

1 **TELEPSYCHOLOGY COMMITTEE TELECONFERENCE MEETING MINUTES**

2

3

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

7

8 **Friday, May 7, 2021**

9

10 **Committee Members**

11 Stephen Phillips, JD, PsyD

12 Julie Nystrom

13 Lea Tate, PsyD

14

15 **Legal Counsel**

16 William Maguire

17

18 **Board Staff**

19 Antonette Sorrick, Executive Officer

20 Jon Burke, Assistant Executive Officer

21 Stephanie Cheung, Licensing Manager

22 Jason Glasspiegel, Central Services Manager

23 Sandra Monterrubio, Enforcement Program Manager

24 Cristina Rivera, Legislative and Regulatory Analyst

25 Sarah Proteau, Central Services Office Technician

26

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

28

29 Dr. Stephen Phillips, Chairperson, called the meeting to order at 10:00 a.m., roll was
30 taken, and a quorum established.

31

32 **Agenda Item 2: Chairperson’s Welcome and Opening Remarks**

33

34 Dr. Phillips welcomed all participants for the meeting and stated the purpose of the
35 meeting was to hear and discuss a presentation on the Psychology
36 Interjurisdictional Compact (PSYPACT) by representatives of the Association of
37 State and Provincial Psychology Boards (ASPPB).

38

39 **Agenda Item 3: Establish Goals and Mission of the Telepsychology**
40 **Committee**

41

42 Dr. Philips introduced this agenda item. He advised that the Board’s committees
43 have each reviewed their name and mission statement, since the implementation of
44 the current Strategic Plan. He advised that this committee has not yet done that. He
45 began by recommending that the name Telepsychology Committee remain the
46 same.

47

48 Dr. Phillips read the current Mission Statement.

49
50 It was M(Nystrom)/S(Tate)/C to re-adopt the current Mission Statement and Committee
51 name of Telepsychology Committee.

52
53 There was no Committee or public comment offered.

54
55 Mr. Maguire suggested that there be an addition to the language of the Mission
56 Statement to add reference to the development of statutory language in addition to
57 regulatory language as well as a notation to internal Board procedures related to
58 Telepsychology.

59
60 A discussion ensued between Dr. Phillips, Ms. Sorrick, and Mr. Maguire regarding an
61 addition to the language of the Mission Statement to add the possibility of an expansion
62 of the scope of the Committee.

63
64 Committee Members Nystrom and Tate accepted the amendment to the Mission
65 Statement.

66
67 The proposed Mission Statement was as follows: "This Committee is responsible for
68 developing statutory and regulatory language and/or internal procedures for the practice
69 of psychology that is conducted remotely within the State of California and interstate
70 practice that is conducted remotely."

71
72 There was no additional Committee or public comment offered.

73
74 3 Ayes (Nystrom, Phillips, Tate), 0 Noes

75
76 **Agenda Item 4: Public Comment for Items Not on the Agenda.**

77
78 Natalie Feinblatt, member of the public, asked if the recording of the meeting would be
79 available to view and if the Telepsychology committee had any previous meetings in
80 2021.

81
82 Dr. Phillips confirmed there was no prior Committee meeting in 2021 and that the
83 meeting recording would be available for the public on the Board's website. It was
84 confirmed that the recording should be available within two to three weeks following the
85 meeting.

86
87 There was no further public comment offered.

88
89 **Agenda Item 5: Presentation on the Psychology Interjurisdictional Compact**
90 **(PSYPACT) by Representatives of the Association of State and Provincial**
91 **Psychology Boards (ASPPB)**

92
93 Dr. Phillips introduced Ms. Janet Orwig, the Associate Executive Officer for Member
94 Services with ASPPB.

95
96 Ms. Orwig provided a presentation on PSYPACT which included a broad overview and
97 history of PSYPACT as well as benefits of PSYPACT for consumers and psychologists.

98

99 A discussion ensued between Committee Members regarding the requirement of
100 graduation from an APA accredited Graduate school within PSYPACT. Concern was
101 expressed that a significant number of California licensees would be ineligible as 5-30
102 percent of licensees received degrees from regionally accredited schools.

103

104 Ms. Orwig stated that the language of PSYPACT was broad, as licensing standards
105 vary greatly between states and the Commission would continue to review and update
106 the language, as necessary.

107

108 Dr. Phillips commented that there would be increased administrative costs to the Board
109 to join PSYPACT and asked if there would be any revenue sharing to offset the
110 increased cost.

111

112 Ms. Orwig stated that there was no plan of cost sharing between states.

113

114 Ms. Nystrom asked what percentage of licensees within the existing states in PSYPACT
115 had submitted applications for the E-Passport.

116

117 Ms. Orwig stated that based on the applications that had been processed, the number
118 of applicants equaled roughly three to four percent of licensees in each participating
119 state.

120

121 Committee Members expressed concern regarding the consumer protection of
122 Californians and the possibility that protection would be limited with additional
123 practitioners providing services in the State without having acquired a background
124 check in California.

