

1 **BOARD MEETING**

2
3 The Wright Institute
4 2728 Durant Avenue, Room 109/110
5 Berkeley, CA 94704
6 (510) 841-9230
7

8 **Thursday, August 16, 2018**

9
10 Stephen Phillips, JD, PsyD, Board President, called the open session meeting to order
11 at 9:15 a.m. A quorum was present and due notice had been sent to all interested
12 parties.
13

14 **Members Present**

15 Stephen Phillips, JD, PsyD, President
16 Alita Bernal, Vice-President
17 Lucille Acquaye-Baddoo
18 Michael Erickson, PhD
19 Seyron Foo
20 Jacqueline Horn, PhD
21

22 **Others Present**

23 Antonette Sorrick, Executive Officer
24 Norine Marks, DCA Legal Counsel
25 Sandra Monterrubio, Enforcement Program Manager
26 Curtis Gardner, Probation Monitor
27 Jason Glasspiegel, Central Services Coordinator
28

29 **Agenda Item #2: Presidents Welcome**

30
31 Dr. Phillips welcomed the attendees to the Board's quarterly meeting and thanked the
32 Wright Institute for allowing the Board to hold their quarterly meeting on school grounds.
33 He read the Board's mission statement.
34

35 **Agenda Item #3: Public Comment for Items not on the Agenda. The May Not**
36 **Discuss or Take Action on Any Matter Raised During this Public Comment**
37 **Section, Except to Decide Whether to Place the Matter on the Agenda of a Future**
38 **Meeting [Government Code sections 11125 and 11125.7(a)]**
39

40 No public comments were made.
41

42 **Agenda Item #4: President's Report**

43

44 Dr. Phillips spoke about the 2019 draft meeting calendar. He explained that a majority of
45 the first day is dedicated to petition hearings. He also stated that staff recommended
46 adding a day to the Los Angeles Meeting or adding a 5th meeting.

47

48 The Board discussed their preference of adding a day to a Board meeting. Consensus
49 amongst the Board members was adding a day to the April 5, 2019 Board meeting.

50

51 Dr. Phillips stated that at the end of the second day there is going to be an agenda item
52 that will be discussing how Board members indicate their interest in being nominated for
53 President and Vice President for November 2018. He read the duties and
54 responsibilities for the President and Vice President.

55

56 **Agenda Item #5 – Executive Officer’s Report**

57

58 Ms. Sorrick provided the Executive Officer’s Report

59

60 **Agenda Item #6 – Petition for Early Termination of Probation – Maurizio Assandri,**
61 **PhD**

62

63 Administrative Law Judge Karen Reichmann presided. Deputy Attorney Brenda Reyes
64 was present and represented the People of the State of California. Maurizio Assandri,
65 PhD, was present and represented himself.

66

67 **Agenda Item #7 – Petition for Early Termination of Probation – Angie Maez, PhD**

68

69 Administrative Law Judge Karen Reichmann presided. Deputy Attorney Brenda Reyes
70 was present and represented the People of the State of California. Angie Maez, PhD,
71 was present and represented by Alan Kaplan, JD.

72

73 **Agenda Item #8 – Closed Session**

74

75 The Board Will Meet in Closed Session Pursuant to Government Code
76 Section 11126(c)(3) to Discuss Disciplinary Matters Including the Above Petitions,
77 Proposed Decisions, Stipulations, Petitions for Reconsideration, and Remands.

78

79 **Agenda Item #9 – Closed Session**

80

81 The Board will meet in Closed Session Pursuant to Government Code Section 11126(e)
82 to Confer with and Receive Advice from Legal Counsel Regarding Pending Litigation.

83

84 **Agenda Item #10 – Review and Consider Options for Knowledge and/or Skill**
85 **Based Examination(s) for Purposes of Licensure**

86

87 Dr. Horn recused herself for this agenda item because she works for the Association of
88 State and Provincial Psychology Boards (ASPPB), the organization that created the
89 Examination for Professional Practice in Psychology Part 2 (EPPP2).

