

**BOARD MEETING**

**Hilton Los Angeles Airport**  
5711 West Century Boulevard  
Carmel Meeting Room  
Los Angeles, CA 90045  
(310) 410-4000

**Wednesday, April 24, 2019**

Stephen Phillips, JD, PsyD, Board President, called the open session meeting to order at 9:06 a.m. A quorum was present and due notice had been sent to all interested parties.

**Members Present**

Stephen Phillips, JD, PsyD, President  
Seyron Foo, Vice-President  
Lucille Acquaye-Baddoo  
Alita Bernal  
Mary Harb Sheets, PhD  
Jacqueline Horn, PhD  
Lea Tate, PsyD

**Members Absent**

Sheryll Casuga, PsyD

**Others Present**

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

**Agenda Item #2: President's Welcome**

Dr. Phillips welcomed the attendees to the Board's quarterly meeting and read the Board's mission statement. Dr. Phillips stated that because of the Board's movement towards a Paper Lite system, Board members would be viewing the meeting packets via laptops rather than paper copies.

**Agenda Item #3: Acknowledgement of Ms. Lucille Acquaye-Baddoo and Ms. Nicole J. Jones**

On behalf of the Board, Dr. Phillips read and presented a Certificate of Appreciation to Board Member Ms. Lucille Acquaye-Baddoo, who completed her second full term on the

46 Board. Ms. Acquaye-Baddoo spoke about her experience being on the Board and how  
47 great it was to work with Board Members and staff.

48

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

53

54 No public comments were made regarding specific agenda items that are not on the  
55 agenda.

56

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

58

59 Dr. Phillips addressed the 2019 meeting calendar. He stated that committee changes  
60 will be made once new Board members are appointed.

61

62 **Agenda Item #5: Executive Officer's Report**

63

64 Ms. Sorrick provided the Executive Officer's Report which included a staffing update.

65

66 **Agenda Item #13: Discussion and Possible Approval of the Board Meeting**  
67 **Minutes: February 7-8, 2019**

68

69 The Board provided their edits to staff and provided a summary at the meeting.

70

71 It was M(Acquaye-Baddoo)/S(Tate)/C to approve the minutes as amended with  
72 technical, non-substantive changes provided by Dr. Horn and Dr. Phillips.

73

74 Vote: 7 aye (Acquaye-Baddoo, Bernal, Foo, Horn, Phillips, Harb Sheets, Tate), 0 no

75

76 **Agenda Item #14: Budget Report**

77

78 Ms. Burns provided the Board with the Budget update.

79

80 Dr. Phillips stated that there is a lot of red on the budget report, but the Board does not  
81 anticipate running into a deficit at the end of the fiscal year. Ms. Burns confirmed that  
82 the Board will not be running in the red at the end of the fiscal year, but will have a lower  
83 reversion to the Board's Fund due to unexpected personnel costs and future facilities  
84 costs the Board is saving money towards.

85

86 **Agenda Item #8: Petition for Reinstatement of License – Leslie Price, PsyD**

87

88 Administrative Law Judge Jennifer Russell presided. Deputy Attorney General Brian Bill  
89 was present and represented the People of the State of California. Leslie Price, PsyD,  
90 was present and represented herself.

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**Agenda Item #9: Petition for Early Termination of Probation – Adriana Camargo-Fernandez, PhD**

Administrative Law Judge Jennifer Russell presided. Deputy Attorney General Brian Bill was present and represented the People of the State of California. Adriana Camargo-Fernandez, PhD, was present and was represented by John Dratz, Jr.

**Agenda Item #10: Closed Session**

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

Meeting adjourned at 5:01 p.m.

**Thursday, April 25, 2019**

**Agenda Item #11: Call to Order/Roll Call/Establishment of a Quorum**

Stephen Phillips, JD, PsyD, Board President, called the open session meeting to order at 9:32 a.m. A quorum was present and due notice had been sent to all interested parties.

**Members Present**

- Stephen Phillips, JD, PsyD, President
- Seyron Foo, Vice-President
- Lucille Acquaye-Baddoo
- Alita Bernal
- Mary Harb Sheets, PhD
- Jacqueline Horn, PhD
- Lea Tate, PsyD

**Members Absent**

- Sheryll Casuga, PsyD

**Others Present**

- Antonette Sorrick, Executive Officer
- Norine Marks, DCA Legal Counsel
- Cherise Burns, Central Services Manager
- Stephanie Cheung, Licensing Unit Manager
- Sandra Monterrubio, Enforcement Program Manager
- Curtis Gardner, Probation Monitor
- Liezel McCockran, Continuing Education and Renewals Coordinator

136 **Agenda Item #12: Public Comment for Items not on the Agenda. The Board May**  
137 **Not Discuss or Take Action on Any Matter Raised During this Public Comment**  
138 **Section, Except to Decide Whether to Place the Matter on the Agenda of a Future**  
139 **Meeting [Government Code sections 11125 and 11125.7(a)]**

140  
141 No public comments were made regarding specific agenda items that are not on the  
142 agenda.

