

---

## TELECONFERENCE BOARD MEETING MINUTES

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40

NOTE: Pursuant to the provisions of Governor Gavin Newsom’s Executive Order N-08-21, dated June 11, 2021, neither Board member locations nor a public meeting location are provided.

Friday, August 27, 2021

### **Members Present**

Seyron Foo, President  
Lea Tate, PsyD, Vice President  
Marisela Cervantes, EdD, MPA  
Mary Harb Sheets, PhD  
Julie Nystrom  
Stephen Phillips, JD, PsyD  
Ana Rescate  
Shacunda Rodgers, PhD

### **Members Absent**

Sheryll Casuga, PsyD

### **Legal Counsel**

Heather Hoganson  
Helen Geoffroy

### **Board Staff**

Antonette Sorrick, Executive Officer  
Jon Burke, Assistant Executive Officer  
Stephanie Cheung, Licensing Manager  
Jason Glasspiegel, Central Services Manager  
Sandra Monterrubio, Enforcement Program Manager  
Liezal McCockran, CE/Renewals Coordinator  
Sarah Proteau, Central Services Office Technician

## **AGENDA**

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

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

Board President Foo called the meeting to order at 9:05 a.m., roll was taken, and a quorum established.

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

41 President Foo read the Board's mission statement and provided a welcome to all  
42 participants. He stated there were two items to be addressed; First, Mr. Foo introduced  
43 Ms. Helen Geoffroy, who was standing in as Legal Counsel for the meeting.

44 Ms. Geoffroy expressed appreciation for the welcome and stated her willingness to  
45 assist the Board as needed.

46 Mr. Foo then referenced the upcoming Board meeting in November. He stated that the  
47 plan had been to have the meeting in person in Sacramento and due to the ongoing  
48 COVID-19 pandemic and surges in Delta variant cases being experienced in the State,  
49 the Board was open to having the meeting held virtually.

50 Mr. Foo stated that ultimately the decision would be in accordance with the public health  
51 orders of Sacramento County but that at the time of this meeting, plans were being  
52 made for the possibility of either virtual or in person for November 2021.

53 There was no Board or public comment offered.

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

55 There was no public comment offered.

56 **Agenda Item 4: Discussion and Possible Approval of the Board Meeting Minutes:**  
57 **May 21, 2021**

58 Mr. Foo introduced this item and asked for a motion to approve.

59 It was M(Tate)/S(Nystrom)/C to adopt the minutes as written.

60 There was no Board or public comment offered.

61 Vote: 8 Ayes (Cervantes, Foo, Harb Sheets, Nystrom, Phillips, Rescate, Rodgers, Tate)  
62 0 Noes

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

64 Ms. Sorrick provided this report.

65 a) Personnel Update

66 Ms. Sorrick stated there was one less staff vacancy which would be addressed later in  
67 the meeting, leaving two vacancies in Central Services; one Office Technician and the  
68 Legislative and Regulatory Analyst position which had recently been vacated by Ms.  
69 Cristina Rivera.

70

71 b) COVID-19 Update

72 Ms. Sorrick stated that there were a couple of waivers that were due to expire on  
73 August 30, 2021 and that the Board had not yet heard any updates on those waivers as  
74 of the meeting date.

75 Mr. Foo stated his understanding and appreciation for flexibility while working with  
76 differing and varied local health ordinances and public health orders to address ongoing  
77 issues regarding waivers. He stated that these issues continue to affect the Board  
78 licensees and asked Ms. Sorrick to speak to the flexibility that the Board continues to  
79 provide.

80 Ms. Sorrick stated that since the beginning of the waiver process, renewals of waivers  
81 were once every 2-3 months. As such, the Board wanted to provide additional time for  
82 the face-to-face supervision waiver for supervisors and trainees to be able to better  
83 prepare for the waiver to end. That particular waiver will now end January 1, 2022. She  
84 expressed that as the time grew closer to the January 1, 2022 date, the Board would  
85 verify the existing local health ordinances and discuss options at that time.

86 She shared that the Board's intent was to be as reasonable and predictable as possible  
87 during these unpredictable times.

88 There was no Board or public comment offered

#### 89 **Agenda Item 6: Department of Consumer Affairs (DCA) Update**

90 Mr. Foo welcomed Ms. Brianna Miller from the Department of Consumer Affairs' Board  
91 and Bureau Relations division.

92 Ms. Miller introduced herself and provided an update from DCA on public health orders  
93 related to a variety of items including remote meetings and face coverings. She stated  
94 that there was currently no update to the waiver set to end September 30, 2021 but that  
95 this was subject to change.