90

91 Dr. Phillips stated that Dr. Matt Turner, Head of the Examination team, from ASPPB will
92 be presenting information to the Board regarding the EPPP2.

93

94 Dr. Phillips asked Dr. Turner what was the evidence base that showed a skill portion of
95 the exam was required. Dr. Turner stated that ASPPB has not been assessing skills and
96 that was a critique of the EPPP.

97

98 Ms. Acquaye-Baddoo asked about the diversity between item writers. Dr. Turner
99 showed a picture of the attendees of the item writer workshop and spoke about what
100 their job entails.

101

102 Dr. Turner stated most doctoral level healthcare professions have two to three exams:
103 knowledge exams that are typically done after coursework, a skills exam that are
104 completed closer to licensure, and medical doctors have an additional exam that is an
105 observation of skills. Dr. Turner stated that rather than an observational exam, he
106 thought that ASPPB could demonstrate skills on a computer based program.

107

108 Gil Newman, Vice President of Academic Affairs of the Wright Institute, stated his
109 concerns about the process for taking this exam and how it might create a longer delay
110 in receiving a license and impact the graduate curriculum. Dr. Turner stated that ASPPB
111 will be providing the Board with more information, referring to the letter the Board is
112 awaiting in response to their concerns. Dr. Turner also stated that the earlier a student
113 takes the exam the more likely they are to pass. He stated that students gain a
114 foundational training and as they get closer to licensing some of that may be forgotten
115 and that inadvertently fuels the test prep industry, he does believe the ability to take the
116 exam earlier would be cheaper and provide an advantage.

117

118 Discussion ensued regarding the EPPP and some of the Board member's personal
119 experiences in taking the exam, and the item writer's educational backgrounds.

120

121 Mr. Pulliati, California Psychology Internship Council (CAPIC), asked where is the
122 evidence showing the EPPP2 is needed and that it will solve the perceived problems.

123

124 Dr. Turner stated the reasoning for the EPPP2 is that there is not a legally defensible
125 way to assess skills. He stated that historically ASPPB has not collected ethnicity data
126 because some jurisdictions had legal prohibition; however, not being part of the
127 jurisdictions, the ASPPB Board has voted to start collecting that data. Dr. Turner stated
128 that now ASPPB can do item level analysis and that will allow ASPPB to look at red flag
129 items that show performance differentially and have those items reviewed to reduce the
130 probability of bias.

131

132 Dr. Jo Linder-Crow, Chief Executive Officer (CEO) of the California Psychological
133 Association (CPA), asked Dr. Turner to clarify his concern about the implementation
134 date of 2020. Dr. Linder-Crow also asked that the Board, as well as ASPPB, look at the
135 accommodations for individuals with disabilities.

136
137 Dr. Turner stated that the implementation date is still being discussed, and the Board of
138 Directors are going to send a letter to all jurisdictions once it is finalized as well as
139 address all other concerns. Dr. Turner stated that ASPPB is looking at how to develop
140 an exam that can be administered in a different way if needed.

141
142 Mr. Foo provided the EPPP2 taskforce report.

143
144 **August 29, 2018**

145
146 **Members Present**

147 Stephen Phillips, JD, PsyD, President
148 Alita Bernal, Vice-President
149 Lucille Acquaye-Baddoo
150 Michael Erickson, PhD
151 Seyron Foo
152 Jacqueline Horn, PhD

153
154 **Others Present**

155 Antonette Sorrick, Executive Officer
156 Norine Marks, DCA Legal Counsel
157 Sandra Monterrubio, Enforcement Program Manager
158 Stephanie Cheung, Licensing Program Manager
159 Cherise Burns, Central Services Program Manager
160 Jason Glasspiegel, Central Services Coordinator
161 Liezel McCockran, Continuing Education and Renewals Coordinator

162
163 **Agenda Item #10: Review and Consider Options for Knowledge and/or Skill Based**
164 **Examination(s) for Purposes of Licensure**

165
166 Mr. Foo provided the EPPP2 Taskforce report.

