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3 **BOARD MEETING TELECONFERENCE**  
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5

6 NOTE: Pursuant to the provisions of Governor Gavin Newsom's Executive Order N-29-  
7 3 20, dated March 17, 2020, neither Board member locations nor a public meeting 4  
8 location were provided.  
9

10 Friday, April 2, 2021  
11

12 **Members Present**

13 Seyron Foo, President  
14 Lea Tate, PsyD, Vice President  
15 Sheryll Casuga, PsyD  
16 Marisela Cervantes  
17 Mary Harb Sheets, PhD  
18 Julie Nystrom  
19 Stephen Phillips, JD, PsyD  
20 Ana Rescate  
21 Shacunda Rodgers, PhD  
22

23 **Members Absent**

24 None  
25

26 **Legal Counsel**

27 Will Maguire  
28 Clay Jackson  
29

30 **Board Staff**

31 Antonette Sorrick, Executive Officer  
32 Jon Burke, Assistant Executive Officer  
33 Stephanie Cheung, Licensing Manager  
34 Jason Glasspiegel, Central Services Manager  
35 Sandra Monterrubio, Enforcement Program Manager  
36 Liezel McCockran, CE/Renewals Coordinator  
37 Cristina Rivera, Legislative and Regulatory Analyst  
38 Sarah Proteau, Central Services Office Technician  
39

40 **AGENDA**  
41

42 **9:00 a.m. – 5:00 p.m. or until Completion of Business**  
43

44 Unless noticed for a specific time, items may be heard at any time during the period of  
45 the Board meeting.  
46

47 The Board welcomes and encourages public participation at its meetings. The public  
48 may take appropriate opportunities to comment on any issue before the Board at the  
49 time the item is heard.

50

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

52

53 Board President Foo called the meeting to order at 9:01 a.m., roll was taken, and a  
54 quorum established.

55

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

57

58 Mr. Foo welcomed all participants, thanked Mr. Clay Jackson for the assistance he had  
59 provided to the Board as counsel and wished him well in retirement.

60

61 There was no Board or public comment offered

62

63 **Agenda Item 3: Public Comment for Items Not on the Agenda**

64

65 There was no Board or public comment offered.

66

67 **Agenda Item 4: Discussion and Possible Approval of the Board Meeting Minutes:**  
68 **February 18-19, 2021**

69

70 This item was held over to the May 21, 2021 Board Meeting.

71

72 **Agenda Item 5: Legislative and Regulatory Affairs Updates**

73

74 Ms. Cervantes introduced this agenda item and stated that updates from SB 731 and  
75 AB 562 Lowe would be discussed later in the meeting.

76

77 a) Board Sponsored Legislation for the 2021 Legislative Session: Review and  
78 Possible Action

79

80 1. Amendments to sections 2960 and 2960.1 of the Business and  
81 Professions Code Regarding Denial, Suspension and Revocation for Acts  
82 of Sexual Contact

82

83 Ms. Rivera provided background information regarding SB 401 (Pan).

84

85 Ms. Rivera provided an introduction and background information regarding SB 401  
86 (Pan). She stated this bill was in the Senate Committee on Appropriations and provided  
87 the Legislative and Regulatory Committee recommendation that the Board Support SB  
88 401 (Pan).

89

90 It was M(Foo)/S(Casuga)/C to adopt the Committee recommendation to support the bill.

91

92 Ms. Nystrom recused herself from voting on item due to her employment with the State  
93 Senate.

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Public comment

Dr. Elizabeth Winkelman, California Psychological Association (CPA), expressed appreciation to the Board and staff for working with CPA throughout the development of this bill and stated that CPA had a neutral position.

Ms. Nystrom recused herself from voting on the item due to her employment with the State Senate.

7 Ayes (Casuga, Cervantes, Foo, Harb Sheets, Nystrom, Phillips, Rodgers, Tate), 0 Noes,

2. Pathways to Licensure Statutory Revisions – Amendments to sections 27, 2909, 2909.5, 2910, 2911, 2913, 2914, 2915, 2915.5, 2915.7, 2942, 2944, 2946, and 2960 of the Business and Professions Code, and section 1010 of the Evidence Code.
3. Sunset Provisions – Amendments to section 2912 of the Business and Professions Code, and Addition of sections Related to Reinstatement to Active after Voluntary Surrender, Licensure Committee Delegated Authority, and Authority to Issue Waivers.

Ms. Cervantes stated that updates to Items 5(a)(2) and 5(a)(3) would be provided later in the meeting under item 6.

b) Review of Bills for Active Position Recommendations

1. AB 54 (Kiley) COVID-19 emergency order violation: license revocation

Ms. Cervantes introduced this item and Ms. Rivera provided background information regarding AB 54 (Kiley).

