

1
2 **BOARD MEETING**

3
4 The Westin San Diego
5 Gaslamp Quarter
6 910 Broadway Circle
7 San Diego, CA 92101
8 (619) 239-2200
9

10 **October 3 - 4, 2019**

11
12 **Thursday, October 3, 2019**

13
14 **Members Present**

15 Stephen Phillips, JD, PsyD, President
16 Seyron Foo, Vice-President
17 Sheryll Casuga, PsyD
18 Marisela Cervantes
19 Mary Harb Sheets, PhD
20 Jacqueline Horn, PhD
21 Lea Tate, PsyD
22

23 **Members Absent**

24 Alita Bernal
25

26 **Others Present**

27 Antonette Sorrick, Executive Officer
28 Norine Marks, DCA Legal Counsel
29 Cherise Burns, Central Services Manager
30 Stephanie Cheung, Licensing Program Manager
31 Sandra Monterrubio, Enforcement Program Manager
32

33

Thursday, October 3, 2019

34 **Agenda Item #1: Call to Order/Roll Call/Establishment of a Quorum**

35 Stephen Phillips, JD, PsyD, Board President, called the open session meeting to order
36 at 10:08 a.m. A quorum was present and due notice had been sent to all interested
37 parties.
38

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

40 Dr. Phillips read opening remarks.
41

42 **Agenda Item #3: Public Comment for Items not on the Agenda. The Board May**
43 **Not Discuss or Take Action on Any Matter Raised During this Public Comment**

44 **Section, Except to Decide Whether to Place the Matter on the Agenda of a Future**
45 **Meeting [Government Code sections 11125 and 11125.7(a)]**

46
47 No public comment was offered.

48
49 **Agenda Item #4: President's Report**

50
51 a) 2019 Meeting Calendar and Locations – Meeting materials were provided in the
52 meeting packet.

53
54 b) 2020 Meeting Calendar and Locations – Dr. Phillips emphasized how important it will
55 be for as many Members as possible to come to the Legislative visits the day before the
56 February 2020 Board Meeting.

57
58 c) Committee Updates – Dr. Phillips explained that there had not been a significant
59 change to Committee assignments and that there would be an election of officers at the
60 end of the open session, noting that the incoming president will revisit the Committee
61 assignments after the election.

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

64
65 Ms. Sorrick said that the Board's Licensing and BreEZe Coordinator, Mai Xiong, would
66 be leaving the Board to take a position at OSHPD in October 2019. Ms. Sorrick
67 expressed that Ms. Xiong will be missed and that she has done a great job. Staff is
68 working with OHR to backfill the position. There were no further organizational updates,
69 and no Board comments followed.

70
71 **Agenda Item #7: Discussion and Possible Approval of the Board Meeting**
72 **Minutes: August 15-16, 2019**

73
74 It was M(Foo)/S(Harb Sheets)/C to approve the minutes as amended with any technical
75 changes previously submitted by Board Members.

76
77 Vote: 7 ayes (Casuga, Cervantes, Foo, Harb Sheets, Horn, Phillips, Tate), 0 noes

78
79 **Agenda Item #6: DCA Executive Office Update**

80
81 Ms. Sorrick introduced a letter from Deputy Director of DCA Board and Bureau Services
82 Chris Castrillo, which provided the Department of Consumer Affairs (DCA) Executive
83 Team update. Patrick Le, Assistant Deputy Director of BBS, had left BBS for a position
84 as a consultant with the Assembly Business and Professions Committee. The Board
85 had not yet had an Assembly Consultant assigned.

86
87 The Director's Quarterly Meeting would be held on October 16, 2019 for Board
88 Presidents and Executive Officers at DCA Headquarters. This meeting would be a

89 check-in with all the divisions within DCA and to report to the Boards on progress being
90 made in any particular areas.

91
92 DCA has put together a new publication called “We’re Listening” which offers ways to
93 improve our interactions with the public.

94
95 The Future Leadership Development program is continuing with its third cohort and had
96 its kickoff in September 2019 and will continue through 2020.

97
98 No Board or public comments followed.

99
100 **Agenda Item #8: Budget Report**

101
102 Ms. Burns provided the update on this item. Ms. Burns explained that not all our
103 expenditures are loaded into the Fi\$Cal system, so a full budget report will follow at the
104 February 2020 Board meeting. The Board’s budget analyst is expected to present their
105 report in February.

106
107 Mr. Foo asked when Fi\$Cal will be working better, at least well enough to be useful. Ms.
108 Burns said it will be a few years until then.

109
110 Dr. Horn asked why the budget is ‘tight’. Ms. Burns explained that personnel costs are
111 going up and will continue to increase until after the Governor’s budget goes through. She
112 explained further that the Board does not always spend the entire budgeted expenditures
113 for contracts, so even though that money looks like it’s being spent in the budget overview
114 report, reversions are just estimates until the fiscal year books are closed. She also
115 explained that Fi\$Cal is still closing out last year and the Board would not be able to
116 release all of that information before the Governor’s budget is finalized.

117
118 Dr. Harb Sheets asked about the impact of increasing department costs, costs the Board
119 will be charged, and whether the Board has been impacted by those yet. Ms. Burns
120 responded in the negative, stating that we are accruing those increased Office of Attorney
121 General (OAG) fees and will have to continue to track those fees. Ms. Burns explained
122 further that the Board can make current year augmentation requests to cover the
123 increased OAG or Office of Administrative Hearing expenses if needed.

124
125 Dr. Phillips mentioned that Board staff is expanding the size of the office suite to better
126 accommodate staff and asked how that expansion will impact the budget. Ms. Burns
127 replied that even though the remaining reversion funds will be drawn down a little more
128 than anticipated to cover some minor facilities costs, the Board should be fine since the
129 Board operates on baseline budgeting as well as is waiting on the January numbers in
130 the Governor’s Budget to be updated.

131

132 There were no further Board or public comments offered.

133

134 **Agenda Item #9: Licensing Report**

135

136 Ms. Cheung provided the update on this item. Ms. Cheung explained that the Board has
137 seen approximately 100 active new licensees and 20 registrants since the August 2019
138 Board meeting. She also noted a slight decrease in the number of registered
139 psychologists.

140

141 Ms. Cheung highlighted the Workflow reports in Attachment B which reflected an
142 increase in the number of new applications and explained that part of that increase
143 resulted from a workflow BreEZe enhancement that triggered some applicants to
144 reapply.

145

146 Dr. Horn asked about whether Attachment B indicated how many applications had been
147 opened or did it show how many have been approved? Ms. Cheung explained that the
148 number of open applications is a byproduct of applicants signing up to take the EPPP or
149 CPLEE and that staff would have to look at each record individually to know the status.

