

DRAFT TELECONFERENCE BOARD MEETING MINUTES

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.

Board Members

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

Members Absent

None

Board Counsel

Rebecca Bon, Board Counsel
Heather Hoganson, Regulatory Counsel

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
Suzy Costa, Legislative and Regulatory Analyst
Sarah Proteau, Central Services Office Technician

Thursday, November 18, 2021

9:30 a.m. – 4:00 p.m. or until Completion of Business

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

President Foo called the meeting to order at 9:30 a.m., roll was taken, and a quorum established.

Agenda Item 2: President's Welcome

41 Mr. Foo welcomed all participants to the meeting and read the Board of Psychology
42 Mission Statement. He then asked the moderator to provide WebEx instructions for the
43 meeting, which was done.

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

45 There was no Board or public comment offered.

46 **Agenda Item 4: Executive Officer's Report**

47 a) Personnel Update

48 b) COVID-19 Update

49 Ms. Sorrick provided this report and noted that the Governor's Emergency Order had
50 been extended to March 31, 2022 and beyond that point remains to be seen.

51 There was no Board or public comment offered.

52 **Agenda Item 5: President's Report**

53 a) Dates and Locations of 2022 Board and Committee Meetings

54 Mr. Foo provided this report and referenced the 2022 Board and Committee Meeting
55 schedule which was included in the meeting materials.

56 b) Committee Updates

57 Mr. Foo introduced item 5(b) and stated that an Ad Hoc committee had been created for
58 the purpose of studying the Board's budget. This is a two-member committee and will
59 meet for the first time in January with staff to discuss staff analysis and
60 recommendations regarding the budget. He stated there would be a public stakeholder
61 meeting at or around the end of quarter one/beginning of quarter two to discuss the
62 recommendations. Following this, the Committee would meet in quarter two to approve
63 a recommendation which will be provided to the full Board at the spring Board meeting.

64 Mr. Foo announced that the Budget Ad-Hoc Committee would be chaired by Dr.
65 Rodgers and Ms. Nystrom would be a committee member.

66 Dr. Rodgers and Ms. Nystrom expressed appreciation for the opportunity to serve on
67 this Committee.

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

69 Mr. Foo invited Dr. Rodgers to lead the Board and participants in a mindfulness
70 exercise which going forward would be agendized to take place at the start of Board
71 meetings.

72 Dr. Rodgers led participants in a ten-minute mindfulness practice.

73 Appreciation was expressed to Dr. Rodgers by Mr. Foo for the mindfulness practice.

74 **Agenda Item 6: Discussion and Possible Approval of the Board Meeting Minutes:**
75 **August 27, 2021**

76 Mr. Foo introduced this item.

77 It was M/(Tate)S/(Phillips)/C to approve the Board minutes from August 27, 2021.

78 There was no Board or public comment offered

79 Votes: 8 Ayes (Casuga, Cervantes, Foo, Harb Sheets, Nystrom, Phillips, Rodgers,
80 Tate), 0 Noes

81 **Agenda Item 7: Department of Consumer Affairs (DCA) Update**

82 Ms. Carrie Holmes provided an update to this item. She provided a summary of items
83 that had been put into place since the onset of COVID-19. She then referenced various
84 scams that had been attempted against licensees of various Boards and directed
85 participants to review the DCA website for information.

86 Ms. Nystrom asked to have an example of any scams that DCA had noticed.

87 A discussion ensued between Board members and Ms. Holmes regarding examples of
88 attempted phishing scams via email and phone in which scammers attempted to get
89 personal information from licensees.

90 Dr. Phillips expressed concern regarding expiring in-person supervision waivers as the
91 pandemic has continued. Ms. Holmes stated that any concerns would be brought back
92 to the DCA Executive Office and that any updates would be provided as they are given.

93 Public discussion ensued supporting an extension or permanent change to accept
94 virtual supervision with the continuance of the COVID-19 pandemic.

95 **Agenda Item 8: Budget Report**

96 Mr. Glasspiegel referenced materials in the meeting packet and provided an update to
97 this item. This included a summary on the ongoing structural imbalance that had been
98 discussed for the previous three years. He stated the regulatory fee package was
99 planned for notice at least 45 days prior to the February 2022 meeting so the hearing
100 could take place at that meeting.

101 There was no Board or public comment offered.

102 **Agenda Item 9: Outreach and Communications Committee Report and**
103 **Consideration of and Possible Action on Committee Recommendations**

104 a) Strategic Plan Action Plan Update

105 Committee Chair, Dr. Tate, provided an update to this item. She stated that the attached
106 document was current as of October 27, 2021 and that they had been waiting on
107 regulatory and statutory changes to be able to move forward. This update was provided
108 as informational only, with no action required.