125

126 There was no further Committee comment offered.

127

128 Mr. Maguire, Board counsel, expressed appreciation for the presentation regarding
129 ASPPB and PSYPACT and asked for clarification on the organizational structure of
130 PSYPACT.

131

132 Ms. Orwig responded that PSYPACT was structured as a 501(c)(6) or “quasi-
133 government entity” which functioned like a licensing board.

134

135 A discussion ensued between Committee Members, Board counsel, and Ms. Orwig
136 regarding the disciplinary and complaint process and potential conflicts of law.

137

138 Ms. Orwig stated that formal discipline would be the responsibility of the home state but
139 that the receiving state could issue a “Cease and Desist” or disallow practice within their
140 state with the states working together to proceed with disciplinary action. She
141 commented that the scope of practice would be worked on within the Rules Committee.

142

143 Public comment

144

145 Karen Lese-Fowler, member of the public, Dr. Willow Pearson, California Institute of
146 Integral Studies, Dr. Winkelman, California Psychological Association, Melodie

147 Schaefer, California Psychological Internship Board Chair, and Dr. Charles Eckhart,
148 member of the public, expressed concern regarding concerns of any requirement of
149 APA accreditation and the possible disenfranchisement of many people within the State
150 of California and that the more stringent licensure requirements of California could be
151 superseded which could put consumers at risk.

152
153 Ms. Orwig stated that PSYPACT would be reviewing information about APA
154 accreditation and that they were in the consideration phase, gathering data to be
155 discussed at the next meeting.

156
157 Colin Sueyres, California Psychological Association, expressed concern regarding the
158 various mental health parity laws between different states and possible difficulties for
159 consumers and licensees to access/provide care through insurance.

160
161 Ms. Orwig responded that regarding insurance, PSYPACT was working with various
162 insurance agencies and will be creating a FAQ to address questions and she hoped it
163 would soon be available for review.

164
165 There was no further Committee or public comment offered.

166
167 **Agenda Item 6: Historical Overview of the Psychology Interjurisdictional Compact**
168 **(PSYPACT)**

169
170 Mr. Jon Burke, Assistant Executive Officer, provided an overview of telehealth in
171 California, background history regarding the Boards involvement/history with PSYPACT
172 and the Board's Telepsychology Committee which began in 2014.

173
174 Dr. Phillips commented with additional historical contextual information that in 2013 the
175 Board had been contacted by ASPPB and were asked the Board's preferences
176 regarding credentialling. The Board's preference, in 2013 and now, had been
177 regional accreditation.

178
179 Ms. Nystrom noted the increase of mental health services in California and asked
180 whether PSYPACT would be a positive solution to this need.

181
182 Dr. Phillips stated that any consideration of change in access to mental health services
183 would be speculative and echoed previous concerns regarding the less stringent
184 licensing requirements for many of out-of-state licensees compared to California. He
185 also clarified that California contains approximately 20 percent of the United States'
186 licensed Psychologists which was a much higher proportion compared to the State's
187 total population.

188
189 Ms. Sorrick provided clarity regarding the existing opportunities for out-of-state
190 practitioners to provide telehealth in California. She emphasized that the Temporary
191 Practice Provision was available in which out-of-state practitioners could practice 30
192 days (non-consecutive) within a calendar year and that temporary practice of 6 months
193 was available for applicants who were waiting to take exams or complete the final
194 requirements of licensure.

195

196 There was no public comment offered.

197

198 **Agenda Item 7: Review of and Possible Action on PSYPACT Model Legislation for**
199 **a Report to the Full Board on November 18-19, 2021**

200

201 Ms. Rivera provided a reading of the model legislation.

202

203 Mr. Maguire referred to page 80 of the materials within the model legislation and
204 commented that joining this compact could subject the Board to an increased risk of
205 liability or litigation should the Commission need to enforce compliance with the
206 compact if California were a compact state . Additionally, should the Board opt to
207 withdraw from PSYPACT, the Board would be required to repeal legislation, which may
208 not happen for 6 months or longer.

209

210 There was no further Committee comment:

211

212 Public comment

213

214 Dr. Jo Linder-Crow, California Psychological Association, asked for clarification from
215 Ms. Orwig when a change was made to E-Passport that added a requirement to be a
216 graduate from an APA accredited school and if there were to be a modification, would it
217 need to be in the E-Passport rather than in the Commission's rules.

218

219 Ms. Orwig replied that the APA requirement appeared in the ASPPB E. Passport
220 certificate and not in the Commission's policies. She clarified that there was not actually
221 a change but when the E-Passport was presented, beginning in 2015, there was a
222 general idea of what the criteria would look like for the E-Passport but could not know
223 exactly what requirements were to be prior to the Commission being established. The
224 APA requirement was added in February 2020 by ASPPB which was the first time the
225 official qualifications for the E-Passport were approved, which were then vetted with the
226 PSYPACT Commission. She stated that the PSYPACT Commission Executive Board
227 would be meeting on May 26, 2021.

