dr. Phillips stated that there is still a vacancy on the Board. He also stated that there are no  
604 committee changes at this time.

605

606 **Agenda Item #29: Election of Vice President**

607

608 Ms. Marks stated the two Vice-President nominations from the February Board Meeting were  
609 Ms. Bernal and Mr. Foo. Discussion ensued whether we needed to open it for additional  
610 nominations or start over so that all nominees could accept their nomination.

611

612 It was M(Acquaye-Baddoo)/S(Foo)/C to move to re-open for additional nominations for Vice  
613 President.

614

615 Ms. Bernal accepted her nomination.

616

617 Vote: 8 aye (Acquaye-Baddoo, Bernal, Casuga, Erickson, Foo, Horn, Jones, Phillips), 0 no

618

619 Ms. Marks asked those who wish to vote for Ms. Bernal to say aye.

620

621 Vote: 8 aye (Acquaye-Baddoo, Bernal, Casuga, Erickson, Foo, Horn, Jones, Phillips), 0 no

622

623 Ms. Jones provided suggestions to better the utilization of the Vice President.

624

625 **Agenda Item #30: Recommendations for Agenda Items for Future Board Meetings. Note:**  
626 **The Board May Not Discuss or Take Action on Any Matter Raised During This Public**  
627 **Comment Section, Except to Decide Whether to Place the Matter on the Agenda of a**  
628 **Future Meeting [Government Code Sections 11125 and 11125.7(a)]**

629

630 Dr. Horn spoke about continuing education and asked for an update on the Continuing  
631 Professional Development (CPD) regulations. Ms. McCockran stated that she is currently  
632 working on the Initial Statement of Reasons.

633

634 Mr. Foo asked about probation's tolling process. Ms. Sorrick stated that in the next Enforcement  
635 Committee meeting, the Committee will provide an overview of tolling and how it works. Dr.  
636 Phillips stated that is an issue to first address in the Enforcement Committee then bring it to the  
637 full board.

638

639 Dr. Casuga had a follow up question regarding student participation in Board Meetings and  
640 highlighting items students will be interested in such as the EPPP2. Ms. Sorrick stated that the  
641 agenda is sent out to the stakeholders list.

642

643 Ms. Marks wanted to follow up on what Ms. Jones suggested about the review of the  
644 Administrative Procedure Manual and possible amendments to the manual to reference the  
645 nomination of officers.

646  
647 The following agenda items were moved to the August Board Meeting due to time restrictions:  
648

649 **Agenda Item #26: Outreach and Education Committee Report**

- 650 a) Strategic Plan
- 651 b) Communications Plan
- 652 c) Website
- 653 d) Social Media
- 654 e) Newsletter
- 655 f) Outreach Activities
- 656 g) Update on Outreach Plan for High Schools, Community Colleges, and  
657 State and University System to Increase Licensing Population
- 658 h) Two-Year Outreach and Education Campaign Update
- 659 i) DCA Brochure "Professional Therapy Never Includes Sex" – Update

660  
661 This agenda item will be discussed at the August Board Meeting.  
662

663 **Agenda Item #27: PsyPACT – Status of PsyPACT and Review of Board Concerns and**  
664 **Feedback**

665  
666 This item is for informational purposes only.  
667

668 **CLOSED SESSION**

669  
670 **Agenda Item #9**

671 The Board Met in Closed Session Pursuant to Government Code Section 11126(c)(3) and  
672 11126(e) to Discuss Disciplinary Matters Including Petitions, Proposed Decisions, Stipulations,  
673 Petitions for Reconsideration, and Remands.

674  
675 Meeting adjourned at 5:07 p.m.

676  
677  
678 \_\_\_\_\_  
President

8/27/18  
\_\_\_\_\_  
Date