167
168 Dr. Paul Marcille, President of CPA, stated that the taskforce had some concerns that
169 the EPPP will burden graduate students and prove a financial barrier for students. Dr.
170 Marcille provided alternatives to having the EPPP2 such as more training or more CE
171 requirements.

172
173 Board discussion ensued regarding the cost, and other jurisdictions adopting the
174 EPPP2. The Board also discussed the three main concerns: affordability of the
175 examination, timing as to implementation of the new test and the sequencing when an

176 applicant can take the examination, and the lastly concern of the time required to adopt
177 regulations that the Board would have to create.

178
179 Renee Pulliati, Executive Officer of CAPIC, stated his concerns about the effects on
180 mobility of licensure, ASPPB's overstepping their bounds into the regulatory jurisdiction
181 of the Board, and the issue with having to be from an APA accredited school to get early
182 eligibility to take examination where not many people of color and low socioeconomic
183 status are able to attend.

184
185 Dr. Phillips stated that these concerns were brought to ASPPB's attention and in
186 response they stated they would send out a letter that would provide an answer to these
187 concerns. Dr. Phillips stated that once the letter is received, the Board should have a
188 telephonic Board meeting to discuss the letter.

189
190 Dr. Jo Linder-Crow, CEO of CPA, asked the Board if the letter from ASPPB will be
191 available to the public and also if the purpose of the taskforce was to make a
192 recommendation to the Board. Board members and Board staff let Dr. Linder-Crow
193 know that the letter from ASPPB will be made public and that the original intention of the
194 taskforce was to find out what the concerns were with the EPPP2. Board members and
195 staff stated that an orientation will be held for any future taskforce meetings.

196
197 The Board decided to hold a telephonic Board meeting once a response is received
198 back from ASPPB to decide as to whether to adopt or not adopt the EPPP2.

199
200 **Agenda Item #12 - Public Comment for Items not on the Agenda. The May Not**
201 **Discuss or Take Action on Any Matter Raised During this Public Comment**
202 **Section, Except to Decide Whether to Place the Matter on the Agenda of a Future**
203 **Meeting [Government Code sections 11125 and 11125.7(a)]**

204
205 No comments were received.

206
207 **Agenda Item #16 – EPPP Part 2 Task Force Report**

208
209 Mr. Foo reiterated the concerns of the EPPP2 taskforce. Ms. Burns provided an
210 overview of the current examination process and three possible business scenarios to
211 implement the EPPP2 to the Board. She stated that Board staff and the Task Force
212 agreed, if the Board decides to proceed with the EPPP2 implementation, that Option 3
213 would be the best possible process.

214
215 It was M(Foo)/S(Acquaye-Baddoo)/C to adopt the recommended language for noticing
216 and set for hearing for option 3 without adopting the use of the EPPP2.

217
218 Vote: 5 aye (Acquaye-Baddoo, Bernal, Erickson, Foo, Phillips), 0 no

219
220 It was M(Foo)/S(Acquaye-Baddoo)/C to designate non-substantive changes to staff.

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Vote: 5 aye (Acquaye-Baddoo, Bernal, Erickson, Foo, Phillips), 0 no

It was M(Foo)/S(Bernal)/C to direct staff to move forward with looking for an author for the legislative changes provided in Attachment B contingent on Board's approval of the EPPP2.

Vote: 5 aye (Acquaye-Baddoo, Bernal, Erickson, Foo, Phillips), 0 no

Dr. Elizabeth Winkelman asked if the Board would have the power to set when the EPPP Part 1 could be taken. Dr. Phillips stated that ASPPB will not set the criteria.

Dr. Jo Linder-Crow wanted to clarify that the Board's motion is not to adopt the EPPP2 but be a criterion to use the EPPP. She also stated that since ASPPB has made the EPPP a two-part package, that when the regulation is created the Board states that EPPP now has two parts.

Dr. Marcille asked the Board if they would certify students to take the test and if so what are the staffing implications. Board staff responded by stating that eligibility would come from the Board and would not change if the Board decided to implement the EPPP2 and that staffing implications would be reviewed.