143

144 **Agenda Item #15: Outreach and Education Updates**

145

146 a) Website

147

148 Ms. Bernal provided the website update. She stated that, in coordination with Strategic  
149 Organization, Leadership & Individual Development (SOLID) staff, Board staff held two  
150 website focus group meetings. SOLID summarized the recommendations provided at  
151 the focus group meetings into a report for Board staff. Board staff will be discussing the  
152 report with the Outreach and Education Committee at its next meeting, after which it will  
153 be brought to the full Board.

154

155 b) Social Media

156

157 Ms. Bernal provided the social media update. Members of the Board asked that the You  
158 Tube videos be removed from the report until they have been updated.

159

160 c) Newsletter

161

162 Ms. Sorrick provided the Board with the *Spring Journal*. She stated the *Summer Journal*  
163 will be released in July 2019.

164

165 d) Outreach Activities

166

167 Dr. Phillips and Ms. Sorrick spoke about their experiences attending the ASPPB Mid-  
168 Year Meeting in Santa Fe, NM April 8-14, 2019. Ms. Cheung spoke about Ms. Mai  
169 Xiong's participation at the California Psychological Association (CPA) Convention held  
170 in Los Angeles April 4-7, 2019.

171

172 e) DCA Brochure "Professional Therapy Never Includes Sex" – Update

173

174 Ms. Bernal stated that the brochure has been approved by all Boards and sent to the  
175 Department of Consumer Affairs (DCA) for design and publication. Ms. Sorrick stated  
176 the brochure's name will change from "Professional Therapy Never Includes Sex" to  
177 "Therapy Never Includes Sexual Behavior". She anticipated publication within the next  
178 three months.

179

180 **Agenda Item #20: Licensing Report**

181  
182 Ms. Cheung presented the Licensing report to the Board.  
183

184 **Agenda Item #21: Continuing Education and Renewals Report**  
185

186 Ms. McCockran provided the Board with the Continuing Education and Renewals report.  
187 Dr. Harb Sheets asked what the pass rate is for the licensees under a 2<sup>nd</sup> audit and how  
188 many fall into the category of sending in their renewal before they have completed the  
189 36 continuing education hours requirement. Ms. McCockran stated the pass rate for  
190 those who have been audited a 2<sup>nd</sup> time is around 80 to 90 percent. Ms. McCockran  
191 stated she has rarely seen cases where psychologists renew their license before  
192 completing the 36-hour continuing education requirement.  
193

194 Dr. Phillips stated that licensees should be more careful in verifying that the courses  
195 they take are acceptable continuing education courses. Dr. Horn stated that the Board  
196 recognizes and accepts for continuing education credit courses that are provided by  
197 certain entities, which are listed on the Board’s website.  
198

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

- 201 a) 16 CCR Sections 1391.1, 1391.2, 1391.5, 1391.6, 1391.8, 1391.10,  
202 1391.11, 1391.12, 1392.1 – Psychological Assistants
- 203 b) 16 CCR Section 1396.8 – Standards of Practice for Telehealth
- 204 c) 16 CCR Sections 1381.9, 1381.10, 1392 – Retired License, Renewal of  
205 Expired License, Psychologist Fees
- 206 d) 16 CCR Sections 1381.9, 1397.60, 1397.61, 1397.62, 1397.67 –  
207 Continuing Professional Development
- 208 e) 16 CCR Section 1395.2 – Disciplinary Guidelines
- 209 f) 16 CCR Sections 1394 – Substantial Relationship Criteria;  
210 Section 1395 – Rehabilitation Criteria for Denials and Reinstatements;  
211 Section 1395.1 – Rehabilitation Criteria for Denials Suspensions or  
212 Revocations

213  
214 Mr. Foo provided the regulatory update.  
215

216 **Agenda Item #22: Policy and Advocacy Report – Consideration and Possible**  
217 **Approval of Committee Recommendations**  
218

219 (c)(2) (D) through (EE) Newly Introduced Bills – Potential Action to Recommend the  
220 Board Watch Bills  
221

222 The Board did not have any “Watch” bills they wanted to discuss. Mr. Foo stated that  
223 the Policy and Advocacy Committee reviewed these bills in March and staff has  
224 recommended no change in action.