96 Ms. Miller emphasized that DCA would do everything possible to ensure programs had  
97 the ability to plan safely for in-person meetings and that any changes to meeting  
98 requirements would be provided as they change.

99 Ms. Miller provided an update on public health safety orders and stated that all were  
100 encouraged to visit [COVID-19.ca.gov](https://www.covid-19.ca.gov) for the most up-to-date information on COVID-19,  
101 safety measures, face coverings, testing, and vaccines. She also provided the  
102 [DCA.ca.gov](https://www.dca.ca.gov) website for a full list of all current waivers and guidelines as the DCA was  
103 still awaiting final approval for COVID-19 transition plans.

104 Ms. Miller encouraged all Boards and Bureaus to look through all laws and regulations  
105 that were waived, determine if changes are needed in the future and proceed with those  
106 changes.

107 She provided 2021 training requirements for DCA employees and Board members  
108 which would be completed through the LMS training system online and concluded her  
109 presentation.

110 Mr. Foo thanked Ms. Miller for the presentation and queried about waivers and asked  
111 what would trigger reevaluation of a waiver extension and in the event of an extension,

112 requested as early of a notification as possible so as to provide licensees this  
113 information so that they could plan accordingly.

114 Ms. Miller responded that ongoing discussions were being held to monitor the daily  
115 environment and status of variants and DCA would provide updates as quickly as  
116 possible.

117 There was no further Board and no public comment offered.

### 118 **Agenda Item 7: Budget Report**

119 Mr. Glasspiegel referenced the hand carry attachment in the meeting materials and  
120 provided an update to this item.

121 A discussion ensued regarding increased costs with expenses such as payments to the  
122 Attorney General's office and if those possible increases were accounted for in the  
123 budget projection.

124 Renee Milano, DCA Budget Office, referenced the document provided and confirmed  
125 that a 3 percent cost of living increase related to outgoing payment was included in the  
126 data.

127 The ongoing issue with the projected fiscal insolvency date of 2023/2024 was  
128 discussed. Mr. Glasspiegel spoke to how this would be addressed and referenced the  
129 materials.

130 Dr. Harb Sheets asked whether the proposed plans were intended to right size the  
131 insolvency numbers and about further fee studies that may be done.

132 Mr. Glasspiegel clarified that the 1-7-point plan was proposed to rectify the structural  
133 imbalance.

134 Matt Nishimine, DCA Budget Office, provided a refresher on what a fee study would  
135 entail and how one would be completed. He also responded that the increased  
136 expenses were mainly due to enforcement related responsibilities which were an  
137 important part of a Board's consumer protection mission.

138 Discussion ensued regarding fees and context was provided by Ms. Sorrick regarding  
139 licensing fees, rate increases from other state programs, and budget

140 Public comment

141 Dr. Jo Linder Crow, CPA, queried if the cost of operations and increased operations  
142 cost would always be passed to the licensee.

143 Mr. Foo provided clarification regarding historical context of Board of Psychology  
144 funding and licensing fees. He stated that the licensing fee amounts that were set over  
145 three decades ago no longer offset the cost of operation. Cost saving strategies had  
146 been implemented over the years, but it was no longer possible to continue without  
147 raising licensing fees to the statutory limit.

148 Mr. Foo asked for confirmation that the amount that had been set thirty years ago no  
149 longer covered the cost of operation and is not reflective of the actual expenses of the  
150 Board.

151 Mr. Glasspiegel confirmed this information.

152 There was no further Board or public comment offered.

153 **Agenda Item 8: Presentation by Health Professions Education Foundation on**  
154 **Licensed Mental Health Services Provider Education Program (LMHSPEP) and**  
155 **Mental Health Loan Assumption Program (MHLAP); Discussion and Questions to**  
156 **Follow**

157 Mr. Foo introduced this item and Mr. Michael Andrijich of Health Professions Education  
158 Foundation.

159 Mr. Andrijich presented on what the program was, how qualifications are met, the  
160 breakdowns of these funds, and how they work. These items with referenced data could  
161 be found on pages 21 through 31 of the Board meeting materials.

162 A discussion ensued between Mr. Andrijich, Dr. Cervantes, Ms. Nystrom, and Mr. Foo  
163 about average yearly fund totals and how the process works. Mr. Andrijich stated the  
164 average yearly fund amount was typically around \$400,000 and provided the application  
165 and qualifiers for the award which would go to Board of Psychology licensees and  
166 registrants who apply and meet the criteria.

167 Dr. Rodgers expressed appreciation for the presentation and asked how outreach is  
168 done to licensees so that they would be made aware of the program and apply.

