

BOARD MEETING TELECONFERENCE

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NOTE: Pursuant to the provisions of Governor Gavin Newsom’s Executive Order N-29-20, dated March 17, 2020, neither Board member locations nor a public meeting location were provided.

Friday, April 17, 2020

Members Present

- Seyron Foo, President
- Mary Harb Sheets, PhD, Vice-President
- Alita Bernal
- Sheryll Casuga, PsyD
- Marisela Cervantes
- Stephen Phillips, JD, PsyD
- Shacunda Rodgers, PhD
- Lea Tate, PsyD

Members Absent

None

Legal Counsel

Norine Marks

Others Present

- Antonette Sorrick, Executive Officer
- Jeffrey Thomas, Assistant Executive Officer
- Stephanie Cheung, Licensing Program Manager
- Sandra Monterrubio, Enforcement Program Manager
- Jason Glasspiegel, Central Services Coordinator

Friday, April 17, 2020

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

Seyron Foo, Board President, called the open session meeting to order at 10:03 a.m. A quorum was present and due notice had been sent to all interested parties.

Agenda Item #2: President’s Welcome

Mr. Foo read the Board’s Mission Statement and acknowledged the Board staff’s efforts to adapt and navigate this difficult time.

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

47
48 No public comment offered.

49
50 **Agenda Item #17: COVID-19 Update (A. Sorrick)**

51
52 Ms. Sorrick stated that staff has been working closely with and taking direction from
53 DCA Executive Office and Business Consumer Services and Housing Agency.
54 Headquarters remains closed to the public with only essential staff present and other
55 staff are teleworking.

56
57 Discussion ensued as to which waivers had been submitted to date.

58
59 Ms. Sorrick explained that of the seven waivers submitted to DCA, three were sent back
60 for review and consideration by staff under the current delegation of authority, three
61 were still being reviewed by DCA, and the request to waive live CE hours was denied.

62
63 Mr. Foo called for public comment.

64
65 In response to questions from the public, Mr. Glasspiegel replied that all available
66 waivers are on the Board's website, and that the best way for people to reach staff with
67 questions about their particular situations was to send an email to
68 BOPMail@dca.ca.gov.

69
70 No further Board discussion and public comments were offered.

71
72 **Agenda Item #4: Determination that Emergency Exists, Pursuant to Government**
73 **Code section 11125.3 (N. Marks) Board will Determine whether an Emergency**
74 **Exists to allow it to Consider Modifying the 30/60-month Time Limits in 16 CCR**
75 **section 1387(a) to Accrue SPE, the 72-month Registration Limit as a**
76 **Psychological Assistant in 16 CCR section 1391.1, and Waive an Examination**
77 **under Business and Professions Code Section 2946.**

78
79 Mr. Foo requested a motion to determine whether an emergency exists.

80
81 No Board discussion or public comments were given.

82
83 It was (M)Harb Sheets/(S)Tate/C to determine that an emergency exists.

84
85 Votes: 8 ayes (Bernal, Casuga, Cervantes, Foo, Harb Sheets, Phillips, Rogers, Tate), 0
86 noes

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Agenda Item #5: Consideration of Modifications and Waivers
a) Modification of the 30/60-month Time Limits in 16 CCR section 1387(a) to Accrue SPE
b) Modification of the 72-month Registration Limit as a Psychological Assistant in 16 CCR Section 1391.1
c) Waiver of the CPLEE under Business and Professions Code Section 2946

Ms. Sorrick described each waiver.

Discussion ensued regarding the language in the waiver, which was thought by some Board members to be unclear to the individuals who might need to use it and how it might be applied.

Mr. Foo identified two issues: namely how to address the people reaching their expiration in May 2020, and whether a blanket waiver should be applied to everyone rather than to carve-out certain individuals.

In the interest of addressing the meeting’s very full agenda, discussion moved on to item 6, returning to item 5 in the afternoon session.