Cindy Yee-Bradbury, Director of Clinical Training at UCLA, asked if a California graduate student took the EPPP1 and moved to another state, who would the graduate student contact to take the EPPP2. She also stated that the EPPP2 will have a huge impact on students who decide to move and this would be a huge burden on students depending on where they move to. Board members stated that the graduate student would follow the licensure process of the state in which they were trying to get licensed and that the option to take the EPPP1 early for those who attended an accredited school is only an option and not a requirement.

Mr. Pulliati agreed with the Board's recommendation for option 3.

The Board discussed the motion, stating that option 3 is only if the Board decides to move forward with the EPPP2. The regulatory process was described as lengthy and Board staff having the ability to get a head start would be beneficial. If the Board decides to not move forward with the EPPP2 then the regulatory package can be pulled.

Agenda Item #13 – Approval of the Board Meeting Minutes: May 10-11, 2018

It was M(Foo)/S(Acquaye-Baddoo)/C to adopt minutes as amended.

Vote: 6 aye (Acquaye-Baddoo, Bernal, Erickson, Foo, Horn, Phillips), 0 no

Agenda Item #14 – DCA Executive Update

266
267 Karen Nelson, Assistant Deputy Director of Board and Bureau Relations, provided the
268 Board with an update on current activities of the Department of Consumer Affairs.

269
270 The Board asked Ms. Nelson about what the Implicit Bias Training entailed and if there
271 were links and attachments from the training that would be available to the Board. Ms.
272 Nelson provided an overview of the training and stated she will have the attachments
273 from the training made available to the Board.

274
275 **Agenda Item #15 – Budget Report**

276
277 Ms. Burns provided the budget report to the Board.

278
279 Dr. Jo Linder-Crow asked the Board if there was a possibility that licensing fees would
280 be lowered. Ms. Sorrick stated that any fee changes would be discussed after facility
281 needs and licensing and enforcement timelines were reviewed. She stated that in past
282 Board meetings the topic of fees was brought up and the Board decided that an
283 improvement of service is wanted before the reduction of fees.

284
285 Ms. Bernal asked Board staff why the in-state travel budget displayed a deficit. It was
286 explained that Board staff is working with the Budget Office to do a budget realignment
287 for the budget report to more accurately reflect current spending. With bottom line
288 budgeting DCA is concerned that the numbers zero out in the end more than each line
289 item zero out.

290
291 **Agenda Item #17 – Enforcement Report**

292
293 Ms. Monterrubio provided the enforcement report to the Board.

294
295 **Agenda Item #18 – Enforcement Committee Report and Consideration of**
296 **Committee Recommendations**

297
298 **a) Proposed Amendments to Expert Reviewer Application**

299
300 Ms. Acquaye-Baddoo stated that the enforcement committee met on June 22, 2018 to
301 review the expert reviewer application. She stated that the committee is asking the
302 Board to review the changes and provide any comments/edits they may have.

303
304 Board discussion ensued regarding the expert reviewer application. The Board provided
305 their comments, edits and suggestions to Board staff. The Board also discussed the
306 application process and tolling of probationers.

307
308 Dr. Elizabeth Winkelman asked what the expert trainings consisted of, the duration, and
309 if there were training documents available to the public. Josh Templet, Office of the
310 Attorney General, stated that the Office of Attorney General helps with conducting the

311 training by providing a review of options of legal conduct. He stated that training
312 documents are not available to the public and that the training lasts one day. Ms.
313 Monterrubio stated that the expert reviewer would go to training once they have been
314 selected and a refresher course is required every two years.

315
316 It was M(Acquaye-Baddoo)/S(Bernal)/C to approve the Enforcement Committee's
317 recommended changes to the Expert Reviewer Application as amended.

318
319 Vote: 6 aye (Acquaye-Baddoo, Bernal, Erickson, Foo, Horn, Phillips), 0 no

320 **Agenda Item #19 – Licensing Report**

321
322 Ms. Cheung provided the Board with the licensing report.