150

151 **Agenda Item #15: Petition for Early Termination of Probation – Paul Whitaker,**
152 **PhD**

153

154 Administrative Law Judge Debra D. Nye-Perkins presided. Deputy Attorney General
155 Rosemary Luzon was present and represented the People of the State of California.
156 Paul Whitaker, PhD was present and represented himself.

157

158 **Agenda Item #16: Closed Session**

159

160 In the interest of time, the Board postponed this closed session and combined it with
161 Agenda Item #18: Closed Session.

162

163 **Agenda Item #17: Petition for Reinstatement of License – Todd Gaffaney, PhD**

164

165 Administrative Law Judge Debra D. Nye-Perkins presided. Deputy Attorney General
166 Rosemary Luzon was present and represented the People of the State of California. Dr.
167 Gaffaney was present and was represented by Lindsay Johnson.

168

169 **Agenda Item #18: Closed Session**

170

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

174

175 The meeting adjourned at 6:08 p.m.

176
177
178
179
180
181
182
183
184
185
186
187
188
189
190
191
192
193
194
195
196
197
198
199
200
201
202
203
204
205
206
207
208
209
210
211
212
213
214
215
216
217
218
219
220

Friday, October 4, 2019

9:30 a.m. – OPEN SESSION

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

Stephen Phillips, JD, PsyD, Board President, called the open session meeting to order at approximately 9:30 am. 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
- Sheryll Casuga, PsyD
- Marisela Cervantes
- Mary Harb Sheets, PhD
- Jacqueline Horn, PhD
- Lea Tate, PsyD

Members Absent

- Alita Bernal

Others Present

- Antonette Sorrick, Executive Officer
- Norine Marks, DCA Legal Counsel
- Cherise Burns, Central Services Manager
- Stephanie Cheung, Licensing Program Manager
- Sandra Monterrubio, Enforcement Program Manager
- Gloria Castro, Deputy Chief Attorney General, OAG

CLOSED SESSION

The Board met in Closed Session pursuant to Government Code Section 11126(a)(1) to Conduct its Annual Evaluation of its Executive Officer.

OPEN SESSION

Returned to open session at 11:11 am

Agenda Item #20: 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)].

No public comment was offered.

221
222
223
224
225
226
227
228
229
230
231
232
233
234
235
236
237
238
239
240
241
242
243
244
245
246
247
248
249
250
251
252
253
254
255
256
257
258
259
260
261
262
263
264
265

Agenda Item #21: Legislative and Regulatory Affairs Update

- a) Board Sponsored Legislation for the 2019 Legislative Session: Review and Possible Action
 - 1) SB 275 (Pan) – Amendments to Section 2960.1 of the Business and Professions Code Regarding Denial, Suspension and Revocation for Acts of Sexual Contact

Mr. Foo provided an update on SB 275. Ms. Burns explained the nature of grammatical amendments made to the bill to further clarify the definition of sexual contact.

It was M(Tate)/S(Casuga)/C to approve the proposed amendments and direct staff to continue working with Senator Pan on SB 275.

There was no further Board discussion and no public comment.

Vote: 7 ayes (Casuga, Cervantes, Foo, Harb Sheets, Horn, Phillips, Tate), 0 noes

- 2) SB 786 (Committee on Business, Professions and Economic Development) Healing Arts – Update on Amendments to Sections 2940-2944 of the Business and Professions Code Regarding Examinations

Ms. Sorrick pointed out that the Governor signed SB 786.

- b) Review and Consideration of Proposed Legislation
 - 1) Review of Bills with Active Positions Taken by the Board
 - A. AB 1076 (Ting) Criminal Records: automatic relief.
 - B. AB 1145 (Garcia) Child abuse: reportable conduct.
 - C. SB 53 (Wilk) Open meetings.

Dr. Phillips requested an explanation of SB 53. Ms. Burns explained that SB 53 has died in committee and did not reach the Governor’s desk.

- D. SB 66 (Atkins) Medi-Cal: federally qualified health center and rural health clinic services.
- E. SB 425 (Hill) Health care practitioners: licensee’s file: probationary physician’s and surgeon’s certificate: unprofessional conduct.

The Board did not discuss “Review and Consideration of Proposed Legislation” bills in 21(b)(1)(A), 21(b)(1)(B), 21(b)(1)(D), or 21(b)(1)(E).

- 2) Review of Bills with Recommended Watch Status

- 266 A. AB 5 (Gonzalez) Worker status: employees and independent
- 267 contractors.
- 268 B. AB 8 (Chu) Pupil health: mental health professionals.
- 269 C. AB 166 (Gabriel) Medi-Cal: violence preventive services.
- 270 D. AB 189 (Kamlager-Dove) Child abuse or neglect: mandated
- 271 reporters: autism service personnel.
- 272 E. AB 241 (Kamlager-Dove) Implicit bias: continuing education:
- 273 requirements.
- 274 F. AB 289 (Fong) California Public Records Act Ombudsperson.
- 275 G. AB 469 (Petrie-Norris) State records management: records
- 276 management coordinator.
- 277 H. AB 476 (Rubio, Blanca) Department of Consumer Affairs: task
- 278 force: foreign-trained professionals.
- 279 I. AB 496 (Low) Business and professions.
- 280 J. AB 512 (Ting) Medi-Cal: specialty mental health services.
- 281 K. AB 565 (Maienschein) Public health workforce planning: loan
- 282 forgiveness, loan repayment, and scholarship programs.
- 283 L. AB 577 (Eggman) Health care coverage: maternal mental health.
- 284 M. AB 630 (Arambula) Board of Behavioral Sciences: marriage and
- 285 family therapists: clinical social workers: educational
- 286 psychologists: professional clinical counselors: required notice:
- 287 exemptions.
- 288 N. AB 744 (Aguiar-Curry) Healthcare coverage: telehealth.
- 289 O. AB 798 (Cervantes) Maternal Mental Health.
- 290 P. AB 1058 (Salas) Medi-Cal: specialty mental health services and
- 291 substance use disorder treatment.
- 292 Q. AB 1179 (Blanca) Child Custody: allegations of abuse: report.
- 293 R. AB 1184 (Gloria) Public records: writing transmitted by electronic
- 294 mail: retention.
- 295 S. AB 1519 (Low) Healing Arts.
- 296 T. SB 163 (Portantino) Health care coverage: pervasive
- 297 developmental disorder or autism.
- 298 U. SB 331 (Hurtado) Suicide prevention: strategic plans.
- 299 V. SB 601 (Morrell) State agencies: licenses: fee waiver.
- 300 W. SB 639 (Mitchell) Medical services: credit or loan.
- 301 X. SB 660 (Pan) Postsecondary education: mental health
- 302 counselors.
- 303

304 The Board did not have any “Watch” bills they wanted to discuss.

- 305
- 306 3) Review of Two-Year Bills with Recommended Watch Status
- 307 A. AB 71 (Melendez) Employment standards: independent
- 308 contractors and employees.
- 309 B. AB 184 (Mathis) Board of Behavioral Sciences: registrants and
- 310 licensees.
- 311 C. AB 193 (Patterson) Professions and vocations.