Agenda Item #6: President’s Report (S. Foo)
a) Dates and Locations of 2020 Board and Committee Meetings
b) Committee Updates

Mr. Foo reported that he has appointed Ms. Cervantes and Dr. Rodgers to the new Emergency Preparedness Ad Hoc Committee that was created in response to the COVID-19 emergency.

No further Board discussion or public comment was offered.

Agenda Item #7: Discussion and Possible Approval of the Board Meeting Minutes: February 27-28, 2020

It was (M)Casuga/(S)Harb Sheets/C to adopt the February 27-28, 2020 Board meeting minutes with any technical, non-substantive changes.

Votes: 8 ayes (Bernal, Casuga, Cervantes, Foo, Harb Sheets, Phillips, Rogers, Tate), 0 noes

Agenda Item #10: Consideration of Adopting Amendments to Title 16, CCR Sections 1394, 1395, 1395.1 – Substantial Relationship Criteria, Rehabilitation Criteria (J. Glasspiegel)

130 Discussion ensued as to the most effective way to consider the comments received
131 during the 15-day comment period of the rulemaking process.

132
133 Ms. Marks recommended that the Board review the comments received and then
134 decide what action to take.

135
136 In response to questions from the Board, Ms. Marks confirmed that staff has the
137 delegated authority to act following the end of the comment period, if there were no
138 additional changes. Ms. Marks explained that disciplinary documents often contain the
139 documentary evidence that rehabilitation had been achieved.

140
141 Mr. Glasspiegel read through the public comments received.

142
143 Mr. Foo requested a motion to delegate authority to staff to adopt language with any
144 non-substantive changes.

145
146 It was (M)Phillips/(S)Harb Sheets/C to delegate authority to the Executive Officer to
147 adopt the modified text in the absence of any negative comments and continue with the
148 process of finalizing the regulatory package including making any non-substantive
149 changes consistent with Board policy.

150
151 The proposed changes are as follows:

152
153 **Title 16. Board of Psychology**

154
155 **Proposed new text is shown as underlined. Proposed deleted text is shown**
156 **struck-through.**

157
158 **Changes to the originally proposed language are shown with double underline for**
159 **new text and double strikeout for the deleted text.**

160
161 1. Amend Section 1394 of Article 7 of Division 13.1 of Title 16 of the California
162 Code of Regulations to read:

163
164 **§ 1394. Substantial Relationship Criteria.**
165 (a) For the purposes of denial, suspension, or revocation of a license or registration
166 pursuant to section 141, or Division 1.5 (commencing with ~~§~~section 475) of the Code, or
167 sections 2960 or 2960.6 of the Code, a crime, professional misconduct, or act shall be
168 considered to be substantially related to the qualifications, functions or duties of a
169 person holding a license or registration under the Psychology Licensing Law (Chapter
170 6.6 of Division 2 of the Code), if to a substantial degree it evidences present or potential
171 unfitness of a person holding a license or registration to perform the functions
172 authorized by ~~his or her~~ the license or registration, or in a manner consistent with the
173 public health, safety, or welfare. ~~Such crimes or acts shall include but not be limited to~~
174 ~~those involving the following:~~

175
176 (b) In making the substantial relationship determination required under subdivision (a)
177 for a crime, the board shall consider the following criteria:
178 (1) The nature and gravity of the offense;
179 (2) The number of years elapsed since the date of the offense; and
180 (3) The nature and duties of a licensee or registrant the profession in which the
181 applicant seeks licensure or in which the licensee is licensed.

182
183 (c) For purposes of subdivision (a), substantially related crimes, professional
184 misconduct, or acts shall include, but are not limited to, the following:
185 (a)(1) Violating or attempting to violate, directly or indirectly, or assisting in or abetting
186 the violation of or conspiring to violate any provision or term of that law the Psychology
187 Licensing Law.
188 (b)(2) Conviction of a crime or act involving fiscal dishonesty.
189 (3) Conviction or act involving child abuse.
190 (4) A conviction requiring a person to register as a sex offender pursuant to section 290
191 of the Penal Code.
192 (5) Conviction or act involving lewd conduct or sexual impropriety.
193 (6) Conviction or act involving assault, battery, or other violence.
194 (7) Conviction or act involving the use of drugs or alcohol to an extent or in a manner
195 dangerous to the individual or the public.
196 (8) Conviction or act involving harassment, trespass, or stalking.