109 Discussion ensued as to the timeline of the future strategic plan and action plan which
110 would not be voted on until 2024.

111 There was no public comment offered.

112 b) Social Media Update

113 Mr. Glasspiegel provided an update to this item which was attached in the meeting
114 materials.

115 There was no Board or public comment offered.

116 c) Website Statistics Update

117 Mr. Glasspiegel provided an update to this item.

118 There was no Board or public comment offered.

119 d) Update on Newsletter

120 Dr. Tate provided an update to this item.

121 Dr. Cervantes commented regarding the engagement with the newsletter and
122 expressed appreciation to staff for time spent creating content.

123 Mr. Foo expressed appreciation to all contributors and staff for their work in the
124 newsletter.

125 Dr. Marilyn Immoos, California Department of Corrections and Rehabilitation, expressed
126 appreciation to President Foo's contributions to the Journal throughout his term as
127 President.

128 e) Outreach Activities Update

129 Dr. Tate provided an update to this item.

130 There was no Board or public comment offered.

131 f) Updates on Communications and/or Activities of the Association of State and
132 Provincial Psychology Boards (ASPPB)

133 Ms. Sorrick provided an update to this item.

134 There was no Board or public comment offered.

135 g) Discuss and Develop Plan to Update "For Your Peace of Mind – A Consumer's
136 Guide to Psychological Services"

137 Dr. Tate provided an update to this item. She stated that Dr. Rodgers would work with
138 staff to create an update to this guide which would later be brought to the Board.

139 There was no Board or public comment offered.

140 h) Action - Digital Divide – How Does the Digital Divide Impact Access to Telehealth

141 a. Draft Survey Questions to Assess Barriers to Telehealth

142 b. Determine Next Steps

143 Dr. Tate provided an update to this item and summarized that the Committee would be
144 drafting two surveys to examine the digital divide experienced within the COVID-19
145 pandemic and nationwide protests in 2020.

146 There was no Board or public comment offered.

147 **Agenda Item 10: Legislative and Regulatory Affairs Committee Updates**

148 Dr. Cervantes welcomed Ms. Costa as Legislative and Regulatory Analyst for the Board
149 and presented items 10(a) and 10(b) and stated that the information was listed on page
150 74 of the combined materials packet.

151 a) Board Sponsored Legislation for the 2021 Legislative Session: Review and
152 Possible Action (M. Cervantes)

153 Dr. Cervantes provided an informational update only update on this item. No update
154 was required.

155
156 b) SB 401 (Pan) Healing arts: psychology - Amendments to sections 2960 and
157 2960.1 of the Business and Professions Code Regarding Denial, Suspension
158 and Revocation for Acts of Sexual Contact

159 Dr. Cervantes provided an informational only update on this item and stated that this
160 is a two-year bill with no action required.

161 c) SB 801 (Roth) Healing arts: Board of Behavioral Sciences: Board of
162 Psychology: licensees.

163 Dr. Cervantes introduced this item and Ms. Costa provided a summary of SB 801
164 (Roth) which was provided on page 84-86 of the meeting materials.

165 Dr. Harb Sheets clarified that there was also authority delegated to the Licensure
166 Committee in the attempt to speed up requests for extensions of time and help
167 applicants to move through the process of gaining supervised experience more
168 quickly.

169 Ms. Sorrick clarified that additional clarifying information would be posted to the
170 advisory on the Board website after questions were gathered.

171 Dr. Phillips clarified that Psychiatrists were still able to be a delegated supervisor for
172 a Registered Psychological Assistant, but not the primary supervisor.

173 There was no public comment offered.

174 d) Legislative Update, Review, and Consideration of Additional Changes (M.
175 Cervantes)

176 e) Bills with Active Positions Taken by the Board

177 Ms. Cervantes stated that the summary on pages 75 through 82 in the combined packet
178 provided detail of each item which would provide the current status of each Bill for items
179 10(e) and 10(f).

180 She noted that page 83 includes an advisory on AB 107 (Salas) and that all items were
181 for information only, with no action required as the Legislative session ended in the fall.