- 312 D. AB 312 (Cooley) State government: administrative regulations:
- 313 review.
- 314 E. AB 396 (Eggman) School employees: School Social Worker Pilot
- 315 Program.
- 316 F. AB 536 (Frazier) Developmental services.
- 317 G. AB 544 (Brough) Professions and vocations: inactive license fees
- 318 and accrued and unpaid renewal fees
- 319 H. AB 613 (Low) Professions and vocations: regulatory fees.
- 320 I. AB 768 (Brough) Professions and vocations.
- 321 J. AB 770 (Garcia, Eduardo) Medi-Cal: federally qualified health
- 322 clinics: rural health clinics.
- 323 K. AB 895 (Muratsuchi) Pupil Mental Health Services Program Act.
- 324 L. AB 1201 (Boerner Horvath) Unfair Practices Act.
- 325 M. AB 1271 (Diep) Licensing examinations: report.
- 326 N. AB 1601 (Ramos) Office of Emergency Services: behavioral
- 327 health response.
- 328 O. SB 181 (Chang) Healing arts boards.
- 329 P. SB 201 (Wiener) Medical procedures: treatment or intervention:
- 330 sex characteristics of a minor.
- 331 Q. SB 546 (Hueso) Unlicensed activity.
- 332 R. SB 700 (Roth) Business and professions: noncompliance with
- 333 support orders and tax delinquencies.
- 334

335 The Board did not have any Two-Year Bills with Recommended Watch Status that
 336 they wanted to discuss.

337

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

343

344 No comments were offered.

345

346 **Agenda Item #23: Regulatory Update, Review, and Consideration of Additional**
 347 **Changes**

- 348 a) 16 CCR Sections 1391.1, 1391.2, 1391.5, 1391.6, 1391.8, 1391.10,
- 349 1391.11, 1391.12, 1392.1 – Psychological Assistants
- 350 b) 16 CCR Sections 1391.13, and 1391.14 – Inactive Psychological
- 351 Assistant Registration and Reactivating a Psychological Assistant
- 352 Registration
- 353 c) 16 CCR Section 1396.8 – Standards of Practice for Telehealth
- 354 d) 16 CCR Sections 1381.9, 1381.10, 1392 – Retired License, Renewal of
- 355 Expired License, Psychologist Fees
- 356 e) 16 CCR Sections 1381.9, 1397.60, 1397.61, 1397.62, 1397.67 –
- 357 Continuing Professional Development

358 f) 16 CCR Section 1394 – Substantial Relationship Criteria;
359 Section 1395 – Rehabilitation Criteria for Denials and Reinstatements;
360 Section 1395.1 – Rehabilitation Criteria for Denials Suspensions or
361 Revocations
362

363 Mr. Foo provided the update on item (d) regarding newly-proposed language for
364 retired license status and referred to the revised draft language provided in the
365 meeting materials. Ms. Burns explained that retired status would not extend to
366 individuals with disciplinary cases, accusations, or other restricted licenses (legal or
367 administrative). The new language clarifies these definitions in regulations for
368 licensees and applicants.
369

370 It was M(Harb-Sheets)/S(Tate)/C to approve the revised regulatory language for
371 noticing.
372

373 There was no further Board discussion and no public comment on item (d).
374

375 Vote: 7 ayes (Casuga, Cervantes, Foo, Harb Sheets, Horn, Phillips, Tate), 0 noes
376

377 The Board did not discuss items 23(a)-(c) or 23(e)-(f).
378

379 **Agenda Item #28: Licensure Committee Report -- Consideration and Possible**
380 **Approval of Committee Recommendations**
381

382 d) Consideration of Seeking Statutory Change to Allow the Licensure
383 Committee to Meet in Closed Session to Make Final Licensure
384 Determinations
385

386 Dr. Horn explained that the Licensure Committee deliberates on certain requests in
387 closed session to protect applicant's and licensees' privacy. The Committee must
388 then bring their recommendations to full the Board for action, meaning that
389 confidentiality is potentially compromised. Dr. Horn commented that statute requires
390 this Committee be only an advisory committee to the full Board.
391

392 Pursuing a statutory change to allow the Licensing Committee to be the final
393 decision-maker on licensure determinations would mean that the Committee would
394 not have to come before the public and the full Board for action. Precedent has
395 been established for this process through the Dental Board's Practice Act.
396

397 The Licensure Committee requested that the Board allow it to have the ability to
398 make decisions in such a way as to keep licensees' information private. Dr. Horn
399 commented that she could not recall a time when the Board had not agreed with
400 this Committee's recommendations. Dr. Phillips said there was one instance
401 regarding course in human sexuality for out-of-state psychologists, which Dr. Horn
402 recalled, but she could not recall another time during her past six years on the

403 Board. Dr. Phillips pointed out that there might be a very long lag between the
404 Licensure Committee meeting and the consideration of their recommendations at a
405 Board meeting, which could cause an inordinate amount of time between the
406 Committee's approval and Board action to the detriment of the applicant or
407 petitioner.

408
409 It was M(Foo)/S(Harb Sheets)/C to approve the proposed statutory language and
410 seek legislation to implement these changes.

411
412 Ms. Marks pointed out that under current language, the Board will still delegate this
413 authority to the Licensure Committee, but that the Board would retain that power of
414 delegation.

415
416 There was no further Board discussion and no public comments were offered.

417
418 Vote: 7 ayes (Casuga, Cervantes, Foo, Harb Sheets, Horn, Phillips, Tate), 0 noes
419

420 **Agenda Item #24: Review and Consideration of the Sunset Review Committee**
421 **Report -- Review and Possible Approval of Board's Sunset Report**

422
423 Dr. Phillips mentioned the upcoming Sunset Review Teleconference scheduled for
424 November 8, 2019 to review revisions. Ms. Sorrick described the Sunset process. Board
425 discussion ensued on a section by section basis.