197
198 Note: Authority cited: Sections 481, 493, and 2930, Business and Professions Code.
199 Reference: Sections 141, 480, 481, 490, 493, 2960, 2960.6, and 2963, and 2964.3
200 Business and Professions Code.

201
202 2. Amend Section 1395 of Article 7 of Division 13.1 of Title 16 of the California
203 Code of Regulations to read:

204
205 **§ 1395. Rehabilitation Criteria for Denials and Reinstatements.**

206 When considering the denial of a license or registration under sections 141, 480, 2960,
207 or 2960.6 of the Code, or a petition for reinstatement or modification of penalty under
208 section 11522 of the Government Code 2962 of the Code, the Board in will evaluating
209 whether the applicant or petitioner has made a showing of rehabilitation of the applicant
210 and his or her has established present eligibility-fitness for a license or registration.

211 (a) Where the denial is, or the surrender or revocation was, in part on the ground(s) that
212 the applicant or petitioner was has been convicted of a crime, the Board shall consider
213 whether the applicant or petitioner made a showing of rehabilitation if the person
214 completed the criminal sentence without a violation of parole or probation. In making
215 this determination, the Board shall use will consider the following criteria in (1) through
216 (5), as available. If there is a violation of parole or probation, or no showing of
217 rehabilitation based on these criteria, the Board shall evaluate rehabilitation under
218 subdivision (b).

219 (1) The nature and severity gravity of the act(s) or crime(s) under consideration as
220 grounds for denial.

221 (2) The reason for granting and the length(s) of the applicable parole or probation
222 period(s).
223 (3) The extent to which the applicable parole or probation period was shortened or
224 lengthened, and the reason(s) the period was modified.
225 (4) The terms or conditions of parole or probation and the extent to which they bear on
226 the applicant's or petitioner's rehabilitation.
227 (5) The extent to which the terms or conditions of parole or probation were modified,
228 and the reason(s) for modification.
229
230 (b) Where the denial is not or the surrender or revocation was not based on a
231 conviction, or was based upon professional misconduct, or unprofessional conduct
232 under 2960 or 2960.6, or the Board determines that the applicant or petitioner did not
233 make a showing of rehabilitation based on subdivision (a), the Board shall apply the
234 following criteria in evaluating an applicant's or petitioner's rehabilitation:
235 ~~(2)~~(1) Evidence of any act(s) committed subsequent to the act(s) or crime(s) under
236 consideration as that are grounds for denial, or that were grounds for surrender or
237 revocation, which also could be considered as grounds for denial under sections 141,
238 480, 2960, or 2960.6 of the Code, and the time that has elapsed between them.
239 ~~(3) The time that has elapsed since commission of the act(s) or crime(s) referred to in~~
240 ~~subdivision (1) or (2).~~
241 ~~(4)~~(2) The extent to which the applicant or petitioner has complied with any terms of
242 parole, probation, restitution, or any other sanctions lawfully imposed against the
243 applicant or petitioner.
244 (3) The criteria in subdivision (a)(1)-(5), as applicable.
245 ~~(5)~~(4) Evidence, if any, of rehabilitation submitted by the applicant or petitioner
246 demonstrating that he or she has a mature, measured appreciation of the gravity of the
247 misconduct, and remorse for the harm caused, and showing a course of conduct that
248 convinces and assures the Board that the public will be safe if the person is permitted to
249 be licensed or registered to practice psychology.