169 Mr. Andrijich stated various ways outreach is done by the program.

170 Mr. Foo stated the Board's support in the assistance of outreach for the program and  
171 asked about general fund and dollars related to foster youth.

172 Mr. Andrijich stated that there was a separate fund for former foster youth specifically  
173 and that the criteria was very similar.

174 There was no public comment offered.

175 **Agenda Item 9: Enforcement Report**

176 Ms. Monterrubio provided the enforcement report with statistics and performance  
177 measures and stated that the documents were included in the meeting materials. She  
178 noted that there was a mistake on the report which showed the year 2022 where it  
179 should have been 2021.

180 Ms. Monterrubio announced that the Office Technician position in the Enforcement unit  
181 that had been vacant for some time had been filled and that the new employee will  
182 begin approximately September 1, 2021. She expressed appreciation to the

183 enforcement team for all the extra work that they have done to support the unit while the  
184 position was vacant.

185 She stated that there had been 106 complaints received since July 1, 2021 and all had  
186 been opened and assigned to an enforcement analyst for processing.

187 Ms. Monterrubio addressed a question regarding any trends in enforcement complaints  
188 that had been asked by Ms. Nystrom at the previous Board meeting. She stated that  
189 review of complaint records had not shown any major trends though there had been an  
190 increase in complaints related to licensees who let their licenses lapse. She reasoned it  
191 might be due to the pandemic and stress. Other types of complaints included licensees  
192 not complying with local health orders regarding masks and social distancing.

193 Ms. Monterrubio stated that there would be additional discussion in the next  
194 Enforcement Committee meeting as to how statistical information would be reported to  
195 the Board and that the statistical information would be provided differently at the  
196 November 2021 Board meeting.

197 Dr. Harb Sheets asked for clarification on some complaints related to safety measures  
198 for COVID; Licensees maskless or a lack of social distancing, and asked if in those  
199 circumstances local health orders were researched, which was confirmed by Ms.  
200 Monterrubio.

201 Ms. Monterrubio then provided a summary of the complaint investigation process.

202 Dr. Elizabeth Winkleman, California Psychological Association, provided a comment  
203 that psychologist's offices would fall under the guidelines of a healthcare provider and  
204 would require masking. This was confirmed by Ms. Monterrubio.

205 **Agenda Item 10: Licensure Committee Report and Consideration of and Possible**  
206 **Action on Committee Recommendations**

207 Licensing Committee Chairperson Harb Sheets introduced Stephanie Cheung,  
208 Licensing Manager, who provided a summary on the types of waivers that were in  
209 place. Ms. Cheung explained the difference between waivers issued and maintained by  
210 the Department of Consumer Affairs and the three waivers issued by the Board and  
211 provided a reminder that all waivers could be viewed on the Board of Psychology  
212 website.

213 a) Update on Waivers

214 Ms. Cheung provided an update for this item.

215 Dr. Harb Sheets asked if many licensees had taken advantage of the "Back to Active"  
216 reactivation option. Ms. Cheung responded that approximately 50 licensees had done  
217 so.

218 b) Licensing Report

219 Ms. Xiong provided a summary of trends and data listed on the report. She noted that  
220 there had been some changes to the way data was reported as requested by Board  
221 members, such as a new attachment which provided a six-month overview of the  
222 average application processing time. It was also noted that the data collection process  
223 had been transitioned from the end of month to beginning of month which resulted in no  
224 data listed for the month of July on the report.

225 Ms. Xiong stated that all application processing timeframe information was available to  
226 the public on the Board website and is updated monthly.

227 Ms. Cheung provided additional updates that there had been improvements made to  
228 BreEZe so that applicants would be able to check their status by logging in to their  
229 profile in BreEZe. She also referenced pages 55 to 57 of the meeting materials which  
230 contained data collected at the request of the Board and showed a year-to-year  
231 comparison of the number of approved candidates versus the number of candidates  
232 that had taken the exam as well as a summary of projects that were on hold.

233 A discussion ensued between Dr. Cervantes, Dr. Harb Sheets, Mr. Foo, and Ms.  
234 Cheung regarding the data provided about waivers and how they have been helpful for  
235 applicants and licensees.

#### 236 c) Continuing Education and Renewals Report

237 Ms. McCockran provided an update to this item and noted that licensees with expiration  
238 dates between March 31, 2020 and September 30, 2021 are given until January 26,  
239 2022 to fulfill the CE requirement; licensees must still renew by their expiration date and  
240 state the true amount of CE accrued at that time. Once the 36-hour requirement is  
241 fulfilled, the licensee is to keep record of their CE documentation for four years and will  
242 only need to provide them to the Board upon request.