426
427 Section 1: Background and Description of the Board and Regulated Profession. Ms.
428 Cervantes asked about the timeframe covered in the report. Ms. Sorrick explained that
429 each section contained different time information as it was requested. Ms. Burns
430 explained that there would be differences in the information reported depending on
431 which span of time was being requested. No further Board or public comment was
432 made on Section 1 of the Sunset Report.

433
434 Section 2: Performance Measures and Customer Satisfaction Surveys. No Board or
435 public comments were made on this section.

436
437 Section 3: Fiscal and Staff. Dr. Harb Sheets commented that the language regarding
438 the license renewal cycle in question #14 is confusing since the language only pertains
439 to new licensees. Ms. Burns explained that all new licenses issued are on a two-year
440 cycle from the date of issuance, not birthday-month related as was done in the past. Dr.
441 Harb Sheets found this confusing, and Dr. Horn agreed. Discussion ensued about
442 interpreting a renewal date based on licensure date.

443
444 Ms. Sorrick asked Dr. Harb Sheets to provide clarifying language. Dr. Harb Sheets
445 recommended the following language, which Ms. Burns captured live and revised based
446 on further discussion:

447
448 Licensed psychologists renew their licenses biennially. Psychological assistants
449 renew annually. There have been no changes to the renewal cycle in the last 10
450 years; however, for a license issued on or after January 1, 2016, the renewal cycle is
451 two years from the date of issuance. For those licensed on or prior to December 31,
452 2015, the license continues to expire at 12 midnight of the last day of the month of
453 the birthdate of the licensee.
454

455 There was no further Board discussion and no public comment made on this section.
456

457 Section 4: Licensing Program. No Board or public comment was initially made on this
458 section.
459

460 Section 5: Enforcement Program. Dr. Harb Sheets commented that in question #43, she
461 didn't see probation violations fitting into citable violations since they don't really look
462 like the other citable violations. Ms. Sorrick asked whether Dr. Harb Sheets thought cite
463 and fine should include violation of probation, and Dr. Harb Sheets replied in the
464 affirmative.
465

466 Discussion ensued as to whether probation violation should be included as one of the
467 offenses upon which a citation and fine should be based. Dr. Horn commented that
468 probation violation is in fact formal discipline. Mr. Foo agreed with Dr. Horn's comment.
469 Dr. Harb Sheets commented that they are not being additionally formally disciplined,
470 just receiving a citation and fine. Ms. Monterrubio agreed with Dr. Horn and will add
471 probation violation as one of the five most common citable offenses under question #45
472 and further suggested taking failure to maintain proper recordkeeping off the list, since
473 the bullet list only allows the five most often-cited violations. No change was made to
474 question #43.
475

476 Ms. Cervantes asked Ms. Monterrubio whether poor recordkeeping is a common
477 violation of the terms and conditions of probation. Ms. Monterrubio replied in the
478 negative, noting that on the Overview of Enforcement Activity, the statistic is for
479 probation violations, not poor recordkeeping. Dr. Phillips asked Ms. Monterrubio to
480 confirm whether citation and fine is for lesser violations and Ms. Monterrubio confirmed
481 that this was the intended purpose, and that recordkeeping violations do not usually rise
482 to the level of formal discipline.
483

484 Dr. Linder-Crow, CEO of the California Psychological Association (CPA), asked for
485 clarification of the meaning of "the average dollar amount" referred to in question #38b.
486 Ms. Monterrubio explained that she believed this dollar amount spoke to settlements
487 above a certain monetary threshold and that this was an average dollar amount of those
488 awards reported to the Board. Ms. Sorrick commented that the Board sees very few of
489 these awards and therefore this dollar amount is skewed, but that this is what the Board
490 was instructed to report.

491
492 Section 4: Licensing Program. Ms. Marks asked for clarification on question #21 from a
493 previous section [Section 4 – Licensing Program] regarding denials based on criminal
494 history. She asked whether this included only licenses being denied outright, or also
495 included denials that resulted in a license later being issued. Ms. Monterrubio explained
496 that she believed that this data applied to applicants initially being denied which resulted
497 in a Statement of Issues.

498
499 Dr. Harb Sheets pointed out fiscal year 15/17 should be 16/17 in question #21. Ms.
500 Burns corrected this error.

501
502 Dr. Horn wondered whether the Board's answer to question #21 regarding denials will
503 be clear to the Legislature when they read the report. Discussion ensued as to whether
504 clarifying words could be added. Dr. Phillips suggested using the term 'initial' denials;
505 however, Ms. Cervantes countered that this would lead to additional questions. Dr.
506 Phillips suggested that the Board not alter the categories defined by the Legislature. Ms.
507 Marks asked the Board whether it would be helpful to include a note following the
508 statistics on denials to say, 'these are cases where applicants would be subsequently
509 issued a license.' Dr. Phillips recommended that the Board answer the questions posed,
510 and let the Legislature ask clarifying questions, if necessary.

511
512 No public comment was made on this section.

513
514 Section 6: Public Information Policies. No Board or public comments were made on this
515 section.

516
517 Section 7: Online Practice Issues. Dr. Phillips said it was not clear what the Legislature
518 was asking in question #59 regarding online practice, since telepsychology was the only
519 area the Board addressed and so that will be the Board's focus. Discussion ensued as
520 to what the Legislature's intent was in asking this question. Ms. Cervantes speculated
521 that this question may be there to give the Board an opportunity to call attention to
522 emerging trends in online therapy. Ms. Cervantes spoke of being aware of a growth of
523 technology and asked whether the Board should mention those here. Dr. Phillips
524 cautioned that since the Board has not done any in-depth exploration of these items, it
525 could be a misstep to speculate on trends at this point. Ms. Burns pointed out that the
526 Board had not received complaints about online therapy, just telepsychology. Dr.
527 Phillips commented that many of the Board's policies were enforcement-driven.

528
529 Dr. Harb Sheets commented that this section appeared to be two questions which the
530 Board had only partially addressed. Dr. Harb Sheets wondered whether the thought
531 behind this approach was 'less is more'. Dr. Phillips repeated that the Board should not
532 volunteer information that was not requested, and that the Board was trying to be as
533 responsive as possible based on current information. He suggested to let the

534 Legislature come back with clarifying questions. Ms. Sorrick commented that the Board
535 could include a definition of online services, in response to Dr. Horn’s question about
536 whether online therapy could be an Outreach and Communications Committee
537 endeavor. Ms. Sorrick felt it would be too early to start defining new outreach goals right
538 now, but that the Board could clarify the definition in this draft to catch it in Sunset. Ms.
539 Burns captured this revised language live as follows and incorporated it into the Board’s
540 response to question #59:

541
542 “The Board defines online practice as one method of delivery of psychological services
543 pursuant to BPC Section 2290.5 on telehealth.”
544

545 Dr. Winkelman, CPA Director of Professional Affairs, commented that the prevalence of
546 online practice is the most common topic among CPA membership. As for the need for
547 regulation, she continued, there is an increase in text-based therapy, provided by out-of-
548 state providers to in-state consumers.