225  
226 (c)(3) Newly Introduced Bills – Potential Action to Recommend the Board Watch  
227 Spot Bills  
228  
229 Ms. Burns defined the term ‘spot bill’, a non-substantive placeholder bill whose contents  
230 will be replaced with substantive provisions later.

231  
232 Dr. Harb Sheets asked for the status of AB 5 (Gonzalez) Worker Status: independent  
233 contractors. Mr. Foo stated that the Board is currently watching the bill for potential  
234 impact relating to psychologists and psychological assistants. AB 5 is attempting to  
235 codify the test that was established by the Supreme Court into state law. Ms. Burns  
236 stated the bill is currently in Appropriations. She stated this bill has to do with the  
237 employment relationship between supervisors and supervisees.

238  
239 Dr. Phillips stated that as a consumer protection Board, taxes and employee status are  
240 not a regulatory or consumer protection concern for the Board; therefore, a position is  
241 not warranted, but the bill should be watched so that the Board can be aware of what is  
242 going on in the profession. He stated that a professional association would be a group  
243 that may take a position on this type of bill.

244  
245 b) Board Sponsored Legislation for the 2019 Legislative Session: Review and  
246 Possible Action

247 1) SB 275 (Pan) – Amendments to Section 2960.1 of the Business and Professions  
248 Code Regarding Denial, Suspension and Revocation for Acts of Sexual Contact

249  
250 SB 275 is a Board-sponsored bill. Ms. Burns provided the Board with a summary of  
251 the bill and its progression through the legislative process. Dr. Phillips stated that  
252 there was no opposition to the bill. Mr. Foo stated that some of the groundwork for  
253 this bill was made during the legislative meetings held in February. Dr. Harb Sheets  
254 spoke about her experience at the legislative meetings.

255  
256 2) Update on Amendments to Sections 2912, 2940-2944 of the Business and  
257 Professions Code Regarding Examinations, and New Section to the Business and  
258 Professions Code Regarding Voluntary Surrender

259  
260 Mr. Foo provided an update to the Board. He stated the three provisions were  
261 provided to the Senate Committee on Business, Professions and Economic  
262 Development (Committee): 1) Clean-up language regarding the EPPP, 2) Language  
263 related to voluntary surrender, and 3) Language related to temporary practice. Mr.  
264 Foo stated that the provisions regarding voluntary surrender and temporary practice  
265 were determined to be substantive; therefore, could not be included in the bill at this  
266 time.

267

268 a) Review and Consideration of Revisions to the Goal of the Policy and Advocacy  
269 Committee

270  
271 Mr. Foo explained that at the March 18, 2019, Policy and Advocacy Committee Meeting  
272 (Committee), the Committee reviewed the current goal and recommended a revised  
273 committee name and goal so that both the name and goal will more accurately reflect  
274 scope of the Committee's work.

275  
276 Discussion ensued regarding the name change and revising the language of the goal.

277  
278 Ms. Sorrick suggested brainstorming language and discussing this agenda item on  
279 Friday, April 26, 2019, to allow further discussion.

280  
281 It was M(Harb Sheets)/S(Tate)/C to adopt the revised Policy and Advocacy Committee  
282 name change to Legislative and Regulatory Affairs Committee into the Board's  
283 Administrative Procedure Manual.

284  
285 Vote: 7 aye (Acquaye-Baddoo, Bernal, Foo, Harb Sheets, Horn, Phillips, Tate), 0 no

286  
287 **Agenda Item #16: Petition for Early Termination of Probation – Amy Reyes, PsyD**

288  
289 Administrative Law Judge David Rosenman presided. Deputy Attorney General Brian  
290 Bill was present and represented the People of the State of California. Amy Reyes,  
291 PsyD, was present and represented herself.

292  
293 **Agenda Item #17: Petition for Early Termination of Terms and Conditions –**  
294 **Chelsea Spitze, PhD**

295  
296 Administrative Law Judge David Rosenman presided. Deputy Attorney Brian Bill was  
297 present and represented the People of the State of California. Chelsea Spitze, PhD,  
298 was present and represented herself.

299  
300 **Agenda Item #18: Closed Session**

301  
302 The Board met in closed session pursuant to Government Code Section 11126(c)(3) to  
303 discuss disciplinary matters including the above Petitions, Proposed Decisions,  
304 Stipulations, Petitions for Reconsideration, and Remands.