Ms. Rivera provided an update on AB 54 (Kiley) which had not been set for hearing and the staff recommendation to watch the bill.

There was no Board or Public Comment offered.

Ms. Cervantes stated there would be no vote due to the watch status of the Bill.

2. AB 1236 (Ting) Healing arts: licensees: data collection

Ms. Cervantes introduced this item and Ms. Rivera provided background information regarding AB 1236 (Ting).

Ms. Rivera provided an update on AB 1236 (Ting), which had not been set for hearing and the staff recommendation to watch the bill.

140 Ms. Cervantes provided an additional update to the discussion that had taken place on  
141 March 19, 2021, between the Board and sponsors of the bill and some concerns were  
142 identified in the language.

143  
144 A discussion ensued between Board members, staff, and counsel regarding the option to  
145 send a letter in support of the concept of the collection of data from licensees and to  
146 continue to work with the author and sponsors to be able to reach a position of support.

147  
148 It was M(Tate)/S(Casuga)/C to delegate authority to the Executive Officer and Board staff  
149 to issue a letter indicating the Board's support of the concept of collecting demographic  
150 data from licensees and to continue working with the author and sponsor to develop  
151 language so that the Board may consider a position of support at a later point.

152  
153 Ms. Nystrom recused herself from voting on item due to her employment with the State  
154 Senate.

155  
156 Dr. Rodgers referenced to language in the bill related to outreach and asked the  
157 Committee members and staff to seek a definition or description of outreach with the bill  
158 authors and sponsors in continued discussion.

159  
160 A discussion ensued between Board members, staff, and counsel regarding the  
161 potential impact on the budget and staff operations, as well as possible regulatory  
162 changes that would be required if AB 1236 (Ting) were implemented. It was also  
163 discussed that the Board had already been collecting data on a voluntary basis due to  
164 AB 2102 (Ting) from 2014. It was emphasized that the Board was not allowed to access  
165 the data collected under AB 2102 (Ting), and AB 1236 (Ting) might be a more  
166 actionable path for the whole of State government to respond to workforce needs.

167  
168 Public comment

169  
170 Dr. Winkelman, CPA, stated that CPA had taken an oppose position on AB 1236 that  
171 while there was appreciation for the intent of fostering a diverse workforce but was  
172 concerned that the proposed data collection was overly broad, included irrelevant  
173 information, and about the possibility of a data breach.

174  
175 There was no further public comment offered.

176  
177 Ms. Nystrom recused herself from voting on the item due to her employment with the  
178 State Senate.

179  
180 7 Ayes (Casuga, Cervantes, Foo, Harb Sheets, Phillips, Rodgers, Tate), 0 Noes

181  
182 3. SB 731 (Durazo) Criminal records: relief

183  
184 Ms. Cervantes introduced this item. She stated that the Committee had been unable to  
185 discuss this bill in the previous meeting and Ms. Rivera provided background information  
186 regarding SB 731 (Durazo).

187  
188 Ms. Rivera provided an update on SB 731 (Durazo), which had not been set for hearing  
189 and the staff recommendation the Board oppose the bill.  
190

191 It was M(Phillips)/S(Harb Sheets)/C to adopt the staff recommendation to Oppose SB 731  
192 (Durazo).  
193

194 A discussion ensued between the Mr. Foo and Ms. Monterrubio regarding concerns that  
195 staff would be hindered in providing appropriate consumer protection if enforcement staff  
196 were not able to receive the full information on a background report.  
197

198 Ms. Nystrom recused herself from voting on item due to her employment with the State  
199 Senate.  
200

201 There was no public comment offered.  
202

203 7 Ayes (Casuga, Cervantes, Foo, Harb Sheets, Phillips, Rodgers, Tate), 0 Noes  
204  
205

206 4. SB 772 (Ochoa Bogh) Professions and vocations: citations: minor  
207 violations  
208

209 Ms. Cervantes introduced this item and Ms. Rivera provided background information  
210 regarding SB 772 (Ochoa Bogh).  
211

212 Ms. Rivera provided an update on SB 772 (Ochoa Bogh) which had been set for hearing  
213 on April 19, 2021, and the Committee recommendation that the Board take an Oppose  
214 Unless Amended position on SB 772 (Ochoa Bogh).  
215

216 It was M(Harb Sheets)/S(Tate)/C to adopt the Committee recommendation to oppose SB  
217 772 (Ochoa Bogh) unless amended to exempt the Board of Psychology.  
218

219 Ms. Nystrom recused herself from voting on the item due to her employment with the  
220 State Senate.  
221

222 There was no public comment offered.  
223

224 7 Ayes (Casuga, Cervantes, Foo, Harb Sheets, Phillips, Rodgers, Tate), 0 Noes  
225

226 c) Review of Watch Bills

227 1. AB 32 (Aguiar-Curry) Telehealth  
228

229 Ms. Cervantes introduced this item and Ms. Rivera provided background information  
230 regarding AB 32 (Aguiar-Curry).  
231

232 Ms. Rivera provided an update on AB 32 (Aguiar-Curry) which had not yet been set for  
233 hearing and the Committee recommendation that the Board Support the bill.