549
550 No further Board discussion or public comment was made on this section.

551
552 Section 8: Workforce Development and Job Creation. No comments from the Board or
553 public were made on this section.

554
555 Section 9: Current issues. No comments from the Board or public were made on this
556 section.

557
558 Section 10: Board Action and Response to Prior Sunset Issues. Dr. Phillips commented
559 that the Board picked language up verbatim from the previous Sunset report and cannot
560 change this language except to make changes in the “update” box at the end of each
561 issue. Dr. Horn asked whether this whole section was written by the previous Sunset
562 Review Committee. Ms. Sorrick explained that this is a compilation including the
563 Committee’s questions and the Board’s responses and all the Board does is provide the
564 update. The Board also updated one table.

565
566 No further Board discussion ensued and no public comments were made on this
567 section.

568
569 Section 11: New Issues. Dr. Phillips brought up that this Board had addressed the
570 question of delegation to the Licensure Committee earlier in these proceedings. Dr.
571 Phillips asked whether this language was written in anticipation of this question coming
572 before the full Board and Ms. Burns confirmed that it was.

573
574 No further Board comments were made and no public comments were made on this
575 section.

576

577 Section 12: Attachments. Dr. Phillips pointed out that most of the attachments are
578 documents already in existence. Ms. Burns mentioned that the Administrative
579 Procedure Manual will be taken up at the February 2020 Board meeting.

580
581 No further Board discussion ensued and no public comments were made on this
582 section.

583
584 **Agenda Item #26: Presentation by the Office of the Attorney General on Clear and**
585 **Convincing to a Reasonable Certainty Standard of Proof in Accusations, and the**
586 **Office of the Attorney General Role in the Board’s Enforcement Process (G.**
587 **Castro)**

588
589 Gloria L. Castro, Senior Assistant Attorney General, Health and Quality Enforcement
590 Section, Office of the Attorney General, made as presentation to the Board on these
591 issues.

592
593 Dr. Phillips asked for clarification on the difference between Levels of Proof, namely
594 ‘preponderance of evidence’, ‘clear and convincing evidence’, and ‘beyond a
595 reasonable doubt’. Ms. Castro explained the difference. Dr. Phillips put it into lay terms.
596 Ms. Castro confirmed his explanation. Dr. Phillips emphasized that every case is taken
597 very seriously and that in some cases, the Board simply does not have what is needed
598 to move forward with a case. Ms. Castro repeated this in terms of the OAG’s view,
599 where every case is viewed individually. For confidentiality reasons, the OAG cannot
600 always share weaknesses or background information related to why a filed case was
601 not accepted for prosecution. It is an intangible benefit that licensees read disciplinary
602 decisions and that it does speak to their own practice.

603
604 Dr. Casuga commented about cases where Board Enforcement staff sends a letter
605 indicating insufficient evidence and that consumers are at a loss to know what else they
606 could have provided. Dr. Casuga asked Ms. Castro whether there was anything else a
607 complainant could present to bolster their case. Ms. Castro replied that Enforcement
608 staff and OAG take all cases very seriously. It is helpful when a complainant turns over
609 all their material and is willing to cooperate fully, but the Subject’s side of things is also
610 considered. OAG considers both sides of the complaint in determining whether to
611 proceed, but they must leave it to the expert to see what is ‘wrong with this picture.’

612
613 Mr. Foo asked whether the occasion of multiple complaints from multiple people against
614 a single licensee meets the clear and convincing level of proof. Ms. Castro replied that
615 complaints are not taken globally, and that Mr. Foo’s scenario would not be enough to
616 show merit for pursuing a case. Pattern and practice are more telling indicators, but
617 those cases are rare enough to not guide OAG policy. Investigations are still conducted
618 case by case, so DAGs and investigators may consider patterns in a big picture, but it is
619 not clear and convincing as initially presented and the merits are evaluated based on

620 the records and the expert's opinion. Dr. Phillips comments that it is not an additive
621 process, meaning that several cases coming in together do not add up to clear and
622 convincing and Ms. Castro agreed with this assessment. Mr. Foo asked if it presents an
623 obstacle when staff cannot obtain a Release from the Complainant and Ms. Castro
624 confirmed that it is an obstacle. Dr. Phillips commented that health care providers are
625 trained to not turn over records in order to protect patient privacy and that the easiest
626 way to enable the provider to turn records over is to receive a Release. Ms. Castro
627 confirmed that the Release is critical to the investigation so as not to hold up the
628 process.

629
630 Dr. Winkelman asked Ms. Castro about the educational aspect of publishing an
631 Accusation and subsequent discipline. Dr. Winkelman referred to a case in which gross
632 negligence was alleged over the use of email communication, and that the topic came
633 up at an earlier Board meeting. Dr. Winkelman wondered whether more detail might be
634 included in some Accusations to fulfill the educational purpose of reading these
635 materials. Ms. Castro referred to 'notice pleading' as the standard in California. Ms.
636 Castro did not believe more detail would be useful, since every case is different. Where
637 the expert reads and finds gross negligence in a case with email communication, the
638 expert would have picked up something in the context or intent and whether the
639 licensee fell short of community standards upheld by all licensees. Ms. Castro said that
640 the instructional aspect of disciplinary publications is food for thought, but she did not
641 feel there would be a situation where a licensee reading a Decision would identify
642 precisely with that Respondent. She indicated the licensee might see similarities which
643 could be used to correct their own practice, which would be in the interest of public
644 protection. Dr. Winkelman asked for even just a few more clarifying words, so that the
645 violation does not appear just to be the email itself, but the content of the email. Ms.
646 Castro replied that Dr. Winkelman's request was well-stated.

647
648 Dr. Phillips thanked Ms. Castro for her informative presentation which will be used for
649 informational purposes so that people better understand the standards and procedures
650 in enforcement.