243 Dr. Harb Sheets expressed appreciation for the report and for the data broken down in  
244 the attachment. She asked for clarification on audit failure criteria for CE audits which  
245 was provided by Ms. McCockran.

#### 246 d) Feedback Requested by ASPPB regarding Examination for Professional Practice 247 in Psychology (EPPP) Part 2 – Skills Survey

248 Dr. Harb Sheets provided an update to this item.

249 It was M(Foo)/S(Harb Sheets)/C that the Board approve the adjusted responses listed  
250 in attachment B.

251 A discussion ensued regarding attached responses to the survey about the possibility of  
252 licensees potentially opting to take the EPPP Part 2 without the exam being required for  
253 licensure in California. It was determined that the Board did not have the authority to  
254 determine so.

255 Dr. Matt Turner, ASPPB, provided some background on the reason for the survey and  
256 stated that it was intended to make sure possible issues with rules and regulations  
257 could be reviewed.

258 A public comment was submitted regarding the possibility of online proctored testing  
259 options.

260 Ms. Snyder responded that online proctored exam options were not offered due to  
261 security issues but that testing accommodations were an option and Ms. Snyder was  
262 available to discuss options should anyone want to apply

263 There was no further Board or public comment offered.

264 Vote: 8 Ayes (Cervantes, Foo, Harb Sheets, Nystrom, Phillips, Rescate, Rodgers, Tate)  
265 0 Noes

266 e) Consideration of Licensure Committee Recommendations Regarding Requests  
267 for an Extension of the 72-Month Registration Period Limitation for Registered  
268 Psychological Assistant Pursuant to 16 CCR section 1391.1, subdivision (b)

269 PSB #1 requested an extension of 15 months. Dr. Harb Sheets provided the  
270 committee's perspective that the request was too long and recommended a six-month  
271 extension to take the EPPP.

272 It was M(Foo)/S(Phillips)/C to adopt the Licensure Committee's recommendation to  
273 create a six-month extension request beyond the 78-month limitation provided by the  
274 waiver.

275 There was no Board or public comment offered.

276 Vote: 8 Ayes (Cervantes, Foo, Harb Sheets, Nystrom, Phillips, Rescate, Rodgers, Tate)  
277 0 Noes

278 No board or public comment offered.

279 PSB #2 completed their hours in 2007 and had not taken the exam. They requested an  
280 extension of 18 months. Dr. Harb Sheets relayed the Committee recommendation to  
281 deny the request due to concern that the person had been looking at the Psychological  
282 Assistant registration as a career.

283 It was M(Tate)/S(Phillips)/C to adopt the Licensure Committee's recommendation.

284 There was no Board or public comment offered.

285 Vote: 8 Ayes (Cervantes, Foo, Harb Sheets, Nystrom, Phillips, Rescate, Rodgers, Tate)  
286 0 Noes

287 PSB #3 took the exam in 2016 but not had not taken it since. They requested an  
288 extension of 12 months. Dr. Harb Sheets relayed the Committee recommendation to  
289 deny the request, as the person had ample time with waivers that had been extended.



290 It was M(Phillips)/S(Nystrom)/C to adopt the Licensure Committee's recommendation.  
291 There was no Board or public comment offered.  
292 Vote: 8 Ayes (Cervantes, Foo, Harb Sheets, Nystrom, Phillips, Rescate, Rodgers, Tate)  
293 0 Noes  
294 PSB #4 requested a 12-month extension after having taken and not passed the exam  
295 15 times. This person had a current expiration date of January 1, 2022. Dr. Harb Sheets  
296 relayed the committee recommendation to allow an additional six months versus 12  
297 months.  
298 It was M(Nystrom)/S(Rodgers)/C to adopt the Licensure Committee's recommendation.  
299 There was no Board or public comment offered.  
300 Vote: 8 Ayes (Cervantes, Foo, Harb Sheets, Nystrom, Phillips, Rescate, Rodgers, Tate)  
301 0 Noes  
302 PSB #5 requested a 12-month extension after having taken and not passed the exam  
303 three times. Dr. Harb Sheets relayed the Committee recommendation to allow an  
304 additional six-month extension versus 12 months.  
305 It was M(Foo)/S(Nystrom)/C to adopt the Licensure Committee's recommendation.  
306 There was no Board or public comment offered.  
307 Vote: 8 Ayes (Cervantes, Foo, Harb Sheets, Nystrom, Phillips, Rescate, Rodgers, Tate)  
308 0 Noes  
309 PSB #6 requested a 12-month extension. Dr. Harb Sheets relayed the Committee  
310 recommendation to additional six-month extension versus 12 months.  
311 It was M(Nystrom)/S(Rodgers)/C to adopt the Licensure Committee's recommendation.  
312 There was no Board or public comment offered.  
313 Vote: 8 Ayes (Cervantes, Foo, Harb Sheets, Nystrom, Phillips, Rescate, Rodgers, Tate)  
314 0 Noes  
315 PSB #7 requested a 12-month extension but has since passed the EPPP. Dr. Harb  
316 Sheets relayed the Committee recommendation to approve an additional three-month  
317 extension to allow time to take the CPLEE.  
318 It was M(Nystrom)/S(Harb Sheets)/C to adopt the Licensure Committee's  
319 recommendation.  
320 There was no Board or public comment offered.  
321 Vote: 8 Ayes (Cervantes, Foo, Harb Sheets, Nystrom, Phillips, Rescate, Rodgers, Tate)  
322 0 Noes