305  
306 Meeting adjourned at 4:12 p.m.

307  
308 **Friday, April 26, 2019**

309  
310 **Agenda Item #19: Call to Order/Roll Call/Establishment of a Quorum**

311

312 Stephen Phillips, JD, PsyD, Board President, called the open session meeting to order  
313 at 9:31 a.m. A quorum was present and due notice had been sent to all interested  
314 parties.

315

316 **Members Present**

317 Stephen Phillips, JD, PsyD, President

318 Seyron Foo, Vice-President

319 Lucille Acquaye-Baddoo

320 Alita Bernal

321 Mary Harb Sheets, PhD

322 Jacqueline Horn, PhD

323 Lea Tate, PsyD

324

325 **Members Absent**

326 Sheryll Casuga, PsyD

327

328 **Others Present**

329 Antonette Sorrick, Executive Officer

330 Norine Marks, DCA Legal Counsel

331 Cherise Burns, Central Services Manager

332 Stephanie Cheung, Licensing Unit Manager

333 Sandra Monterrubio, Enforcement Program Manager

334 Curtis Gardner, Probation Monitor

335 Liezel McCockran, Continuing Education and Renewals Coordinator

336

337 **Agenda Item #12: Public Comment for Items not on the Agenda. The Board May**  
338 **Not Discuss or Take Action on Any Matter Raised During this Public Comment**  
339 **Section, Except to Decide Whether to Place the Matter on the Agenda of a Future**  
340 **Meeting [Government Code sections 11125 and 11125.7(a)]**

341

342 No public comments were made regarding specific agenda items that are not on the  
343 agenda.

344

345 **Agenda Item #3: Acknowledgement of Ms. Lucille Acquaye-Baddoo and Ms.**  
346 **Nicole J. Jones**

347

348 On behalf of the Board, Dr. Phillips read and presented a Certificate of Appreciation to  
349 former Board Member Ms. Nicole J. Jones recognizing her time and dedication to the  
350 Board during her two terms.

351

352 **Agenda Item #7: DCA Executive Update**

353

354 Christopher Castrillo, Deputy Director of the Office of Board and Bureau Services,  
355 provided the Board with the DCA Executive Update.

356



357 **Agenda Item #25: Enforcement Report**

358 a) Statistical Update

359

360 Ms. Monterrubio provided the Board with the Enforcement Report.

361

362 Dr. Jo Linder-Crow, Chief Executive Officer of CPA, asked the Board for guidance on an  
363 issue that has been raised from their members regarding a case in the Board of  
364 Psychology's *Journal* where the individual was found to have been guilty of gross  
365 negligence. She stated that the individual communicated with clients during or after  
366 therapy through email and text and this confused CPA members as they don't  
367 understand how communicating via text and email after the completion of therapy is  
368 considered gross negligence.

369

370 Ms. Sorrick stated that the topic is not on the agenda, but Ms. Monterrubio will speak  
371 with Dr. Linder-Crow and Dr. Winkelman privately regarding the matter.

372

373 Dr. Melodie Schaefer, CPA Division II and CAPIC, asked that the topic raised by Dr.  
374 Linder-Crow be put on a future agenda.

375

376 **Agenda Item #26: Enforcement Committee Report and Consideration of**  
377 **Committee Recommendations**

378 a) Child Custody Summary Report and Committee Recommendation

379 b) Guidelines for Petition Hearings

380 c) Consideration of Designation of the *Decision in the Matter of the Citation*  
381 *and Fine against Shari Lorraine Schreiber (Case No. 2017090162) as a*  
382 *Precedential Decision*

383

384 Ms. Acquaye-Baddoo and Ms. Monterrubio spoke about the Child Custody  
385 Stakeholder Meeting held in Sacramento on September 21, 2018. Stakeholders  
386 were invited to participate in the meeting to discuss concerns from the Center for  
387 Judicial Excellence (Center). The Center had a list of concerns which all the  
388 attendees triaged. The Enforcement Committee, Enforcement Unit staff, and  
389 management reviewed the prioritization list and recommend the following items be  
390 implemented.