182 There was no Board or public comment offered.

- 183 1. AB 32 (Aguiar-Curry) Telehealth
- 184 2. AB 107 (Salas) Department of Consumer Affairs: boards: temporary licenses:
185 military spouses
- 186 3. SB 221 (Wiener) Health care coverage: timely access to care
- 187 4. SB 731 (Durazo) Criminal records: relief
- 188 5. SB 772 (Ochoa Bogh) Professions and vocations: citations: minor violations
- 189 f) Watch Bills
- 190 1. AB 29 (Cooper) State bodies: meetings
- 191 2. AB 54 (Kiley) COVID-19 emergency order violation: license revocation
- 192 3. AB 225 (Gray) Department of Consumer Affairs: boards: veterans: military
193 spouses: licenses
- 194 4. AB 339 (Lee) State and local government: open meetings
- 195 5. AB 361 (Rivas, Robert) Open meetings: state and local agencies:
196 teleconferences
- 197 6. AB 562 (Low) Frontline COVID-19 Provider Mental Health Resiliency Act of
198 2021: health care providers: mental health services
- 199 7. AB 646 (Low) Department of Consumer Affairs: boards: expunged convictions
- 200 8. AB 657 (Bonta) State civil service system: personal services contracts:
201 professionals
- 202 9. AB 810 (Flora) Healing arts: reports: claims against licensees
- 203 10. AB 830 (Flora) Department of Consumer Affairs: director: powers and duties.
- 204 11. AB 885 (Quirk) Bagley-Keene Open Meeting Act: teleconferencing
- 205 12. AB 1026 (Smith) Business licenses: veterans.
- 206 13. AB 1236 (Ting) Healing arts: licensees: data collection
- 207 14. AB 1386 (Cunningham) License fees: military partners and spouses
- 208 15. SB 102 (Melendez) COVID-19 emergency order violation: license revocation

209 16. SB 224 (Portantino) Pupil instruction: mental health education

210 g) Legislative Items for Future Meeting.

211 There was no Board or public comment offered.

212 **Agenda Item 11: Enforcement Unit Report**

213 Ms. Monterrubio provided an update to this item and stated that attachments were
214 included in the Hand Carry of the meeting materials.

215 Ms. Nystrom asked about whether there is a difference between open cases now and
216 historically.

217 Ms. Monterrubio clarified that the total of cases listed was only for July to November and
218 the Enforcement Unit was on track to have the average number of cases equivalent to
219 the previous few fiscal years.

220 Dr. Phillips expressed appreciation to staff for the reorganization of the data to be easier
221 to understand.

222 There was no further Board and no public comment offered,

223 **Agenda Item 12: Licensing Unit Report**

224 Ms. Cheung provided an update to this item and noted that the documents were
225 viewable beginning on page 90 of the meeting materials.

226 Dr. Harb Sheets expressed appreciation to the Licensing Unit staff and Ms. Cheung with
227 their quick responsiveness in addressing needed changes due to the COVID-19
228 pandemic.

229 Discussion ensued regarding the pass rates of EPPP and CPLEE test takers. It was
230 determined that further analysis would be done to address what reasons exist for a
231 lower passage rate in certain months. Ms. Snyder will contact ASPPB to get more
232 information with specific pass/fail rates of the EPPP and provide an update to the Board
233 at a future date.

234 Public Comment

235 Dr. Scott Harris, Los Angeles County Psychological Association (LACPA), asked about
236 the processing times for Psychological Assistants.

237 Ms. Cheung stated that the processing times listed included both Psychologists and
238 Psychological Assistant applications.

239 Mr. Foo stated that all processing times were available on the Board website and
240 congratulated the Licensing Unit on their significant efforts to shorten processing times.

241 There was no further Board or public comment offered.

242 **Agenda Item 13: Continuing Education and Renewals Program Report**

243 Mr. Glasspiegel provided an update to this item which was included in the meeting
244 materials on page 100.

245 Discussion ensued regarding continuing education and Mr. Foo congratulated staff on
246 the efforts made to be fully caught up on the CE audits. Comments were made
247 regarding CE courses and a reminder to licensees was provided to make sure that any
248 continuing education course meets the criteria of an approved course and to be sure to
249 retain copies of records of the course certificates for four years.

250 There was no public comment offered.

251 **Agenda Item 14: Regulatory Update, Review, and Consideration of Additional**
252 **Changes**

253 Ms. Cervantes introduced this item which began on page 107 in the meeting materials.

254 Mr. Glasspiegel provided an update and stated that the Continuing Professional
255 Development Package was with the Office of Administrative Law (OAL), who are waiting
256 for a signed fiscal impact form from the Department of Finance (399 form). Mr.
257 Glasspiegel stated that the OAL had begun the preliminary review while awaiting receipt
258 of said document. Mr. Glasspiegel also provided an update on the Psychologist Fee
259 Package which the Board had been working on in order to raise the fees to the statutory
260 maximum. He reported that the package is done with the initial departmental review. He
261 stated Board staff was waiting on the Business Consumer Service and Housing Agency
262 to receive all the final signed documents, after which it would be noticed with OAL The
263 hearing for this package is anticipated to take place at the February Board Meeting.