234  
235 It was M(Foo)/S(Rodgers)/C to adopt the Committee recommendation to Support AB 32  
236 (Aguiar-Curry).  
237

238 Ms. Nystrom recused herself from voting on the item due to her employment with the  
239 State Senate.  
240

241 Dr. Winkelman, California Psychological Association, stated the appreciation of CPA on  
242 of Board support of AB 32 (Aguiar-Curry).  
243

244 7 Ayes (Casuga, Cervantes, Foo, Harb Sheets, Phillips, Rodgers, Tate), 0 Noes  
245  
246

247 2. AB 107 (Salas) Department of Consumer Affairs: boards: temporary  
248 licenses: military spouses  
249

250 Ms. Cervantes introduced this item and Ms. Rivera provided background information  
251 regarding AB 107 (Salas).  
252

253 Ms. Rivera provided an update on AB 107 (Salas) which had been referred to the  
254 Committee for Military and Veteran's Affairs and had not been set for hearing. She stated  
255 the Legislative and Regulatory Affairs Committee recommendation that the Board take a  
256 Support if Amended position and provide the author's office with the identified  
257 amendments to Business & Professions Code section 2946.  
258

259 It was M(Foo)/S(Tate)/C to adopt the Committee recommendation of a Support if  
260 Amended position on AB 107 (Salas) and include the identified amended language to  
261 BPC 2946 listed on page 69 of the meeting materials.  
262

263 Ms. Nystrom recused herself from voting on the item due to her employment with the  
264 State Senate.  
265

266 7 Ayes (Casuga, Cervantes, Foo, Harb Sheets, Phillips, Rodgers, Tate), 0 Noes  
267  
268

269 3. AB 225 (Gray) Department of Consumer Affairs: boards: veterans: military  
270 spouses: licenses  
271

272 Ms. Cervantes introduced this item and Ms. Rivera provided background information  
273 regarding AB 225 (Gray).  
274

275 Ms. Rivera provided an update on AB 225 (Gray) which was set for hearing on April 6,  
276 2021, and the staff recommendation to watch the bill.  
277

278 There was no Board or public comment offered.  
279

280 4. AB 339 (Lee) State and local government: open meetings

281  
282 Ms. Cervantes introduced this item and Ms. Rivera provided background information  
283 regarding AB 339 (Lee).

284  
285 Ms. Rivera provided an update on AB 339 (Lee) and the staff recommendation to watch  
286 the bill as the author had submitted amendments to remove the Bagley-Keene portion.  
287 She stated the bill was being monitored to confirm that the amendments submitted and  
288 made to the language.

289  
290 There was no Board or public comment offered.

291  
292 5. AB 562 (Low) Mental health services for health care providers

293  
294 Ms. Cervantes introduced this item and Ms. Rivera provided background information  
295 regarding AB 562 (Low).

296  
297 Ms. Rivera provided an update on AB 562 (Low) and the staff recommendation to watch  
298 the bill

299  
300 Ms. Cervantes commented that due to timing, AB 562 (Low) had not been discussed in  
301 the Legislative and Regulatory Affairs Committee.

302  
303 Ms. Sorrick stated that the bill was being monitored by Board staff and had been set to  
304 be heard in Assembly Business and Professions Committee on April 6, 2021. She stated  
305 that staff was in regular communication with the author's office and DCA to work out  
306 several details of the bill and more information would be provided at the May Board  
307 meeting.

308  
309 There was no public comment offered.

310  
311 6. AB 646 (Low) Department of Consumer Affairs: boards: expunged  
312 convictions

313  
314 Ms. Cervantes introduced this item and Ms. Rivera provided background information  
315 regarding AB 646 (Low).

316  
317 Ms. Rivera provided an update on AB 646 (Low) was in the Appropriations Committee  
318 and had not yet been set for hearing and the staff recommendation to watch the bill.

319  
320 There was no public comment offered.