391 1. Item A: Mandate child abuse/domestic violence training for subject matters  
392 experts (6 hours of each subject)

393 2. Item D: Screen child custody subject matters for their stance on parental  
394 alienation

395 3. Item M: Educate public on the "clear and convincing" evidence standard

396

397 Dr. Horn asked what it meant to screen for parental alienation. Dr. Phillips explained  
398 what is meant by screening for parental alienation, stating that the Enforcement Unit  
399 would screen for psychologists who are proponents of the Parental Alienation

400 Syndrome and who take an active advocacy position on the concept of parental  
401 alienation.

402  
403 Ms. Bernal asked if a psychologist can practice while they are under investigation. Ms.  
404 Monterrubio stated that during the investigation, the psychologist is entitled to due  
405 process and may practice. She stated that restrictions on the psychologist's practice are  
406 warranted if disciplinary action is taken. Ms. Marks stated that there are special  
407 circumstances in which there can be an order that prohibits practice while the  
408 investigation and disciplinary process is continuing.

409  
410 Mr. Foo confirmed with Ms. Monterrubio that of the 13 items listed in the Child Custody  
411 Summary Report, the three items presented to the Board were the only items that fall  
412 under the Board's jurisdiction.

413  
414 Dr. Schaefer encouraged the Board to have regulations that would protect a  
415 psychologist from legal action by the client in a situation where a psychologist would be  
416 required to submit client records when the client does not authorize the release of their  
417 records.

418  
419 It was M(Harb Sheets)/S(Horn)/C to accept the Committee's recommendation to  
420 implement Items A, D, and M from the Child Custody Summary Report, allow staff to  
421 work with the Office of the Attorney General on a possible statutory change regarding  
422 how mental health records can be obtained, and create and post a Fact Sheet on the  
423 Board's website.

424  
425 Vote: 7 aye (Acquaye-Baddoo, Bernal, Foo, Harb Sheets, Horn, Phillips, Tate), 0 no  
426

427 Ms. Monterrubio stated that Board Members have inquired whether the Office of the  
428 Attorney General (OAG) should make a recommendation to grant or deny a petition for  
429 every petition hearing. She stated that if the Board would like staff to request that the  
430 assigned Deputy Attorney General (DAG) make a recommendation at the hearing,  
431 Board staff will let the DAG know.

432  
433 Discussion ensued regarding receiving a recommendation from the DAG. Board  
434 Members expressed that the DAG's recommendation would be taken under advisement  
435 in closed session discussions.

436  
437 It was M(Foo)/S(Harb Sheets)/C to request that the DAG make a recommendation to  
438 grant or deny a petition at every hearing.

439  
440 Vote: 7 aye (Acquaye-Baddoo, Bernal, Foo, Harb Sheets, Horn, Phillips, Tate), 0 no  
441

442 The Board and Mr. Josh Templet, Deputy Attorney General, discussed whether the  
443 Board should consider making certain decisions precedential to provide guidance in  
444 prosecuting cases. The Board discussed Consideration of Designation of the *Decision*  
445 *in the Matter of the Citation and Fine Against Sharri Lorraine Schreiber as a*  
446 Precedential Decision. Mr. Templet stated he is not aware of a downside of making a  
447 decision precedential.

448

449 It was M(Foo)/S(Tate)/C to designate the Schreiber case as precedential.

450

451 Vote: 7 aye (Acquaye-Baddoo, Bernal, Foo, Harb Sheets, Horn, Phillips, Tate), 0 no

452

453 Kathleen Russell, Center for Judicial Excellence, thanked the Board for taking  
454 meaningful action in their decision to mandate child abuse and sexual violence training  
455 for experts. Ms. Russell asked the Board some questions regarding the required  
456 training. She also stated that there was a national NPR story on parental alienation and  
457 reunification camps and urged the Board to listen to the hour-long episode.

458

459 Dr. Phillips stated that Ms. Russell's questions regarding the child abuse and sexual  
460 violence trainings will be discussed at an Enforcement Committee Meeting and that Ms.  
461 Monterrubio will be able to provide the details thereafter.

462

463 **Agenda Item #22 – Policy and Advocacy Committee Report – Consideration and**  
464 **Possible Approval of Committee Recommendations**

465

466 a) Review and Consideration of Revisions to the Goal of the Policy and Advocacy  
467 Committee

468

469 The Board, Ms. Sorrick, and Ms. Marks discussed language for the Legislative and  
470 Regulatory Affairs Committee goal.

471

472 It was M(Harb-Sheets)/S(Acquaye-Baddoo)/C to adopt the revised goal.

473

474 Vote: 7 aye (Acquaye-Baddoo, Bernal, Foo, Harb Sheets, Horn, Phillips, Tate), 0 no

475

476 The revised goal reads as follows:

477

478 The goal of the Legislative and Regulatory Affairs Committee is to advocate for  
479 legislation and develop regulations that provide for the protection of consumer health  
480 and safety. The committee reviews, monitors and recommends positions on legislation  
481 that affects the Board, consumers, and the profession of psychology. The Committee  
482 also recommends regulatory changes and informs the Board about the status of  
483 regulatory packages.