264 Additionally, an update was provided on the Retired License status category which Mr.
265 Glasspiegel stated was in the initial comment period. The comment period for that
266 package which would close November 30, 2021 with a hearing scheduled for December
267 1, 2021. After the hearing, any comments received during the public comment period or
268 during the hearing would be brought to the Board during the February 2022 Board
269 Meeting for consideration and final vote.

270 This information was provided as information only, with no action required.

271 A discussion ensued regarding the fee increases and clarification on effective dates for
272 implementation of the CPD regulatory package. It was stated that due to COVID-19,
273 OAL's review period had been extended, and that Mr. Glasspiegel was in contact with
274 OAL to investigate options to changing the effective date.

275 Ms. Hoganson, Board Counsel, provided historical context of past situations where
276 items for review were not approved by the implementation date and stated that any
277 updates would be provided as received and that typically regulations are effective on a
278 quarterly effective date. She also clarified that a one-year transition period was built into
279 the language.

280 Ms. Cervantes requested a presentation at the February 2022 Board meeting to show
281 how implementation could be put into place to provide clarity for stakeholders and
282 licensees.

283 Ms. Sorrick stated that a presentation would be made at the February Board meeting.

284 There was no further Board or public comment offered.

285 a) 16 CCR sections 1391.1, 1391.2, 1391.5, 1391.6, 1391.8, 1391.10, 1391.11,
286 1391.12, 1392.1 – Psychological Assistants

287 b) 16 CCR sections 1381.9, 1381.10, 1392 – Retired License, Renewal of Expired
288 License, Psychologist Fees

289 c) 16 CCR sections 1381.9, 1397.60, 1397.61, 1397.62, 1397.67 – Continuing
290 Professional Development

291 d) 16 CCR sections 1391.13, and 1391.14 – Inactive Psychological Assistant
292 Registration and Reactivating a Psychological Assistant Registration

293 e) 16 CCR 1392 – Psychologist Fees – California Psychology Law and Ethics
294 Examination (CPLEE) and Initial License and Biennial Renewal Fee for a Psychologist

295 f) 16 CCR 1395.2 – Disciplinary Guidelines and Uniform Standards Related to
296 Substance-Abusing Licensees

297 Mr. Foo thanked everyone for their participation and provided a summary of the
298 schedule and stated that there would be no further open session until the following day.

299 **Agenda Item 15: CLOSED SESSION**

300 The Board Will Meet in Closed Session Pursuant to Government Code Section
301 11126(c)(3) to Discuss Disciplinary Matters Including Proposed Decisions, Stipulations,
302 Petitions for Reinstatement or Modification of Penalty, Petitions for Reconsideration,
303 and Remands.

304 The meeting was adjourned after closed session at 3:50 p.m.

305 **Friday, November 19, 2021**

306

307 **Agenda Item 16: Call to Order/Roll Call/Establishment of a Quorum**

308 President Foo called the meeting to order at 9:30 a.m., roll was taken, and a quorum
309 was established. The Board went into closed session to resume with open session
310 afterward.

311 **Agenda Item 17: The Board will Meet in Closed Session Pursuant to Government**
312 **Code Section 11126(a)(1) to Conduct its Annual Evaluation of its Executive**
313 **Officer.**

314 **Agenda Item 18: The Board will Meet in Closed Session Pursuant to Government**
315 **Code Section 11126(c)(3) to Discuss Disciplinary Matters Including Proposed**
316 **Decisions, Stipulations, Petitions for Reinstatement and Modification of Penalty,**
317 **Petitions for Reconsideration, and Remands.**

318 Open session reconvened at 10:07 a.m.

319 **Agenda Item 19: Public Comment for Items Not on the Agenda.**

320 Mr. Foo introduced this item and provided a brief summary of the requirements of the
321 Open Meetings Act.

322 There was no public comment offered.

323 **Agenda Item 20: EPPP2 Ad Hoc Committee Report and Consideration of and**
324 **Possible Action on Committee Recommendations**

325 a) Establish Committee Goal

326 Dr. Casuga introduced this item and provided a summary of the Committee Meeting on
327 October 22, 2021. She provided the Committee's recommendation to reestablish the
328 committee as a three-person committee with a name of EPPP Ad Hoc Committee. The
329 goal of the reestablished Committee will be to review issues related to the Board's
330 national examination, not only the EPPP Part 2.