323 PSB #8 has approved accommodations and has had difficulty scheduling the exam and  
324 requested a six-month extension. Dr. Harb Sheets relayed the Committee  
325 recommendation to approve an additional six-month extension but noted that this  
326 registrant had an outstanding deficiency and was missing a Supervision Agreement in  
327 their file.

328 It was M(Phillip)/S(Nystrom)/C to approve the recommendation of the Committee once  
329 the Supervision Agreement was received by the Board.

330 There was no Board or public comment offered.

331 Vote: 8 Ayes (Cervantes, Foo, Harb Sheets, Nystrom, Phillips, Rescate, Rodgers, Tate)  
332 0 Noes

333 PSB #9 requested a 12-month extension after having taken the EPPP three times and  
334 not passed. Dr. Harb Sheets relayed the Committee recommendation to approve an  
335 additional six-month extension.

336 It was M(Phillips)/S(Nystrom)/C to adopt the Licensure Committee's recommendation.

337 There was no Board or public comment offered.

338 Vote: 8 Ayes (Cervantes, Foo, Harb Sheets, Nystrom, Phillips, Rescate, Rodgers, Tate)  
339 0 Noes

340 PSB #10 requested a 12-month extension after having taken the EPPP in 2010 and did  
341 not pass. Dr. Harb Sheets relayed the Committee recommendation to deny the request  
342 based on the requestor not having shown an intention of progressing toward licensure.

343 It was M(Tate)/S(Nystrom)/C to adopt the Licensure Committee's recommendation.

344 There was no Board or public comment offered.

345 Vote: 8 Ayes (Cervantes, Foo, Harb Sheets, Nystrom, Phillips, Rescate, Rodgers, Tate)  
346 0 Noes

347 f) Consideration of Licensure Committee Recommendations Regarding Requests  
348 for an Extension of the 30-Consecutive Month Limitation to Accrue 1500 Hours of Post-  
349 Doctoral Supervised Professional Experience Pursuant to 16 CCR section 1387,  
350 subdivision (a)

351 PSY #1, is licensed in another state and had applied with California but needed an  
352 additional 312 hours of post-doctoral supervised professional experience. They  
353 requested an extension of 2 years, 4 months to accrue the additional hours. Dr. Harb  
354 Sheets relayed the Committee's recommendation to approve the request.

355 It was M(Nystrom)/S(Rodgers)/C to adopt the Licensure Committee's recommendation.

356 There was no Board or public comment offered.

357 Vote: 8 Ayes (Cervantes, Foo, Harb Sheets, Nystrom, Phillips, Rescate, Rodgers, Tate)  
358 0 Noes

359 **Agenda Item 13: Telepsychology Committee Report and Consideration of and**  
360 **Possible Action on Committee Recommendations**

361 President Foo stated that this item would be moved up in the agenda and introduced  
362 Telepsychology Committee Chair, Dr. Phillips. Once Agenda Item 13 was completed,  
363 the Board would continue with Item 11.

364 a) Presentation on the Psychology Interjurisdictional Compact (PSYPACT) by  
365 Representatives of the Association of State and Provincial Psychology Boards (ASPPB)

366 Dr. Phillips introduced this item and Jon Burke, Assistant Executive Officer, who  
367 provided a presentation on PSYPACT.