484

- 485 b) Review and Consideration of Proposed Legislation: Potential Action to Take  
486 Positions on Bills  
487 1) Newly Introduced Bills – Potential Action to Recommend Active Positions to  
488 the Board  
489 A) AB 544 (Brough) Professions and vocations: inactive license fees and  
490 accrued and unpaid renewal fees  
491

492 Ms. Burns provided the Board with an overview of the bill.  
493

494 The Board discussed the provisions of the bill, the Board’s current practices regarding  
495 renewal applications, and whether to take a position on the bill. The Board agreed that  
496 they would not be able to provide a position without seeing the amended language of  
497 the bill. They expressed concern with the way the bill is currently written. The Board  
498 decided that a letter of concern should be drafted and provided to the authors.  
499

500 It was M(Tate)/S(Horn)/C to delegate to staff to draft a letter of concerns and to work  
501 with the Legislative and Regulatory Affairs Committee to draft the letter.  
502

503 Vote: 7 aye (Acquaye-Baddoo, Bernal, Foo, Harb Sheets, Horn, Phillips, Tate), 0 no  
504

505 B. AB 1145 (Garcia) Child abuse: reportable conduct  
506

507 Ms. Burns provided an overview of the bill. The Board discussed taking a Support  
508 position.  
509

510 Dr. Elizabeth Winkelman, CPA, thanked the Board for considering the bill. Dr.  
511 Winkelman stated that CPA supports this bill and she believes it brings clarity to child  
512 abuse reporting.  
513

514 It was M(Harb Sheets)/S(Acquaye-Baddoo)/C to adopt a Support position on AB 1145  
515 (Garcia).  
516

517 Vote: 7 aye (Acquaye-Baddoo, Bernal, Foo, Harb Sheets, Horn, Phillips, Tate), 0 no  
518

519 C. SB 53 (Wilk) Open meetings  
520

521 Ms. Burns provided an overview of the bill. She stated that Board staff’s  
522 recommendation is to take an Oppose position. Ms. Burns stated the Board currently  
523 utilizes a two-person committee structure when necessary due to concerns for  
524 employee safety. There have been threats made towards enforcement analysts;  
525 therefore, enforcement analysts names are not made public for purposes of committee  
526 meetings.  
527

528 Dr. Phillips stated that the bill would be problematic. He stated that this bill would  
529 eliminate the ability for staff to attend Enforcement Committee meetings. Dr. Phillips  
530 also stated that if he and another Board member attended the same conference and  
531 were in the same room, for example when he and Dr. Horn attended the ASPPB  
532 conference, then it would have to be publicly noticed.

533  
534 Dr. Tate stated she opposed the bill due to the safety of Board staff.

535  
536 Ms. Sorrick stated that if the Board would like to oppose the bill, Board staff can  
537 reiterate in the opposition letter that transparency is a value the Board identified in the  
538 strategic plan and it is a priority; however, in the limited circumstances this would not  
539 allow the Board to function efficiently.

540  
541 It was M(Bernal)/S(Acquaye-Baddoo)/C to adopt an Oppose position on SB 53 (Wilk).

542  
543 Vote: 7 aye (Acquaye-Baddoo, Bernal, Foo, Harb Sheets, Horn, Phillips, Tate), 0 no

544  
545 D. SB 66 (Atkins) Medi-Cal: federally qualified health center and rural clinic services

546  
547 Ms. Burns provided an overview of the bill.

548  
549 Dr. Winkelman, CPA, stated that CPA supports this bill. She stated that this bill is  
550 needed as it will increase access to care, especially for those with disabilities and other  
551 practical constraints.

552  
553 It was M(Tate)/S(Horn)/C to adopt a Support position on SB 66 (Atkins).

554  
555 Vote: 7 aye (Acquaye-Baddoo, Bernal, Foo, Harb Sheets, Horn, Phillips, Tate), 0 no

556  
557 E. SB 425 (Hill) Health care practitioners: licensee's file: probationary physician's and  
558 surgeon's certificate: unprofessional conduct

559  
560 Ms. Burns provided an overview of the bill and its new sexual misconduct reporting  
561 requirement.

562  
563 It was M(Harb Sheets)/S(Horn)/C to adopt a Support position on SB 425 (Hill).