228

229 A discussion ensued regarding APA accreditation and licensing requirements within the
230 various states.

231

232 Ms. Orwig stated that there would be more information provided within the PSYPACT
233 documents online regarding license requirements in different states provided within the
234 month.

235

236 Dr. Gregory Gormanous, Louisiana Licensing Board member, commented as a non-
237 PSYPACT participating state that in addition to previously mentioned concerns of APA
238 accreditation requirements, PSYPACT additionally would have disenfranchised
239 licensees in Louisiana, specifically General Applied Psychologists which include
240 Industrial Organizational Psychologists. Dr. Gormanous stated he had raised this
241 concern at every annual and midyear meeting of ASPPB since the 80's and believed it
242 applied to California as California also has Industrial Organizational Psychologists.

243

244 Ms. Orwig stated that this subject was scheduled to be discussed in the Executive
245 Board's meeting at the end of May.

246
247 Dr. Phillips confirmed that California does have Industrial Organizational (IO)
248 Psychologists that had thought they would be able to work across state lines with
249 PSYPACT. He asked if the existing states within PSYPACT had licensees that had
250 regional or other accreditation degree options beyond APA.

251
252 Ms. Orwig stated that the IO Psychologists would still be required to meet the APA,
253 CPA, or Joint Designation requirement as far as obtaining the E-Passport and that most
254 of the sitting states within PSYPACT have an equivalency option to meet the criteria for
255 licensure.

256
257 Public comment was given from a variety of members of the public expressing the
258 concern of many Psychologists regarding the requirement of APA accreditation and that
259 consumers would be negatively impacted by limited diversity of thought. Additional
260 concern was expressed for licensees who would be limited because of having
261 graduated prior to APA accreditation being widely adopted or available.

262
263 Dr. Winkelman, CPA, asked Ms. Orwig to speak to the issue raised by Dr. Gormanous
264 regarding Industrial Organizational Psychologists and if it were possible for IO
265 Psychologists to meet the requirements outside of APA accreditation.

266
267 Ms. Orwig stated that her understanding was that APA did not accredit Industrial
268 Organizational and consulting programs but that the Joint Designation Program that
269 ASPPB did with the National Register does. She expressed that this may be an option
270 for people to meet the criteria.

271
272 There was no further public comment.

273
274 Dr. Phillips asked the Committee members whether they had enough information to
275 consider the staff recommendation which was responded to in the affirmative by Dr.
276 Tate and Ms. Nystrom

277
278 Dr. Phillips summarized concerns expressed about PSYPACT of the requirement of
279 APA accreditation, the possible cost impact of additional monitoring and discipline with
280 no fee source and existing budgetary constraints, and concerns that out-of-state
281 practitioners could potentially be able to practice in California without having met the
282 more stringent California licensing requirements. He stated his discomfort with
283 excluding a portion of licensees against eligibility to join something and opined that this
284 would reflect a type of class system as diversity tended to be higher in regionally
285 approved programs. Dr. Phillips expressed reservations with deferring to a non-
286 government body and stated that historically, California had not been prone to joining
287 compacts.

288
289 Dr. Phillips stated that he does not recommend that the Board move forward with
290 PSYPACT.

291

292 Dr. Tate stated that she was not going to support PSYPACT as it stands. She
293 expressed that the California Board of Psychology exists to represent everyone and to
294 join PSYPACT would feel like picking one over the other group of Licensees and did not
295 feel fair or equal.

296
297 Ms. Nystrom expressed agreement with Dr. Tate and Dr. Phillips and that she was not
298 ready to move forward with PSYPACT at this time but would continue to monitor it.

299
300 It was M(Tate)/S(Nystrom)/C to recommend to the Board to not participate in
301 PSYPACT.

302
303 Public comment

304
305 Public comments of appreciation were expressed to the Committee and Ms. Orwig.

306
307 No further public comment was offered.

308
309 3 Ayes, (Nystrom, Phillips, Tate), 0 Noes

310
311 A discussion ensued between Dr. Phillips and Ms. Sorricks upon which further discussion
312 of PSYPACT was moved from the November 2021 Meeting to August and would be
313 monitored in the interim.

314
315 **Agenda Item 8: Recommendations for Agenda Items for Future Committee**
316 **Meetings. Note: The Committee May Not Discuss or Take Action on Any Matter**
317 **Raised During This Public Comment Section, Except to Decide Whether to Place**
318 **the Matter on the Agenda of a Future Meeting [Government Code Sections 11125**
319 **and 11125.7(a)].**

320
321 There was no Committee or public comment offered.

322
323 Dr. Phillips thanked Ms. Orwig for her presentation and the open discourse that
324 occurred.

325
326 **ADJOURNMENT**

327
328 The Committee meeting adjourned at 2:00 p.m.

329