368 b) Historical Overview of the Psychology Interjurisdictional Compact (PSYPACT)

369 c) Timeline of the Board's prior consideration of PSYPACT

370 d) Correspondence between the Board of Psychology and the Association of State  
371 and Provincial Psychology Boards (ASPPB)

372 e) Identify Outstanding Issues

373 f) Review of and Possible Action on PSYPACT Model Legislation for a Report to  
374 the Full Board on November 18-19, 2021

375 Dr. Phillips provided a summary of four specific reasons from Mr. Burke's presentation  
376 that the committee was not comfortable in supporting PSYPACT.

- 377 • The exclusion of non-APA accredited programs and their graduates which tend  
378 to be more diverse from PSYPACT.
- 379 • The inconsistency of licensing statutes and continuing education requirements  
380 between states
- 381 • The concern at the prospect of potentially delegating authority to a non-  
382 governmental body
- 383 • The cost factors

384 It was M(Tate)/S(Harb Sheets)/C to adopt the Committee's recommendation to not  
385 proceed with actions toward adoption of PSYPACT.

386 Board discussion ensued and included comments of concern about the lack of  
387 requirement of criminal background screening in some states, concern about consumer  
388 protection should psychologists with less stringent state licensure criteria put California  
389 consumers at risk, and the intent to be mindful of how an adoption of PSYPACT could  
390 affect marginalized populations.

391 Public Comment

392 Discussion ensued and participants provided comments for and against the Committee  
393 recommendation. Concerns included, the APA accredited program requirement within  
394 PSYPACT, the possibility that adoption could lead to a two-tiered system, and access to  
395 services for underserved populations.

396 Dr. Phillips then read written comments that had been submitted.

397 Dr. Phillips restated the motion on the table to adopt the Committee recommendation.

398 Vote: 8 Ayes (Cervantes, Foo, Harb Sheets, Nystrom, Phillips, Rescate, Rodgers, Tate)  
399 0 Noes

400 It was determined that Ms. Janet Orwig would convey the Board's stance to ASPPB.

401 Dr. Phillips and Mr. Foo expressed appreciation for participation with this item.

402 **Agenda Item 11: Legislative and Regulatory Affairs Committee Report and**  
403 **Consideration of and Possible Action on Committee Recommendations**

404 Committee Chair, Dr. Cervantes introduced this item and stated that the Committee had  
405 their final meeting of 2021 on June 11. She stated that she would provide updates on  
406 movement on items and would only touch on watched bills individually at the request of  
407 Board members.

- 408 a) Board Sponsored Legislation for the 2021 Legislative Session: Review and  
409 Possible Action (M. Cervantes)
- 410 1. SB 401 (Pan) Healing arts: psychology - Amendments to sections 2960 and  
411 2960.1 of the Business and Professions Code Regarding Denial, Suspension  
412 and Revocation for Acts of Sexual Contact

413 Dr. Cervantes provided a brief information only-update on SB 401 (Pan), which is a  
414 Board sponsored, two-year bill in the Assembly Rules Committee. No action was  
415 required.

416 There was no Board or public comment offered.

- 417 2. Pathways to Licensure Statutory Revisions – Amendments to sections 27,  
418 2909, 2909.5, 2910, 2911, 2913, 2914, 2915, 2915.5, 2915.7, 2942, 2944,  
419 2946, and 2960 of the Business and Professions Code, and section 1010 of  
420 the Evidence Code

421 Dr. Cervantes introduced this item and provided background and information. No action  
422 was required.

423 A brief discussion ensued between Dr. Phillips and Ms. Sorrick regarding a requested  
424 amendment to the Board's temporary practice provision, which had been a part of this  
425 item. Ms. Sorrick advised the Legislature chose not to include that requested  
426 amendment, as it was deemed too controversial.

427 Public comment

428 Dr. Elizabeth Winkelman, California Psychological Association, stated that questions  
429 were received regularly about temporary licensure and that questioners were referred to  
430 the Board for clarity.

431 There was no further Board or public comment offered.

432 3. Sunset Provisions – Amendments to section 2912 of the Business and  
433 Professions Code, and Addition of Sections Related to Reinstatement to Active after  
434 Voluntary Surrender, Licensure Committee Delegated Authority, and Authority to Issue  
435 Waivers

436 b) Legislative Update, Review, and Consideration of Additional Changes (M.  
437 Cervantes)

438 Dr. Cervantes provided an information only update. No action was required.

439 A. AB 32 (Aguiar-Curry) Telehealth

440 Dr. Cervantes introduced and stated the Board's previously determined position on AB  
441 32 (Aguiar-Curry) and that the bill was in the Senate Health Committee. It had been set  
442 for hearing, but the hearing was cancelled at the request of the author.