564  
565 Vote: 7 aye (Acquaye-Baddoo, Bernal, Foo, Harb Sheets, Horn, Phillips, Tate), 0 no

566  
567 d) Update on California Psychological Association Legislative Proposal Regarding  
568 New Registration Category for Psychological Testing Technicians

569

570 Mr. Foo stated that CPA provided the Legislative and Regulatory Affairs Committee a  
571 written update on their legislative proposal regarding a new registration category for  
572 psychological testing technicians.  
573

574 Dr. Winkelman, CPA, provided the Board with a summary of her written update to the  
575 Legislative and Regulatory Affairs Committee. Dr. Winkelman stated that she  
576 understands the Board cannot take an official position at this time.  
577

578 Dr. Phillips asked if CPA has found an author. Dr. Winkelman stated that CPA does not  
579 yet have an author, but they do have legislators who have shown interest. CPA wanted  
580 to see if the Board would be supportive before they moved forward.  
581

582 Dr. Harb Sheets asked if CPA envisions some type of exam that would be required to  
583 receive a registration. Dr. Winkelman stated that is not currently part of the proposal.  
584

585 Dr. Phillips asked if testing technicians are solely used by psychologists or if other  
586 professions use testing technicians. Dr. Winkelman stated that CPA's proposal would  
587 purely be for psychological and neuropsychological testing.  
588

589 Dr. William McMullen, board certified neuropsychologist, provided the Board with a  
590 summary of the functions of a neuropsychologist. He stated that when a patient is  
591 referred to him, he interviews the patient and then neurological and psychological tests  
592 are administered. The administration, scoring, and interpretation of the tests can take  
593 about two to six hours. Dr. McMullen stated that the tests are designed to be reliable  
594 and do not require a person at the doctoral level to administer tests. He stated that he  
595 currently has a three-month waiting list and that regulating and clarifying how testing  
596 technicians can be used and trained would benefit access to care while maintaining  
597 quality, as the psychologist would still be responsible and liable for technicians, which is  
598 true in other states as well.  
599

600 Ms. Bernal asked why this issue is coming to the forefront now. Dr. Winkelman stated  
601 that there has been a lack of clarity, and the psychological and neuropsychological  
602 testing codes and reimbursement regulations promulgated by the Center for Medicare  
603 and Medicaid Services were recently revised.  
604

605 Dr. Tate asked how the psychologist assesses other issues regarding patient  
606 observation, such as seeing body agitation in the patient, when a technician is  
607 administering the tests.  
608

609 Dr. McMullen stated that psychologists should always conduct the first interview to do  
610 behavioral observations of the patient and stated that there would be training of the  
611 testing technicians on basic behavioral observations, and when behaviors warrant the  
612 psychologist's intervention.  
613

614 Dr. Diane Scheiner, neuropsychologist, stated she wanted to tell the Board how the use  
615 of testing technicians would benefit early career neuropsychologists. She stated that as  
616 a neuropsychologist, a majority of her time is spent in test administration and data  
617 collection. To train testing technicians would be beneficial in limiting the time spent  
618 testing, and in expanding the time spent providing interventional services. She stated  
619 that this would also provide more opportunities to educate and provide experience in  
620 neuropsychology and increase the number of people interested in the field.

621  
622 Dr. Bob Tomaszewski, neuropsychologist, stated that a major issue from a clinical  
623 perspective is quality of care. He stated he has a three-month delay in seeing clients  
624 due to the time-consuming nature of the administration of tests. Dr. Tomaszewski stated  
625 that the delay in seeing patients affects clinical utility of the information gathered on the  
626 patient, minimizes effectiveness in providing clinical services, and is not cost effective.  
627 He stated that if a testing technician observes concerning behavior then they can notify  
628 the psychologist so that the psychologist may observe the patient.

629  
630 Dr. Melodie Schaefer stated that, from her personal experience spanning over 10 years,  
631 patients who have cognitive deficits cannot receive an MRI unless there is psychological  
632 testing. This creates backlogs and affects patient access to care. She expressed her  
633 support for the creation of this bill and which would increase testing options for  
634 consumers.

635  
636 Board Members expressed support for the creation of a bill that included a registration  
637 category for these testing technicians, required direct supervision by a psychologist, as  
638 well as, some level of training that included ethics and test administration.

639  
640 Ms. Sorrick stated that board staff has been assisting CPA with technical guidance in  
641 pursuing a sunrise application. She stated that, although the Board is not ready to take  
642 a formal position, Board staff is willing to provide technical assistance to CPA.