323
324 Dr. Horn stated that in a month we have more people going through our process than
325 most states. She asked what things will keep an application pending. Ms. Cheung
326 stated that she would gather the information and present it at the next licensing
327 committee meeting.
328

329 **Agenda Item #20 – Continuing Education and Renewals Report**

330
331 Ms. McCockran provided the Board with the continuing education and renewals report.

332
333 The Board discussed the pass and fail rates from 2014-2016. Dr. Horn stated that for
334 the next licensing committee meeting she would like to discuss the audit process and
335 disciplinary actions for licensees who fail their second audit.
336

337 **Agenda Item #21 – Licensing Committee Report and Consideration of Committee** 338 **Recommendations**

339
340 a) Standardization of Training Categories

341 b) Pathways to Licensure:

342 1) Proposed Amendments to Business and Professions Code:

343 §§ 25, 28, & 2915.5 (Training in Human Sexuality, Child, Elder, and
344 Dependent Adult Abuse Assessment and Reporting, and Aging and
345 Long-term Care);

346 • § 27 (Disclosure of Information);

347 • § 2903 (Licensure Requirements);

348 • §§ 2909, 2909.5, 2910, & 2911 (Exemptions);

349 • § 2913 (Psychological Assistant);

350 • § 2914 (Applicant's Requirement);

351 • § 2915 (Continuing Professional Development);

352 • §§ 29 & 2915.7 (Continuing Education: Chemical Dependency and
353 Alcoholism and Aging and Long-term Care)

354 • §§ 2940 & 2941 (Application and Examination Fees);
355

- 356 • §§ 2942, 2943, & 2944 (Examination Time and Subjects);
- 357 • § 2946 (Reciprocity and Temporary Practice);
- 358 • § 2948 (Issuance of License); and
- 359 • § 2960 (Grounds for Disciplinary Action)

360
361 2) Proposed Amendments to Title 16 of the California Code of Regulations:

- 362 • § 1380.3 (Definitions);
- 363 • §§ 1381, 1381.1, & 1381.2 (Applications);
- 364 • § 1381.4 (Failure to Appear for an Examination);
- 365 • § 1381.5 (Failure to Pay Initial License Fee);
- 366 • § 1381.6 (Permit Processing Times);
- 367 • §§ 1382, 1382.3, 1382.4, 1382.5, & 1382.6 (Pre-licensing Courses);
- 368 • § 1386 (Evaluation of Education);
- 369 • § 1387 (Supervised Professional Experience);
- 370 • §§ 1387.1 & 1387.2 (Qualifications of Primary and Delegated Supervisors);
- 371 • § 1387.3 (Non-Mental Health Services);
- 372 • § 1387.4 (Out-of-State Experience);
- 373 • § 1387.5 (SPE Log);
- 374 • §§ 1388, 1388.6, 1389, & 1389.1 (Examinations-
- 375 Waiver/Reconsideration);
- 376 • §§ 1387.7, 1390, 1390.1, 1390.2, & 1390.3 (Registered Psychologists);
- 377 • §§ 1387.6, 1391, 1391.1, 1391.2, 1391.3, 1391.4, 1391.5, 1391.6,
- 378 1391.7, 1391.8, 1391.10, 1391.11, & 1391.12 (Psychological
- 379 Assistants);
- 380 • § 1392.1 (Psychological Assistant Fees); and
- 381 • § 1397.71 (CE Provider Status)

382
383 a) Consideration of Licensing Committee Recommendations Regarding an
384 Extension of the 72-Month Registration Period Limitation for Registered
385 Psychological Assistant Pursuant to Section 1391.1(b) of Title 16 of the
386 California Code of Regulations

387
388 b) Consideration of Licensing Committee Recommendations Regarding an
389 Extension of the 30-Consecutive Month Limitation to Accrue 1500 Hours of
390 Post-Doctoral Supervised Professional Experience Pursuant to Section
391 1387(a) of Title 16 of the California Code of Regulations

392
393 Dr. Horn provided the licensing committee report. Ms. Cheung stated the goal of the
394 licensing committee is to complete pathways at the October licensing committee
395 meeting.