250
251 Note: Authority cited: Sections 482 and 2930, Business and Professions Code.
252 Reference: Sections 141, 480, 482, 2960, 2960.6, 2962 and 2963, Business and
253 Professions Code.
254

255 3. Amend Section 1395.1 of Article 7 of Division 13.1 of Title 16 of the California
256 Code of Regulations to read:

257
258 **§ 1395.1. Rehabilitation Criteria for Suspensions or Revocations.**

259 When considering the suspension or revocation of a license or registration ~~on the~~
260 ground that of a person holding a license or registration under the Psychology Licensing
261 Law (chapter 6.6 of division 2 of the Code) has been convicted of a crime, the Board ~~in~~
262 will evaluate ~~ing~~ whether the licensee or registrant has made a showing of the
263 rehabilitation of such person and his or her eligibility and is presently fit for a license or
264 registration.

265 (a) Where the basis for discipline is the conviction of a crime, the Board shall consider
266 whether the licensee or registrant has made a showing of rehabilitation if the person

267 completed the criminal sentence without a violation of parole or probation. In making
268 this determination, the Board shall use ~~will consider~~ the following criteria in (1) through
269 (5), as available. If there is a violation of parole or probation or no showing of
270 rehabilitation based on these criteria, the Board shall evaluate rehabilitation under
271 subdivision (b).

272 (1) Nature and ~~severity~~ gravity of the act(s) or ~~offense(s)~~ crime(s).

273 (2) The reason for granting and the length(s) of the applicable parole or probation
274 period(s).

275 (3) The extent to which the applicable parole or probation period was shortened or
276 lengthened, and the reason(s) the period was modified.

277 (4) The terms or conditions of parole or probation and the extent to which they bear on
278 the licensee's or registrant's rehabilitation.

279 (5) The extent to which the terms or conditions of parole or probation were modified,
280 and the reason(s) for modification.

281

282 (b) Where the basis for discipline is not based on a conviction, or was based upon
283 professional misconduct, or unprofessional conduct under 2960 or 2960.6, or the Board
284 determines that the licensee or registrant did not make a showing of rehabilitation based
285 on subdivision (a), the Board shall apply the following criteria in evaluating the
286 licensee's or registrant's rehabilitation:

287 (2)(1) Total criminal record and/or record of discipline or other enforcement action,
288 including the nature and gravity of the acts underlying the discipline or enforcement
289 action.

290 (3)(2) The time that has elapsed since commission of the act(s) or ~~offense(s)~~ crime(s).

291 (4)(3) Whether the licensee or ~~registration holder~~ registrant has complied with any terms
292 of parole, probation, restitution or any other sanctions lawfully imposed against such
293 person.

294 (5)(4) If applicable, evidence of ~~expungement~~ dismissal proceedings pursuant to section
295 1203.4 of the Penal Code.

296 (6)(5) The criteria in subdivision (a)(1)-(5), as applicable.

297 (6) Evidence, if any, of rehabilitation submitted by the licensee or ~~registration holder~~
298 registrant demonstrating that he or she has a mature, measured appreciation of the
299 gravity of the misconduct, and remorse for the harm caused, and showing a
300 demonstrated course of conduct by the licensee or registrant that convinces and
301 assures the Board that the public will be safe if the person is permitted to remain
302 licensed or registered to practice psychology.

303

304 Note: Authority cited: Sections 482 and 2930, Business and Professions Code.

305 Reference: Sections 141, 482, 2960, 2960.6 and 2963, Business and Professions
306 Code.

307

308

309 Votes: 8 ayes (Bernal, Casuga, Cervantes, Foo, Harb Sheets, Phillips, Rodgers, Tate),

310 0 noes

311

312 **Agenda Item #11: Review and Consider Feedback Regarding ASPPB Changes to**
313 **the Certificate of Professional Qualification in Psychology (CPQ)**

314
315 Discussion ensued regarding whether to provide ASPPB feedback from the Board.