651
652 **Agenda Item #27: Enforcement Committee Report – Consideration and Possible**
653 **Approval of Committee Recommendations**

654
655 c) Child Custody Stakeholder Meeting Implementation Update

656
657 Ms. Monterrubio reported that at its April, 2019 meeting, the Enforcement Committee
658 directed staff to work on five Action Items based on the September 2018 Stakeholder
659 Meeting: 1) Mandate Child Abuse/Domestic Violence Education for Subject Matter
660 Experts, 2) Screen Child Custody Subject Matter Experts that Subscribe to Parental
661 Alienation, 3) Educate Public on Clear and Convincing Evidence, 4) Create a Complaint
662 Fact Sheet, and 5) Review and Consider Statutory Language Related to Documentation

663 Considered for Child Custody Complaints. Ms. Monterrubio described the
664 implementation timeline. Dr. Horn asked about the Action Item #2 and whether staff
665 could add “Syndrome” to “Parental Alienation”, but Dr. Phillips stated the five items were
666 based on the comments of stakeholders felt it was inappropriate to restate their
667 concerns. Ms. Marks confirmed that the Board does have that authority to adopt or
668 amend the action items. Dr. Horn had requested this be done to decrease confusion.

669
670 It was M(Horn)/S(Casuga)/C to adopt, as amended, the Child Custody Stakeholder
671 meeting implementation plan with Action Item #2 amended to add “syndrome” to
672 “parental alienation” to read “parental alienation syndrome”.

673
674 Mr. Foo asked about Action Item #3, what was meant by “definition” of Clear and
675 Convincing Evidence and what would be posted. Ms. Monterrubio explained that DAG
676 Liaison Joshua Templet had previously provided this definition for posting.

677
678 Discussion ensued as to the appropriateness of adding additional criteria for screening
679 out experts, many of whom would be highly-qualified to act in that capacity.

680
681 Dr. Linder-Crow commented that she and Dr. Winkelman have heard that since the
682 publication of the Journal with the Enforcement Committee meeting summary, many
683 licensees have come forward with questions. Dr. Linder-Crow expressed concerns
684 about the stakeholder meeting itself and with Action Items #1 and #2. She stated that
685 the stakeholder meeting as originally promoted did not appear to be something CPA
686 needed to be involved with because the meeting was geared toward the Center for
687 Judicial Excellence regarding actions of the courts, the Board’s disciplinary process and
688 a discussion of the burden of clear and convincing evidence. Now as she reads the
689 summary, the content turned out to be much broader, and she commented that CPA
690 was not invited to this facilitated meeting to triage the list of concerns and to comment.
691 Dr. Linder-Crow asks to be considered a stakeholder in any situation that might affect
692 licensees. To that end, she requested a follow-up stakeholder meeting, to include CPA,
693 subject matter experts, and the chapter of Association of Family and Conciliation Courts
694 (AFCC).

695
696 Dr. Linder-Crow commented that Action Item #1 is already a requirement under the
697 California Rules of Court and said that this requirement raises concerns and she
698 wondered how this came to be implemented. On Action Item #2, Dr. Linder-Crow
699 commented that using the correct language is hugely important and that the Journal and
700 the April Board meeting minutes did not clearly explain what this screening entailed.
701 She indicated that Board language edges out many experts who are skilled in detecting
702 the nuances of parental cases and that the Board’s screening process is unknown and
703 wondered whether staff would oversee screening.

704

705 Dr. Winkelman said she has spoken with many experts about parental alienation. She
706 says that there is widespread disbelief in parental alienation syndrome, but that there
707 are many kinds of resistive family dynamics, and that well-regarded experts in the field
708 would be screened out without further consideration when instead they need to be a
709 part of this conversation. She echoed that these are very complex issues and that the
710 Board should consult with experts and work on clarifying this requirement.

711
712 Dr. Linder-Crow urged the Board to take a step back on implementation, because these
713 issues are too critical to go forward without CPA and experts in on the conversation. Dr.
714 Phillips explained that a former Board member and a child custody expert would be
715 making that determination and would provide consultation to staff in screening experts.
716 Dr. Phillips explained that the Board is looking specifically at parental alienation
717 syndrome. Dr. Linder-Crow countered that there was concern among experts who know
718 the difference between parental alienation and parental alienation syndrome and that
719 this screening may be applied too broadly.

720
721 Dr. Phillips echoed this sentiment and said that consultant expert is very-highly qualified
722 and that this is how the Board came up with parental alienation 'syndrome.' The Board
723 is being very careful and respectful while also screening experts to make sure the Board
724 is comfortable with their opinions. Dr. Phillips acknowledged that CPA would have been
725 welcome to attend had they so chosen. Dr. Phillips said that he does not see it as a
726 burden to impose the educational requirement of Action Item #1 on subject matter
727 experts. Dr. Linder-Crow commented that CPA will try harder to communicate to
728 licensees just how seriously the Board takes these considerations and issues and the
729 ways in which the Board works.

730
731 No further Board discussion or public comments were made on this item.

732
733 Vote: 7 ayes (Casuga, Cervantes, Foo, Harb Sheets, Horn, Phillips, Tate), 0 noes

734
735 The Board did not discuss items 27(a), (b), or (d).

736
737 **Agenda Item #29: Election of Officers**

738
739 Ms. Marks explained the process of nominating and electing officers. Discussion
740 ensued as Board Members voiced their nominations for the offices of President and
741 Vice-President of the Board.

742
743 Ms. Marks opened the nominations for the office of President.

744 Dr. Phillips nominated Mr. Foo.

745 Dr. Casuga nominated Dr. Horn. Dr. Horn declined the nomination.

746 Dr. Casuga nominated Dr. Phillips. Dr. Phillips declined the nomination.
747 Dr. Casuga nominated Dr. Harb Sheets. Dr. Harb Sheets declined the nomination.
748 Mr. Foo was elected as President.
749 Vote: 7 ayes (Casuga, Cervantes, Foo, Harb Sheets, Horn, Phillips, Tate), 0 noes
750
751 Ms. Marks opened the nominations for the office of Vice-President.
752 Mr. Foo nominated Dr. Casuga.
753 Dr. Phillips nominated Dr. Harb Sheets.
754 During a roll-call vote, Dr. Casuga received two votes (Foo, Horn) and Dr. Harb Sheets
755 received five votes (Casuga, Cervantes, Harb Sheets, Phillips, Tate).
756 Dr. Harb Sheets was elected as Vice-President.
757
758 Ms. Marks introduced a motion for the term(s) of office to be for one calendar year and
759 to commence on January 1, 2020.
760
761 It was M(Foo)/S(Casuga)/C for the terms of office to begin January 1, 2020 and last for
762 one calendar year.
763
764 No Board further discussion and no public comment offered.
765
766 Vote: 7 ayes (Casuga, Cervantes, Foo, Harb Sheets, Horn, Phillips, Tate), 0 noes
767
768 **Agenda Item #28: Licensure Committee Report – Consideration and Possible**
769 **Approval of Committee Recommendations**
770
771 Dr. Horn provided the update on this item, stating that the Board would only be
772 reviewing action items at this time.
773
774 b) Discussion and Consideration for Grievance Process: Options in Resolving a
775 Discrepancy between Weekly Log and Verification of Experience forms.
776
777 Dr. Horn said that staff had been directed to investigate ways to resolve these
778 discrepancies and bring their recommendations back to the Licensure Committee.
779
780 Staff recommended the following options: 1) amend Title 16 of the California Code of
781 Regulations (16 CCR) section 1387.5 to require submission of weekly log with the VOE
782 forms; 2) amend 16 CCR section 1387 to mandate the completion of the weekly log as
783 a component of the required face-to-face supervision; or 3) present the case to the

784 Licensure Committee for review and consideration as a licensure qualification issue on
785 a case-by-case basis during closed session at committee meetings.