396
397 **Agenda Item #22 – Legislative Update – Discussion and Possible Action**

398
399 a) Sponsored Legislation for the 2018 Legislative Session: Review and Potential Action

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

403
404 Ms. Burns provided an overview of the bill.

405
406 Dr. Winkelman stated that the American Psychological Association (APA) met earlier
407 this month and they adopted the term of the use of 'patient' instead of 'client'. She
408 stated that in this document and in other proposed legislation by the Board, the term
409 'client' is being used. She recommended using the term 'patient or client'.
410

411 Dr. Horn stated that one of the reasons the Board decided to use the term 'client' is
412 because the brochure will be addressing general healthcare. Ms. Sorrick stated that
413 there will be a definitions section in the brochure that will make that clear.
414

415 b. Review and Consideration of Positions on Legislation

416 1) Recommendations for Active Positions on Bills

417 A. AB 1436 (Levine) – Board of Behavioral Sciences:
418 Licensees: Suicide Prevention Training
419

420 Mr. Glasspiegel provided an overview of the bill.

421
422 It was M(Foo)/S(Horn)/C to take a Support position on AB 1436.

423
424 Vote: 6 aye (Acquaye-Baddoo, Bernal, Erickson, Foo, Horn, Phillips), 0 no
425

426 B. AB 2483 (Voepel) – Indemnification of Public Officers and
427 Employees: Antitrust Awards
428

429 Mr. Glasspiegel provided an overview of the bill. Discussion ensued regarding how
430 the bill provides the legal certainty and protection our Board members need to make
431 necessary regulatory decisions to protect the public without fear of being personally
432 sued for those decisions.
433

434 It was M(Phillips)/S(Foo)/C to move forward with language as amended.
435

436 Vote: 6 aye (Acquaye-Baddoo, Bernal, Erickson, Foo, Horn, Phillips), 0 no
437

438 C. AB 2221 (Bloom) – Occupational therapy
439

440 Ms. Burns provided an overview of the bill. Discussion ensued regarding the
441 concerns with the bill.
442

443 It was M(Bernal)/S(Erickson)/C to Oppose unless Amended.
444

445 Vote: 6 aye (Acquaye-Baddoo, Bernal, Erickson, Foo, Horn, Phillips), 0 no
446

447 Dr. Linder-Crow stated that CPA's Board of Directors met last week and took an
448 Opposed unless Amended position to make it clear that it has no impact on the
449 practice of psychology.

450
451 Dr. Erickson stated that there are representatives from the Occupational Therapy
452 Association of California (OTAC) that would like to address the Board.

453
454 Ivan Altamura, Capitol Advocacy, provided a background of the bill. Mr. Altamura stated
455 that the Occupational Therapy Practice Act was passed in 2000 and there have been no
456 substantive changes since that time. He explained that there have been advancements
457 in the field Occupational Therapy (OT). OTAC has done a wide range of research and
458 reached out to different organizations to start amending the practice act. Regarding the
459 Board's concerns that this bill could potentially expand the scope of practice of OT's
460 such as psychotherapy, OTAC wants to make it clear that OT is not the practice of
461 psychology but more of assisting clients and patients with coping and how to do daily
462 activities.

463
464 Bryant Edwards, Vice President of OTAC, stated that the purpose of amending the
465 practice act is to clarify the role of OT's. In no way is the intention to expand the scope
466 or to practice psychology.

467
468 Dr. Karen McCarthy, Professor at the Dominican University of California, provided the
469 Board with a description of the role of an OT. She stated that the amendments to the
470 practice act are not trying to expand the role of an OT but to better define it.

471
472 Shelby Surfas, Associate Professor of OT at University of Southern California,
473 explained to the Board what her job as an OT entails. She stated that mental health
474 providers work with the clients that are outside of an OT's scope of work and that
475 mental health professionals and OT's work together to get their client to meet their
476 mental health goals. The primary focus of an OT is occupation but the primary
477 population that OT's work with have mental health issues.