321  
322  
323 7. AB 657 (Bonta) State civil service system: personal services contracts:

324  
325 Ms. Cervantes introduced this item and Ms. Rivera provided background information  
326 regarding AB 657 (Bonta).

327

328 Ms. Rivera provided an update on AB 657 (Bonta) and the Committee recommendation  
329 to take an Oppose Unless Amended position on AB 657 (Bonta) to exclude the Board of  
330 Psychology from the bill's provisions as the requirements could negatively impact  
331 previously existing contracts.  
332

333 A discussion ensued and it was determined between Board and staff that the bill remain  
334 a watch, and delegate to the Chair of the Legislative and Regulatory Affairs Committee  
335 and Executive Officer the authority to take an Oppose Unless Amended position on AB  
336 657 (Bonta) should the author's office not amend as agreed on March 19, 2021.  
337

338 It was M(Foo)/S(Tate)/C to delegate to the Executive Officer and Chair of the Legislative  
339 and Regulatory Affairs Committee the authority to issue an Oppose Unless Amended  
340 Letter regarding AB 657 (Bonta) if the author's office does not fulfill their commitment  
341 made on March 19, 2021, to move programs under the Department of Consumer Affairs  
342 from the requirements of the bill.  
343

344 Ms. Nystrom recused herself from voting on the item due to her employment with the  
345 State Senate.  
346

347 There was no public comment offered.  
348

349 7 Ayes (Casuga, Cervantes, Foo, Harb Sheets, Phillips, Rodgers, Tate), 0 Noes  
350  
351

352 8. AB 810 (Flora) Healing arts: reports: claims against licensees  
353

354 Ms. Cervantes introduced this item and Ms. Rivera provided background information  
355 regarding AB 810 (Flora).  
356

357 Ms. Rivera provided an update on AB 810 (Flora) and the staff recommendation to watch  
358 the bill.  
359

360 There was no Board or public comment offered.  
361  
362

363 9. AB 830 (Flora) Department of Consumer Affairs: director: powers and duties  
364

365 Ms. Cervantes introduced this item and Ms. Rivera provided background information  
366 regarding AB 830 (Flora).  
367

368 Ms. Rivera provided an update on AB 830 (Flora) and the staff recommendation to watch  
369 the bill.  
370

371 There was no Board or public comment offered.  
372

373 10. AB 1026 (Smith) Business licenses: veterans.  
374



375 Ms. Cervantes introduced this item and Ms. Rivera provided background information  
376 regarding AB 1026 (Smith).

377  
378 Ms. Rivera provided an update on AB 1026 (Smith) and the staff recommendation to  
379 watch the bill.

380  
381 There was no Board or public comment offered.

382  
383 11. AB 1386 (Cunningham) License fees: military partners and spouses

384  
385 Ms. Cervantes introduced this item and Ms. Rivera provided background information  
386 regarding AB 1386 (Cunningham).

387  
388 Ms. Rivera provided an update on AB 1386 (Cunningham) and the staff recommendation  
389 to watch the bill.

390  
391 There was no Board or public comment offered.

392  
393 12. SB 102 (Melendez) COVID-19 emergency order violation: license revocation

394  
395 Ms. Cervantes introduced this item and Ms. Rivera provided background information  
396 regarding SB 102 (Melendez).

397  
398 Ms. Rivera provided an update on SB 102 (Melendez) and the staff recommendation to  
399 watch the bill.

400  
401 There was no Board or public comment offered.

402  
403 13. SB 224 (Portantino) Pupil instruction: mental health education

404  
405 Ms. Cervantes introduced this item and Ms. Rivera provided background information  
406 regarding SB 224 (Portantino).

407  
408 Ms. Rivera provided an update on SB 224 (Portantino) and the staff recommendation to  
409 watch the bill.

410  
411 There was no Board or public comment offered.

412  
413 14. SB 534 (Jones) Department of Consumer Affairs

414  
415 Ms. Cervantes introduced this item and Ms. Rivera provided background information  
416 regarding SB 534 (Jones).

417  
418 Ms. Rivera provided an update on SB 534 (Jones) and the staff recommendation to no  
419 longer watch the bill as it no longer related to the Board.

420  
421 There was no Board or public comment offered.

422  
423 d. Update on California Psychological Association Legislative Proposal Regarding  
424 New Registration Category for Psychological Testing Technicians.  
425

426 Ms. Cervantes and Ms. Rivera introduced this item.

427  
428 The California Psychological Association had nothing to report.

429  
430 There was no Board or public comment offered.

431  
432 e. Legislative Items for Future Meeting.

433  
434 There was no Board or public comment offered.