443 B. AB 107 (Salas) Department of Consumer Affairs: boards: temporary licenses:  
444 military spouses

445 Dr. Cervantes introduced and provided the Board's position on AB 107 (Salas) from  
446 April of Support if Amended, the amendments were made, and the Board position was  
447 moved to Support. She stated that AB 107 (Salas) was on the Assembly floor.

448 This update was information only, with no action required.

449 C. SB 731 (Durazo) Criminal records: relief

450 Dr. Cervantes introduced and provided the Board's position on SB 731 (Durazo) from  
451 April of Oppose. She stated that AB 731 (Durazo) was on the Assembly floor.

452 This update was information only, with no action required.

453 D. SB 772 (Ochoa Bogh) Professions and vocations: citations: minor violations

454 Dr. Cervantes introduced and provided the Board's position on SB 772 (Ochoa Bogh)  
455 from April of Oppose Unless Amended. She stated that SB 772 (Ochoa Bogh) was a  
456 two-year bill.

457 This update was information only, with no action required

458 E. SB 801 (Roth) Healing arts: Board of Behavioral Sciences: Board of Psychology:  
459 licensees.

460 Dr. Cervantes introduced and provided an update to this item which included Sunset  
461 provisions but excluded two items.

- 462 1. Emergency authorization due to a declared state of emergency, ; and,  
463 2. An update to the statutory language for temporary practice.

464 Dr. Cervantes stated that this bill had been passed by the Appropriations Committee  
465 and was on its way to the Assembly floor.

466 This update was information only, with no action required

467 There was no Board or public comment offered.

468 2. Watch Bills

469 Dr. Cervantes stated that there was an analysis for each watch bill included in the  
470 meeting materials beginning on page 303 but that item O, SB 221 (Wiener) would be  
471 pulled for discussion.

472 A. AB 29 (Cooper) State bodies: meetings

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

474 C. AB 225 (Gray) Department of Consumer Affairs: boards: veterans: military  
475 spouses: licenses

476 D. AB 339 (Lee) State and local government: open meetings

477 E. AB 562 (Low) Frontline COVID-19 Provider Mental Health Resiliency Act of  
478 2021: health care providers: mental health services

479 F. AB 646 (Low) Department of Consumer Affairs: boards: expunged convictions

480 G. AB 657 (Cooper) State civil service system: personal services contracts:  
481 professionals

482 H. AB 810 (Flora) Healing arts: reports: claims against licensees

483 I. AB 830 (Flora) Department of Consumer Affairs: director: powers and duties.

484 J. AB 885 (Quirk) Bagley-Keene Open Meeting Act: teleconferencing

485 K. AB 1026 (Smith) Business licenses: veterans.

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

487 M. AB 1386 (Cunningham) License fees: military partners and spouses

488 N. SB 102 (Melendez) COVID-19 emergency order violation: license revocation

489 O. SB 221 (Wiener) Health care coverage: timely access to care

490 Dr. Cervantes provided the page number of 382 for this item.

491 Mr. Glasspiegel provided update that the item was on the assembly floor.

492 Dr. Cervantes provided the staff recommendation that the Board support the bill.

493 It was moved to M(Foo)/S(Phillips)/C to adopt the staff recommendation of SB 221  
494 (Wiener) from Watch to Support.

495 Ms. Nystrom recused herself from voting due to her position with the Senate.

496 Board discussion ensued regarding what provisions would change compared to what  
497 had already in place and the recommendation of support had been made with an intent  
498 to increase timely access to mental health care services.

499 Public comment

500 Dr. Elizabeth Winkelman, CPA, expressed appreciation to the Board for considering  
501 support of this bill.

502 Vote: 8 Ayes (Cervantes, Foo, Harb Sheet, Phillips, Rescate, Rodgers, Tate) 0 Noes 1  
503 Recusal (Nystrom)

504 P. SB 224 (Portantino) Pupil instruction: mental health education

505 3. Update, Consideration, and Possible action on Governor's Budget Trailer Bill  
506 proposal on Bagley-Keene Open Meeting Act: Remote Participation in Meetings.

507 Dr. Cervantes introduced this item and provided context that it had been included in the  
508 agenda because of anticipated inclusion in the Governor's bill. She stated no update  
509 had been provided as the language had not been included in the bill.