478
479 Elizabeth Ching, Assistant Professor at Samuel Merritt University, provided an example
480 of a situation where an OT treated a client.

481
482 Discussion ensued between the Board and the public members who spoke about the
483 roles of an OT regarding creating/editing the language in the bill the Board was
484 concerned about.

485
486 Dr. Linder-Crow encouraged OTAC to reach out to CPA.

487
488 Dr. Winkelman expressed her concern with the language in the bill calling OT's 'mental
489 health provider'. She asked that the scope of practice be redefined.

490
491 It was M(Foo)/S(Erickson)/C to move to reconsider the motion on Agenda Item
492 #22(b)(1)(C)

493
494 Vote: 6 aye (Acquaye-Baddoo, Bernal, Erickson, Foo, Horn, Phillips), 0 no
495

496 The Board, Mr. Altamura, and members of OTAC provided amendments to the bill that
497 Mr. Altamura will bring back to his client.

498
499 It was M(Foo)/S(Erickson)/C to Support in Amended position with articulated
500 amendments as discussed.

501
502 Vote: 6 aye (Acquaye-Baddoo, Bernal, Erickson, Foo, Horn, Phillips), 0 no
503

504 Dr. Winkelman stated she does not understand why the focus on mental health
505 disorders is needed in the scope of practice unless it is in the idea of providing mental
506 health services. Dr. Winkelman asked the Board what the difference is between Support
507 if Amended and Oppose unless Amended. Dr. Phillips explained that within the
508 administrative manual, if amendments are not made then the chair and president have
509 the power to oppose the bill.

510
511 **Agenda Item #22(c)(1) – AB 282 (Jones-Sawyer) – Aiding, Advising, or**
512 **Encouraging Suicide: Exemption from Prosecution**

513
514 Mr. Glasspiegel provided an overview of the bill. No Board or public comments were
515 made.

516
517 **Agenda Item #22 (c)(2) – AB 2138 (Chiu and Low) Licensing Boards: Denial of**
518 **Application: Criminal Conviction**

519
520 Mr. Glasspiegel provided an overview of the bill. He also highlighted the recent changes
521 to the bill.

522
523 Discussion ensued regarding the implications of the bill and the other Board's and
524 Bureaus positions on the bill.

525
526 **Agenda Item #22(c)(3) – AB 2143 (Caballero) – Mental health: Licensed Mental**
527 **Health Service Provider Education Program**

528

529 Mr. Glasspiegel provided an overview of the bill.

530

531 **Agenda Item #22(c)(4) – AB 2943 (Low) Unlawful Business Practices: Sexual**
532 **Orientation Change Efforts**

533

534 Mr. Glasspiegel provided an overview of the bill.

535

536 **Agenda Item #22(c)(5) – SB 1125 (Atkins) Federally Qualified Health Center and**
537 **Rural Health Clinic Services**

538

539 Mr. Glasspiegel provided an overview of the bill.

540

541 **Agenda Item #22(d) – Review of Bills with Watch Status Approved by the Board**

542

543 No Board or public comments were made.

544

545 **Agenda Item #22(e) – Review and Consideration of Statutory Revisions to Section**
546 **2960.1 of the Business and Professions Code Regarding Denial, Suspension and**
547 **Revocation for Acts of Sexual Contact**

548

549 Ms. Burns provided an overview of the statutory revisions.

550

551 Board discussion ensued regarding the revisions.

552

553 It was M(Bernal)/S(Erickson)/C to accept the amendments provided and delegate staff
554 to use these revisions as the starting point for discussion in a stakeholder meeting to be
555 organized and held in the Fall 2018.

556

557 Vote: 6 aye (Acquaye-Baddoo, Bernal, Erickson, Foo, Horn, Phillips), 0 no

558

559 **Agenda Item #23 – Legislative Items for Future Meeting. The Board May Discuss**
560 **Other Items of Legislation in Sufficient Detail to Determine Whether Such Items**
561 **Should be on a Future Board Meeting Agenda and/or Whether to Hold a Special**
562 **Meeting of the Board to Discuss Such Items Pursuant to Government Code**
563 **Section 11125.4**

564

565 Dr. Winkelman would like to request consideration of the licensing committee when
566 discussing pathways to licensure to add an exemption for neuropsychology testing
567 technicians, also called psychometricians.