316
317 Ms. Sorrick commented that whenever ASPPB considers changing a program or any of
318 their guidelines, they ask the Board for feedback. The Board is not compelled to provide
319 feedback, but there was concern among staff that there may be individuals who may be
320 disadvantaged if they do not qualify to obtain the CPQ.

321
322 In response to a question from the Board, Ms. Cheung commented that since 2017,
323 there have been 20 applicants who had used the CPQ program as part of their
324 application package.

325
326 Mr. Foo requested a Board Member volunteer to work with staff on drafting a letter
327 providing feedback. Dr. Harb Sheets volunteered, and Mr. Foo requested a motion for
328 staff to work with Dr. Harb Sheets to draft a letter to provide feedback to ASPPB, but not
329 opposition to ASPPB's provision related to CPQ.

330
331 It was (M)Phillips/(S)Casuga/C for Dr. Harb Sheets to work with staff to draft a letter
332 providing feedback to ASPPB, but not opposition, to ASPPB's provision related to CPQ.

333
334 No further Board comment was offered.

335
336 Members of the public offering comment on this item included Drs. Linder-Crow and
337 Winkelman of CPA, Dr. Melodie Schaeffer of CAPIC, Dr. Tracie Marsch of Walden
338 University, and Dr. Immoos of CDCR.

339
340 Following several public comments requesting that the Board take an 'oppose' position
341 to ASPPB's changes to CPQ, Mr. Foo asked for a modification of the motion.

342
343 Dr. Phillips modified his motion so that the letter addresses the impact to the diversity of
344 clinicians who come out of regionally-accredited programs. Dr. Casuga upheld her
345 second of the modified motion.

346
347 Mr. Foo read the motion as amended.

348
349 Board discussion continued regarding the impact to diverse populations of licensees.
350 Without further modification of the language of the motion, Dr. Harb Sheets committed
351 to strongly express the Board's concerns about the impacts ASPPB's provision to CPQ
352 could have on diverse applicants and communities.

353
354 No further Board comment was offered.

355
356 Further public comment ensued, with requests that the Board state its opposition to the
357 proposed changes while also stating to ASPPB that the Board would not necessarily
358 choose either to use or not to use CPQ.

359
360 Dr. Phillips did not further modify his motion following the additional public comment.

361
362 Mr. Foo asked whether any Board Member would submit a substitute motion to the one
363 currently before the Board.

364
365 Ms. Cervantes proposed a substitute motion to take an 'oppose' position.

366
367 Ms. Marks advised voting on the current motion before the substitute motion is
368 proposed.

369
370 Mr. Glasspiegel reread the motion for Board staff to work with Dr. Harb Sheets to create
371 a letter that outlines feedback to ASPPB illustrating the concern the Board has that the
372 current ASPPB proposal is incongruent with the current structure in California with
373 regionally-accredited programs and that it may impact our diverse clinical population
374 and communities.

375
376 Votes: 6 ayes (Bernal, Casuga, Foo, Harb Sheets, Phillips, Tate), and 2 noes
377 (Cervantes, Rodgers)

378
379 **Agenda Item #5(a): Modification of the 30/60-month Time Limits in 16 CCR section**
380 **1387(a) to Accrue SPE**

381
382 Ms. Cheung read the waiver for the Board's reference.

383
384 Discussion ensued about various scenarios under this waiver and how to cover most
385 situations.

386
387 Ms. Sorrick commented that the existing DCA CE waiver states that "licensees must
388 satisfy any waived renewal requirements within six months of this order unless further
389 extended." The date of the order was March 31, 2020.

390
391 Discussion ensued as to the period defined by the six-month extension and the impact
392 that would have on trainees and others depending on the completion date of their
393 program.

394
395 Ms. Sorrick referred to the DCA CE Waiver and said six months would be from the date
396 the Board approved the waiver, not from the date of the emergency declaration.