435  
436 Ms. Cervantes expressed appreciation to staff and counsel for assistance in preparation  
437 of the report.

438  
439 **Agenda Item 6: Update, Discussion, and Possible Action on Board Responses to**  
440 **Psychology Sunset Review Committee Paper**

441  
442 Ms. Sorrick provided a brief timeline of the Sunset process and referred to documents  
443 attached in the meeting materials which identified all statutory changes that had been  
444 identified by the Board.

445  
446 Mr. Foo suggested the Board discuss and update the language where necessary.

447  
448 Ms. Sorrick provided a summary and update for each issue. Each item was reviewed by  
449 the Board and edits were made.

450  
451 Public comment was opened for each item. No public comment was received beyond  
452 technical, non-substantive corrections and appreciation for the process.

453  
454 President Foo expressed appreciation to the Board and asked for a motion to approve  
455 the Board's draft responses included within the background paper for the California  
456 Board of Psychology to submit to the Assembly Committee on Business and  
457 Professions.

458  
459 It was M(Tate)/S(Phillips)/C to approve the Board's draft responses included within the  
460 background paper for the California Board of Psychology to submit to the Assembly  
461 Committee on Business and Professions.

462  
463 There was no Board or public comment offered.

464  
465 Ms. Nystrom recused herself from voting on the item due to her employment with the  
466 State Senate.

467  
468 7 Ayes (Casuga, Cervantes, Foo, Harb Sheets, Phillips, Rodgers, Tate), 0 Noes

469  
470 It was M(Harb Sheets)/S(Casuga)/C to delegate to Ms. Sorrick and Dr. Phillips to make  
471 technical, non-substantive changes, including grammatical changes to the document, if  
472 needed.

473  
474 There was no Board or public comment offered.

475  
476 Ms. Nystrom recused herself from voting on the item due to her employment with the  
477 State Senate.

478  
479 7 Ayes (Casuga, Cervantes, Foo, Harb Sheets, Phillips, Rodgers, Tate), 0 Noes  
480

481 Mr. Foo expressed appreciation for the collaborative effort of the Board, staff and public  
482 made on this agenda item.

483  
484 **Agenda Item 7: Regulatory Update, Review, and Possible Action on Additional**  
485 **Changes**

- 486  
487 a) 16 California Code of Regulations (CCR) 1396.8 – Standards of Practice  
488 for Telehealth  
489 b) 16 CCR sections 1391.1, 1391.2, 1391.5, 1391.6, 1391.8, 1391.10,  
490 1391.11, 1391.12, 1392.1 – Psychological Assistants  
491 c) 16 CCR sections 1381.9, 1381.10, 1392 – Retired License, Renewal of  
492 Expired License, Psychologist Fees  
493 d) 16 CCR sections 1381.9, 1397.60, 1397.61, 1397.62, 1397.67 –  
494 Continuing Professional Development  
495 e) 16 CCR sections 1391.13, and 1391.14 – Inactive Psychological Assistant  
496 Registration and Reactivating a Psychological Assistant Registration  
497 f) 16 CCR 1392 – Psychologist Fees – California Psychology Law and  
498 Ethics Examination (CPLÉE) and Initial License and Biennial Renewal Fee  
499 for a Psychologist  
500 g) 16 CCR 1395.2 Disciplinary Guidelines and Uniform Standards Related to  
501 Substance-Abusing Licensees  
502

503 Ms. Cervantes provided a brief information-only update for this agenda item. No action  
504 was required.

505  
506 There was no Board or public comment offered.

507  
508 **Agenda Item 8: Recommendations for Agenda Items for Future Board Meetings.**

509  
510 Mr. Foo requested public comment to add any agenda items for future Board meetings.

511  
512 There was no Board or public comment offered.

513  
514 **CLOSED SESSION**

515

516 **Agenda Item 9: The Board Will Meet in Closed Session Pursuant to Government**  
517 **Code Section 11126, subdivision (c)(3) to Discuss Disciplinary Matters**  
518 **Including Proposed Decisions, Stipulations, Petitions for Reinstatement or**  
519 **Modification of Penalty, Petitions for Reconsideration, and Remands.**  
520

521  
522 President Foo expressed appreciation for the participation and collaboration in the  
523 Board meeting and stated that there was no closed session.  
524

525 Ms. Cervantes and Dr. Harb Sheets expressed appreciation of the Board's openness to  
526 public information engagement.  
527

528 Mr. Foo thanked attendees and asked for a motion to adjourn which was made by Dr.  
529 Casuga.  
530

531 **ADJOURNMENT**  
532

533 **The meeting adjourned at 2:31 p.m.**  
534