568

569 Ms. Sorrick explained that the pathways to licensure is how the experience is accrued
570 and applying for licensure. She stated that the issue Dr. Winkelman has brought up is

571 more akin to scope of practice which the Board can advocate if there was an existing
572 bill. If CPA wanted to author a bill the Board can review it and decide if it would like to
573 take a position.

574

575 **Agenda Item #24 – Regulatory Update, Review, and Consideration of Additional**
576 **Changes**

577

578 a) 16 CCR Sections 1391.1, 1391.2, 1391.5, 1391.6, 1391.8, 1391.10, 1391.11,
579 1391.12, 1392.1 – Psychological Assistants

580 b) 16 CCR Section 1396.8 – Standards of Practice for Telehealth

581 c) 16 CCR Sections 1381.9, 1381.10, 1392 – Retired License, Renewal of
582 Expired License, Psychologist Fees

583 d) 16 CCR Sections 1381.9, 1397.60, 1397.61, 1397.62, 1397.67 – Continuing
584 Professional Development

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586 Mr. Glasspiegel stated that all regulatory packages were submitted to legal for review.

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588 Ms. Burns brought up concerns that Ms. Marks had regarding the telehealth regulatory
589 package. She explained the hand carry item which had language that Ms. Marks
590 recommended. Discussion between the Board members, Board staff, legal counsel and
591 the public ensued regarding the suggested language. The Board had issues with
592 whether they were going to approach interstate practice and provide guidelines on
593 interstate practice and had questions on the use of domicile or residency of the patient.
594 A consensus amongst Board members is to get the package noticed and amend the
595 language during a later phase if the Board decides to adopt a different policy.

596

597 It was M(Foo)/S(Erickson)/C to approve the language for 16 CCR Section 1396.8 –
598 Standards of Practice for Telehealth as amended.

599

600 Vote: 6 aye (Acquaye-Baddoo, Bernal, Erickson, Foo, Horn, Phillips), 0 no

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602 **Agenda Item #25 – Outreach and Education and Committee Report**

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604 a) Strategic Plan

605 b) Communications Plan

606 c) Website

607 d) Social Media

608 e) Newsletter

609 f) Outreach Activities

610 g) Outreach Plan for High Schools, Community Colleges, and State and
611 University System to Increase Licensing Population

612 h) Two-Year Outreach and Education Campaign Update

613 i) DCA Brochure “Professional Therapy Never Includes Sex” – Update

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The agenda item will be discussed at the February 2019 Board Meeting.

Agenda Item #26 – PsyPACT – Status of PsyPACT and Review of Board Concerns and Feedback

The agenda item will be discussed at the February 2019 Board Meeting.

Dr. Phillips stated that the pocket license hard cards are now available and can be ordered by paying Central Services Unit \$5.00.

Agenda Item #27 – Discussion of How Board Members Indicate Their Interest in Being Nominated for President or Vice-President of the Board in November 2018

Dr. Phillips stated that if you are interested in being nominated for office, you may express your interest. He stated if you choose not to say anything now, it does not mean you cannot be nominated. Dr. Phillips stated he is interested in getting nominated for President for 2019.

Agenda Item #28 – Recommendations for Agenda Items For Future Board Meetings. Note: The Board May Not Discuss or Take Action on Any Matter Raised During This Public Comment Section, Except to Decide Whether to Place the Matter on the Agenda of a Future Meeting [Government Code Sections 11125 and 11125.7(a)]

There were no recommendations made.

Dr. Phillips reminded the Board and the public that the next Board meeting will be held in San Diego, California on November 15th and 16th.

Meeting adjourned at 4:40 p.m.

Original signed by Stephen Phillips, JD, PsyD, signature on file

President Date