397

398 Ms. Sorrick asked whether the Board would entertain the idea that the extension would
399 also to apply to anyone who entered this status as of the date of the emergency
400 declaration. In other words, would the Board wish to permit those people entering that
401 expiration period going back to the emergency date to receive the extension. This would
402 allow that. Ms. Marks confirmed that the Board has regulatory authority to modify time
403 limitations given good cause.

404
405 Mr. Foo commented that this plan to extend this waiver to everyone appeared to have
406 support and asked staff for language to use.

407
408 Ms. Sorrick reread the proposed language for 5(a) as a basis to derive language to vote
409 on today.

410
411 Mr. Foo invited Board comment.

412
413 Discussion ensued about which trainees would receive the extension based on the
414 expiration of their SPE period.

415
416 Ms. Sorrick read a revised version of her newly-drafted language taking into account the
417 Board discussion.

418
419 Further discussion ensued about the intention of DCA's guidance and how to capture
420 that in the newly-drafted language.

421
422 Mr. Foo suggested that the Board adopt a finer definition at this meeting and get into
423 broader detail at the July 2020 Board Meeting.

424
425 Ms. Sorrick suggested that the focus of today's language be on accommodating those
426 trainees who are currently running out of time for their SPE.

427
428 Mr. Foo invited Board comment on the proposed language.

429
430 There was no further Board discussion.

431
432 Mr. Glasspiegel read the language as follows:

433
434 "For trainees, who after 3/4/20 through the declaration of emergency reach the 30/60-
435 month limitations set in 16 CCR section 1387(a), the Board extends the time limitations
436 to accrue their pre-doctoral and post-doctoral hours of supervised professional
437 experience (respectively) required for licensure for an additional 6 months from the end
438 date of the unmodified limitation period."

439

440 It was (M)Harb Sheets/(S)Phillips/C to adopt the waiver language using the Board's
441 authority.

442
443 Mr. Foo asked for public comment.

444
445 Dr. Linder-Crow asked for clarification on the end date of the unmodified time period
446 and asked that "duration of declared emergency" be added for clarity.

447
448 Following public comment, Mr. Glasspiegel read the revised language which took public
449 comments into account regarding the duration of the declared emergency.

450
451 "For trainees, who after 3/4/20 through the duration of the declared emergency reach
452 the 30/60 month limitations set in 16 CCR section 1387(a), the Board extends the time
453 limitations to accrue their pre-doctoral and post-doctoral hours of supervised
454 professional experience (respectively) required for licensure for an additional 6 months
455 from the end date of the unmodified time limitation period."

456
457 Mr. Foo invited Board comment on the revised language.

458
459 Votes: 8 ayes (Bernal, Casuga, Cervantes, Foo, Harb Sheets, Phillips, Rodgers, Tate),
460 0 noes

461
462 **Agenda Item #5(b): Modification of the 72-month Registration Limit as a**
463 **Psychological Assistant in 16 CCR Section 1391.1**

464
465 Ms. Sorrick read the 5(a) language that was just approved, modified for this waiver:
466

467 "For registered psychological assistants, who after 3/4/20 through the duration of the
468 declared emergency reach the 72-month limitation set in 16 CCR section 1391.1(b), the
469 Board extends the time limitations to hold a registration for an additional 6 months from
470 the end date of the unmodified time limitation period."

471
472 Discussion ensued about the proposed waiver language.

473
474 Mr. Foo requested a motion to adopt the waiver language just proposed.

475
476 It was (M)Tate/(S)Harb Sheets/C to adopt the language for the waiver for the 72-month
477 limit.

478
479 Mr. Foo called for public comment.

480
481 No public comment and no further Board discussion were offered.

482

483 Votes: 8 ayes (Bernal, Casuga, Cervantes, Foo, Harb Sheets, Phillips, Rodgers, Tate),
484 0 noes

485

486 **Agenda Item #5(c): Waiver of the CPLEE under Business and Professions Code**
487 **Section 2946**

488

489 Ms. Sorrick read the draft language for this waiver.

490

491 Discussion ensued about the drafted language.

492

493 Mr. Foo requested a motion to adopt this language so-modified.

494

495 It was (M)Rodgers/(S)Bernal/C to adopt the proposed waiver language.

496

497 Public comments ensued.

498

499 Mr. Foo asked public commenters to direct questions about their situations to staff via
500 BOPLicensing@dca.ca.gov.

501

502 Board discussion continued as to the duration of the life of a license that returns to
503 active status as a result of this waiver.