786

787 It was M(Foo)/S(Casuga)/C to recommend that the Board adopt option 3 for the
788 Licensure Committee to conduct case-by-case reviews to resolve discrepancies
789 identified between weekly logs and verification of experience forms.

790

791 No Board discussion ensued and no public comment was made on this item.

792

793 Vote: 7 ayes (Casuga, Cervantes, Foo, Harb Sheets, Horn, Phillips, Tate), 0 noes

794

795 c) Discussion and Consideration of Revisions to the Guidelines for the Review of
796 Requests for Extension to the California Code of Regulations sections 1391.1(b) and
797 1387(a)

798

799 Dr. Horn stated that since the Board was seeing a lot of extension requests, the Board
800 should better communicate how the process works. Staff came up with additional
801 guidelines for people requesting an extension to speed up that process and to aid staff
802 in making those determinations.

803

804 It was M(Foo)/S(Harb Sheets)/C to adopt the revised extension request guidelines as
805 written.

806

807 Dr. Casuga voiced support that this revision is a good idea.

808

809 No further Board discussion ensued and no public comment was made on this item.

810

811 Vote: 7 ayes (Casuga, Cervantes, Foo, Harb Sheets, Horn, Phillips, Tate), 0 noes

812

813 e) Consideration of Licensure Committee Recommendations Regarding Requests for
814 an Extension of the 30-Consecutive Month Limitation to Accrue 1500 Hours of Post-
815 Doctoral Supervised Professional Experience Pursuant to Section 1387(a) of the
816 California Code of Regulations

817

818 PSY Applicant #1 – Dr. Horn provided a summary of PSY Applicant #1's extension
819 request and the Licensure Committee's recommendation regarding this request.

820

821 It was M(Foo)/S(Tate)/C to approve the Licensure Committee's recommendation to
822 grant PSY Applicant #1's request for an eight-month extension to the 30-consecutive
823 month limitation to accrue post-doctoral SPE.

824

825 No Board discussion ensued and no public comments were made on this item.

826

827 Vote: 7 ayes (Casuga, Cervantes, Foo, Harb Sheets, Horn, Phillips, Tate), 0 noes

828

829 PSY Applicant #2 – Dr. Horn provided a summary of PSY Applicant #2’s extension
830 request and the Licensure Committee’s recommendation regarding this request.

831

832 It was M(Foo)/S(Tate)/C to approve the Licensure Committee’s recommendation to
833 grant PSY Applicant #2’s request for a three-year-and-four-month extension to the 30-
834 consecutive month limitation to accrue pre-doctoral SPE.

835

836 Dr. Phillips commented that he appreciates that some school programs act effectively
837 as gatekeepers.

838

839 No further Board discussion ensued and no public comments were made on this item.

840

841 Vote: 7 ayes (Casuga, Cervantes, Foo, Harb Sheets, Horn, Phillips, Tate), 0 noes

842

843 PSY Applicant #3 – Dr. Horn provided a summary of PSY Applicant #3’s extension
844 request and the Licensure Committee’s recommendation regarding this request.

845

846 It was M(Foo)/S(Tate)/C to approve the Licensure Committee’s recommendation to
847 grant PSY Applicant #3’s request for a one-year extension to the 30-consecutive month
848 limitation to accrue post-doctoral SPE.

849

850 Dr. Phillips asked Dr. Horn whether the Licensure Committee was satisfied with the
851 documentation related to the mental health of the candidate and Dr. Horn replied in the
852 affirmative.

853

854 No further Board discussion ensued and no public comments were made on this item.

855

856 Vote: 7 ayes (Casuga, Cervantes, Foo, Harb Sheets, Horn, Phillips, Tate), 0 noes

857

858 f) Consideration of Licensure Committee Recommendations Regarding Requests for an
859 Extension of the 72-Month Registration Period Limitation for Registered Psychological
860 Assistant Pursuant to Section 1391.1(b) of Title 16 of the California Code of Regulations

861

862 Dr. Horn provided a summary of PSB #1’s extension request and the Licensure
863 Committee’s recommendation regarding this request.

864

865 It was M(Foo)/S(Casuga)/C to approve the Licensure Committee’s recommendation to
866 deny PSB #1’s request for a one-year extension of the 72-month limitation for the
867 psychological assistant registration.

868

869 Dr. Harb Sheets commented on the increase in this PSB’s mental health symptoms and
870 noted that there had already been a request for an extension that was denied. Dr. Horn
871 explained that the materials submitted in support of the request did not preclude the

872 PSB from taking the EPPP. Dr. Horn emphasized that the 72-month period is
873 specifically a training period. Dr. Phillips noted that the Board has seen several such
874 requests made in the past by candidates who viewed this psychological assistantship as
875 a terminal licensing class instead of a pass-through registration.

876

877 No further Board discussion ensued and no public comments were made on this item.

878

879 Vote: 7 ayes (Casuga, Cervantes, Foo, Harb Sheets, Horn, Phillips, Tate), 0 noes

880

881 g) Consideration of Renaming Registered Psychological Assistant

882

883 Dr. Horn notes that more jurisdictions use “Psychological Associate” in the way this
884 Board currently uses “Psychological Assistant.”

885

886 It was M(Foo)/S(Casuga)/C to approve the Licensure Committee’s recommendation to
887 continue with the renaming of “Psychological Assistant” to “Psychological Associate.”

888

889 Dr. Phillips commented that the Board may still be causing confusion since some
890 jurisdictions use “Associate” as an independent practice designation. Dr. Phillips
891 suggested calling it a “Registered Psychological Associate” to make a distinction from
892 terminal independent-licensing categories.