643  
644 Dr. Winkelman, CPA, expressed her appreciation to the Board for considering this item  
645 and to Board staff for their willingness to help with the technical issues.

646  
647 1) Newly Introduced Bills – Potential Action to Recommend the Board Watch Bills  
648 A. AB 8 (Chu) Pupil health: mental health professionals.

649  
650 Ms. Burns provided an overview of the bill. The Board discussed writing a letter of  
651 concern to the author related to the technical provisions.

652  
653 Dr. Melodie Schaefer stated that she believes that the bill brings up a consumer issue if  
654 you have someone who is unlicensed, supervising a mental health profession and  
655 possible directing psychological care. She also stated that she finds it questionable that  
656 the verbiage includes psychological interns.

657

658 Dr. Linder Crow stated that, at this time, CPA has this bill under review. The CPA Board  
659 will be discussing and providing a position at their next meeting.

660  
661 Mr. Foo stated that this bill is requiring school districts to have a mental health  
662 professional on campus for every 400 pupils.

663  
664 It was M(Tate)/S(Harb Sheets)/C to direct board staff to write a letter of concern to  
665 address what psychologists are permitted to do as well as to address the inappropriate  
666 supervision requirements, and to seek clarification regarding the inclusion of interns.

667  
668 Vote: 7 aye (Acquaye-Baddoo, Bernal, Foo, Harb Sheets, Horn, Phillips, Tate), 0 no  
669

670 B. SB 163 (Portantino) Healthcare coverage: pervasive developmental disorder or  
671 autism

672  
673 Ms. Burns provided an overview of the bill. She reviewed the programmatic concerns of  
674 board staff regarding this bill, including the particulars of potential implementation.

675  
676 Dr. Horn stated that in graduate training, it is not uncommon for those who are  
677 advanced in their training to supervise people who are at lower levels of training. Those  
678 who are supervising are being supervised by psychologists. Dr. Horn stated that it is  
679 important for licensees to be competent in supervision.

680  
681 Board discussion ensued regarding as to whether the 500 hours discussed in the bill  
682 would or should be counted towards licensure requirements since the bill did not  
683 address this question.

684  
685 Dr. Melodie Schaefer stated that she believes that the 500 hours can count towards  
686 licensure if the supervisor is a licensed psychologist. She suggested adding clarifying  
687 language to clarify that if a psychological assistant or a registered psychologist is hired,  
688 the registrant still needs to abide by the Board regulations regarding required  
689 supervision even if they are not counting these hours towards licensure.

690  
691 Dr. Elizabeth Winkelman, CPA, stated that CPA supports this bill. She stated that the  
692 intent of this bill is to expand access to services.

693  
694 It was M(Tate)/S(Bernal)/C to direct staff to draft a letter of concern with technical  
695 clarification that psychological assistants and registered psychologists still need to  
696 operate under the supervision requirements set forth in the Board's Practice Act.

697  
698 Vote: 7 aye (Acquaye-Baddoo, Bernal, Foo, Harb Sheets, Horn, Phillips, Tate), 0 no  
699

700 C. SB 201 (Wiener) Medical procedures: treatment or intervention: sex characteristics of  
701 a minor

702



703 Mr. Foo stated that this bill previously was a Watch bill. He stated that it is now a two-  
704 year bill and will be moving forward.

705  
706 **Agenda Item #23 - Legislative Items for Future Meetings. The Board May Discuss**  
707 **Other Items of Legislation in Sufficient Detail to Determine Whether Such Items**  
708 **Should be on a Future Board Meeting Agenda and/or Whether to Hold a Special**  
709 **Meeting of the Board to Discuss Such Items Pursuant to Government Code**  
710 **Section 11125.4**

711  
712 No Board or public comments were made regarding specific legislative agenda items for  
713 future Board meetings.

714  
715 **Agenda Item #27 - Recommendations for Agenda Items for Future Board**  
716 **Meetings. Note: The Board May Not Discuss or Take Action on Any Matter Raised**  
717 **During This Public Comment Section, Except to Decide Whether to Place the**  
718 **Matter on the Agenda of a Future Meeting [Government Code Sections 11125 and**  
719 **11125.7(a)]**

720  
721 No Board or public comments were made regarding specific agenda items for future  
722 Board meetings.

723  
724 Meeting adjourned at 2:43 p.m.

725  
726 Original signed by Stephen Phillips, JD, PsyD

727 \_\_\_\_\_  
President

\_\_\_\_\_ Date