510 There was no Board or public comment offered.

511 c) Legislative Items for Future Meeting. The Board May Discuss Other Items of  
512 Legislation in Sufficient Detail to Determine Whether Such Items Should be on a Future  
513 Board Meeting Agenda and/or Whether to Hold a Special Meeting of the Board to  
514 Discuss Such Items Pursuant to Government Code section 11125.4

515 Dr. Cervantes introduced this item.

516 There was no Board or public comment offered.

517 **Agenda Item 12: Regulatory Update, Review, and Consideration of Additional**  
518 **Changes**

519 Dr. Cervantes introduced this item which was informational only with no action required.

520 Mr. Glasspiegel provided an update to two of the Regulatory packages.

521 a) 16 California Code of Regulations (CCR) 1396.8 – Standards of Practice for  
522 Telehealth

523 b) 16 CCR sections 1391.1, 1391.2, 1391.5, 1391.6, 1391.8, 1391.10, 1391.11,  
524 1391.12, 1392.1 – Psychological Assistants

525 c) 16 CCR sections 1381.9, 1381.10, 1392 – Retired License, Renewal of Expired  
526 License, Psychologist Fees

527 d) 16 CCR sections 1381.9, 1397.60, 1397.61, 1397.62, 1397.67 – Continuing  
528 Professional Development

529 Mr. Glasspiegel provided an update to this package, which was in final departmental  
530 review. What does this mean? He stated that staff expected to receive comments from  
531 the Director.

532 He also provided an update to the fee study package, and that it was submitted for  
533 initial review and he expected to follow up with regulatory counsel within the following  
534 weeks.

535 Mr. Glasspiegel stated that the Telepsychology Regulatory package had been  
536 chaptered by the Secretary of State and the advisory had been sent out to all licensees  
537 and was available on the Board of Psychology website.

538 Ms. Sorrick echoed Mr. Glasspiegel regarding the advisory on the Board website and  
539 stated that comments received would be collected to create a Frequently Asked  
540 Questions document based on real life practice questions that would then be posted as  
541 well. She also provided some context that the initial discussion had begun in 2011 and  
542 as such, had been well thought out. Appreciation was expressed to current and prior  
543 Board members and stakeholders for their involvement in the long process.

544 e) 16 CCR sections 1391.13, and 1391.14 – Inactive Psychological Assistant  
545 Registration and Reactivating a Psychological Assistant Registration

546 f) 16 CCR 1392 – Psychologist Fees – California Psychology Law and Ethics  
547 Examination (CPLÉE) and Initial License and Biennial Renewal Fee for a Psychologist

548 g) 16 CCR 1395.2 – Disciplinary Guidelines and Uniform Standards Related to  
549 Substance-Abusing Licensees

550 There was no additional Board and no public comment offered.

551 Dr. Cervantes expressed her appreciation to the Board and staff and concluded the  
552 report.

553 **Agenda Item 14: Recommendations for Agenda Items for Future Board Meetings.**  
554 **Note: The Board May Not Discuss or Take Action on Any Matter Raised During**  
555 **This Public Comment Section, Except to Decide Whether to Place the Matter on**  
556 **the Agenda of a Future Meeting [Government Code Sections 11125 and**  
557 **11125.7(a)].**

558 Mr. Foo introduced this item.

559 There was no Board or public comment offered.



560 **Agenda Item 15: Call for Nominations to Association of State and Provincial**  
561 **Psychology Board's (ASPPB) Board of Directors First Year Member-At-Large**

562 Mr. Foo introduced this item, provided context, and stated that ASPPB was looking for  
563 nominations for the Board of Director's First Year Member-At-Large position.

564 Ms. Sorrick stated that the Board had not had a presence on the ASPPB Board in some  
565 time and explained her understanding of how it would work.

566 A discussion ensued between Drs. Phillips and Harb Sheets, Ms. Geoffrey, and Mr. Foo  
567 who provided their understanding as to how candidates had been involved with ASPPB  
568 historically.

569 No Board members expressed interest in candidacy.

570 There was no further Board and no public comment offered.

571 **Agenda Item 16: Opportunity for Board Members to Express an Interest in Being**  
572 **President or Vice President of the Board in 2022**

573 Mr. Foo introduced this item.

574 Dr. Tate expressed interest in presidency of the Board of Psychology in 2022.

575 There was no public comment offered.

576 **Agenda Item 17: The Board Will Meet in Closed Session Pursuant to Government**  
577 **Code Section 11126, subdivision (c)(3) to Discuss Disciplinary Matters Including**  
578 **Proposed Decisions, Stipulations, Petitions for Reinstatement or Modification of**  
579 **Penalty, Petitions for Reconsideration, and Remands.**

580 Mr. Foo stated that there were no items on the agenda for closed session which was  
581 confirmed by Ms. Sorrick.

582 ADJOURNMENT

583 The meeting adjourned at 4:09 p.m.

584

585