504

505 Ms. Sorrick read the revised language:

506

507 Further Board discussion ensued on Ms. Sorrick's language.

508

509 Mr. Glasspiegel read the revised newly-drafted language:

510

511 "This waiver would allow the board to waive the CPLEE requirement for psychologists
512 whose California licenses have cancelled and who apply and qualify for an active status
513 per DCA Waiver DCA-20-02 Reinstatement of Licensure. This waiver would be made
514 effective 4/20/20 and would expire pursuant to the DCA Waiver DCA-20-02
515 Reinstatement of Licensure."

516

517 Mr. Foo asked for public comment.

518

519 No further Board discussion and no public comment were offered.

520

521 It was (M)Rodgers/(S)Bernal/C to adopt the waiver language as proposed.

522

523 Votes: 8 ayes (Bernal, Casuga, Cervantes, Foo, Harb Sheets, Phillips, Rodgers, Tate),
524 0 noes

525

526 **Agenda Item #16: Enforcement Report (S. Monterrubio)**

527

528 Ms. Monterrubio provided this report.

529

530 No Board discussion and no public comment offered.

531

532 **Agenda Item #18: Recommendations for Agenda Items for Future Board**
533 **Meetings. Note: The Board May Not Discuss or Take Action on Any Matter Raised**
534 **During This Public Comment Section, Except to Decide Whether to Place the**
535 **Matter on the Agenda of a Future Meeting [Government Code Sections 11125 and**
536 **11125.7(a)].**

537

538 Dr. Rodgers asked about regulations considering the pandemic and whether there was
539 information or language about psychologists providing telehealth services during this
540 time. She asked whether those regulations had been extended and requested to have
541 that discussion on a future agenda. Ms. Sorrick commented that an Executive Order
542 signed by the Administration removing the requirement to obtain signed informed
543 consent prior to telehealth being provided is the only waiver currently in place. Staff has
544 been looking into how to adapt supervision to tele-means and get guidance on the lifting
545 of enforcement of HIPAA for technologies used in telehealth. Staff will share that
546 information as soon as it is available from DCA.

547

548 No further Board comments and no public comments offered.

549

550 **CLOSED SESSION**

551

552 **Agenda Item #19: The Board will Meet in Closed Session Pursuant to Government**
553 **Code Section 11126(c)(3) to Discuss Disciplinary Matters Including Proposed**
554 **Decisions, Stipulations, Petitions for Reconsideration, and Remands.**

555

556 **OPEN SESSION**

557

558 The Board returned to open session at 5:52 p.m.

559

560 **ADJOURNMENT**

561

562 The following agenda items were not discussed at the meeting:

563

564 **Agenda Item #8: Budget Report**

565 **Agenda Item #9: Review, Consider, and Approve Board Responses to the Sunset**
566 **Background Paper from the Senate Business, Professions, and Economic**
567 **Development Committee for Submission to the Committee**

568 **Agenda Item #12: Legislative and Regulatory Affairs Update**

569 **Agenda Item #13: Legislative Items for Future Meeting. The Board May Discuss Other**
570 **Items of Legislation in Sufficient Detail to Determine Whether Such Items Should be on a**
571 **Future Board Meeting Agenda and/or Whether to Hold a Special Meeting of the Board to**
572 **Discuss Such Items Pursuant to Government Code Section 11125.4**

573 **Agenda Item #14: Regulatory Update, Review, and Consideration of Additional Changes**

574 **Agenda Item #15: Review and Consideration of Changes to the Board's Administrative**
575 **Procedures Manual**