893

894 Mr. Foo commented that "psychological associate" emerged from stakeholder meetings
895 held by the Board and facilitated by SOLID. He added that using the category
896 psychological associate would honor the process and input from stakeholders.
897 Additionally, as the term is used widely in other jurisdictions, it should not cause
898 confusion.

899

900 It was M(Foo)/S(Casuga)/C to amend the Licensure Committee’s recommendation to
901 continue with the renaming of “Psychological Assistant” to “Registered Psychological
902 Associate.”

903

904 No further Board discussion ensued and no public comments were made on this item.

905

906 Vote: 7 ayes (Casuga, Cervantes, Foo, Harb Sheets, Horn, Phillips, Tate), 0 noes

907

908 h) Pupil Personnel Services Credential: Report on Presentation and Discussion by
909 Commission on Teacher Credentialing (CTC) for a Credential with a Specialization in
910 School Psychology

911

912 i) Update on the California Association of School Psychologists Regarding Written
913 Statement to Clarify the Role of Licensed Educational Psychologists

914

915 These items were informational only and were discussed in context with item 28(j) to
916 follow.

917
918 j) Discussion and Consideration of How to Inform Consumers Regarding the Respective
919 Roles of a Licensed Psychologist, Licensed Educational Psychologist, and Individuals
920 Holding a Credential with a Specialization in School Psychology

921
922 Discussion ensued regarding how best to educate consumers on the distinctions
923 between what services a Licensed Educational Psychologist and a Licensed
924 Psychologist could deliver in their respective practices.

925
926 It was M(Foo)/S(Tate)/C for the Board to co-host a stakeholder meeting in the near
927 future to solicit input on how to best inform consumers regarding the respective roles of
928 the three professions with the Board of Behavioral Sciences, the Commission on
929 Teachers Credentialing, and other relevant stakeholders.

930
931 Dr. Horn suggested staff should work with these organizations to identify all the various
932 stakeholders. Ms. Sorrick pointed out that at the September Committee meeting, all
933 present participants in the meeting agreed to make a list of all their respective
934 stakeholders. Dr. Casuga recommended the Association of Regional Center Agencies
935 (ARCA) be one of the stakeholders invited to the stakeholders meeting that is being
936 planned.

937
938 Dr. Casuga wanted to include as a topic making proper referrals to licensed
939 psychologists when clinically indicated.

940
941 Dr. Harb Sheets pointed out that this is more an issue with Licensed Educational
942 Psychologists in private practice and that it is worrying that the Board of Behavioral
943 Sciences does not consider this to be a problem.

944
945 Dr. Horn clarified that the issue was whether consumers know the difference between
946 what an Licensed Educational Psychologist can do and when it is appropriate to refer
947 out to a Licensed Psychologist.

948
949 Mr. Foo commented that Kim Madsen, Executive Officer of the Board of Behavioral
950 Sciences (BBS), made it very clear that this was a stakeholder meeting and that BBS
951 was not interested in reopening their Practice Act.

952
953 Dr. Harb Sheets said consumers are reluctant to tell their stories a second time to
954 another professional, thinking that their present Licensed Educational Psychologist
955 should be able to treat the student.

956
957 Dr. Phillips agreed, that consumers may not be fully aware of their options.

958

959 Ms. Cervantes commented that when the Board distributes information on this topic,
960 there needs to be a sensitivity to language and cultural differences, because there are
961 so many stakeholders involved in K-12 education.

962

963 Mr. Foo asked Ms. Sorrick whether the “Therapy Never Includes Sexual Behavior”
964 brochure was translated to other languages. Ms. Sorrick responded that it was
965 translated into Spanish and that DCA uses Google Translate for other languages. Mr.
966 Foo suggested that the Board should at least create this informational piece in Spanish
967 and refer to Google for translations to other languages.

968

969 No further Board discussion ensued and no public comments were made on this item.

970

971 Vote: 6 ayes (Casuga, Cervantes, Foo, Harb Sheets, Horn, Phillips), 0 noes, 1 absent
972 for this vote (Tate)

973

974 It was M(Foo)/S(Harb Sheets)/C to accept the Licensure Committee report covering the
975 remainder of the non-action items.

976

977 No Board discussion ensued and no public comment were made on this item.

978

979 Vote: 6 ayes (Casuga, Cervantes, Foo, Harb Sheets, Horn, Phillips), 0 noes, 1 absent
980 for this vote (Tate)

981

982 **Agenda Item #21: Legislative and Regulatory Affairs Update**

983

984 c) Update on California Psychological Association Legislative Proposal Regarding New
985 Registration Category for Psychological Testing Technicians

986

987 Mr. Foo introduced Dr. Winkelman, CPA, who provided an update on this item.

988

989 Mr. Foo asked Dr. Winkelman whether the proposed language will go to the Board for
990 review or go straight to the Legislative and Regulatory Affairs Committee first. Dr.
991 Winkelman did not directly reply, but Dr. Phillips asked Dr. Winkelman for a preview
992 once it is available. Dr. Winkelman replied that this would be done. Mr. Foo asked
993 whether Dr. Winkelman is aiming for February 2020, and she confirmed that that was
994 the hope. In the meantime, CPA would reach out to Board staff for technical guidance.

995

996 Dr. Phillips indicated that CANRA was not on this meeting’s agenda but would be
997 brought up on the February agenda.

998

999 **Agenda Item #30: Recommendations for Agenda Items for Future Board**

1000 **Meetings. Note: The Board May Not Discuss or Take Action on Any Matter Raised**

1001 **During This Public Comment Section, Except to Decide Whether to Place the**
1002 **Matter on the Agenda of a Future Meeting [Government Code Sections 11125 and**
1003 **11125.7(a)].**

1004
1005 Dr. Casuga expressed that she wanted to share her experience with the EPPP Part 2
1006 pilot exam at a future meeting.

1007
1008 No further Board or public comment was offered.

1009
1010 In closing, Dr. Phillips expressed his gratitude and appreciation to his fellow Board
1011 members, to Board managers and staff, and to Ms. Sorrick for all the support he
1012 received over his four year-presidency. His remarks were warmly received.

1013
1014 Meeting adjourned at 4:16 pm.

1015
1016 The following agenda items were not discussed at the meeting:

1017
1018 **Agenda Item #10: Continuing Education and Renewals Report**

1019
1020 **Agenda Item #11: Strategic Plan Action Plan Update**

1021
1022 **Agenda Item #12: Board's Social Media Update**

1023
1024 **Agenda Item #13: Website Update**

1025
1026 **Agenda Item #14: Update on Newsletter**

1027
1028 **Agenda Item #25: Enforcement Report**