331 It was M/(Harb Sheets)S/(Foo)/C to adopt the Committee recommendation.

332 There was no public comment offered.

333 Votes: 9 Ayes, (Casuga, Cervantes, Foo, Harb Sheets, Nystrom, Phillips, Rescate,
334 Rodgers, Tate), 0 Noes

335 b) Historical Overview of the EPPP (Part 2-Skills)

336 Dr. Casuga provided this summary and referenced page 110 in the meeting materials
337 for review. This information was provided as information only with no action required.

338 1. Timeline of Examination

339 2. Correspondence between the Board of Psychology and the Association of State
340 and Provincial Psychology Boards (ASPPB)

341 Dr. Casuga provided this update to this item which is included in the meeting materials.
342 She referenced ASPPB response to December 2018 letter that the Board sent to
343 ASPPB on page 190.

344 3. Identify Outstanding Issues

345 Dr. Casuga referenced page 193 and provided a summary of issues and concerns
346 raised by the EPPP Part 2 Task Force in November 2018 including:

- 347
- 348 • The lack of a proven necessity for an additional examination.
 - 349 • Considerable concerns related to the examinations to assess skills as designed
and thus potentially providing negligible consumer protection.
 - 350 • The additional cost burden on prospective licensees, especially historically
351 underrepresented and socioeconomically disadvantaged students.

- 352 • The additional examinations creation of new barriers to licensure and potentially
353 detrimental impact on access to psychological services to California consumers.
354 • Clarification on whether the optional enhanced EPPP, or the EPPP Part 2 as it is
355 now called, is an indefinite alternative or if ASPPB is simply postponing the
356 deadline for mandatory adoption, I.E: If the implementation date is merely being
357 delayed, the Board would appreciate clarification on the anticipated date for
358 mandatory implementation.

359 Dr. Casuga provided more information on the cost factor, some changes had been
360 made to extend the early adopter cost of \$300 through August 14, 2023 after which the
361 fee would be increased to \$450.

362 Discussion ensued regarding names of exams listed within the historical documentation
363 and how any change would need to be made on a legislative or regulatory level to
364 introduce the EPPP Part 2 Skills exam if it were to become required.

365 Public Comment

366 Dr. Jo Linder Crow, California Psychological Association, asked if the Board agrees with
367 ASPPB stance defining EPPP as one exam in two possible parts.

368 Dr. Elizabeth Winkleman, CPA, asked Dr. Turner if ASPPB was looking to make EPPP2
369 mandatory and if so, what the timeframe would be.

370 Dr. Turner stated that Board of Directors would be meeting in early February 2022 to
371 discuss what ASPPB would require and that he thought that the timeframe would
372 require a phase in period to implement.

373 Dr. Linder Crow asked if the Board would be developing a recommendation regarding
374 this matter.

375 Dr. Casuga stated that the Committee planned to meet after the ASPPB Board of
376 Directors meeting, at which time a response would be drafted. She clarified that the
377 Committee meeting would allow stakeholder input.

378 Ms. Sorrick summarized the work the Board has done to relay concerns to ASPPB
379 including beta testing, cost, and eligibility. She stated that California has been very
380 active and involved with relaying information from stakeholders to ASPPB and would
381 continue to be.

382 Discussion ensued regarding the included materials in the meeting materials packet
383 which included many letters back and forth with ASPPB with concerns provided.

384 Dr. Casuga referred to a more recent Board response to ASPPB correspondence found
385 on page 196 in the combined packet.

386 Dr. Turner confirmed that all comments and questions have been received and all would
387 be provided to the Board of Directors at the upcoming meeting.

388 c) ASPPB Report on the EPPP (Part 2-Skills)

389

390 1. Participating States

391 Dr Casuga introduced Dr. Turner to present information.

392 Dr. Turner provided this presentation. He stated that the EPPP (Part 2-Skills) exam was
393 being used in eight states. Minnesota had decided to adopt the exam and 14 states
394 were considering adoption. The overall intent was described as a movement toward
395 competence and applied skills.

396 Discussion ensued regarding the difficulties involved with proving an effective skill set.
397 Concern was echoed of previous discussions in regard to how states had phased out
398 oral exams for a variety of reasons including reliability, legal challenges, potential bias
399 and cost to which Dr. Turner stated that the intention was to give boards what they tried
400 to do through the oral exams.

401 2. Data from Initial Administrations

402 d) General Input Regarding the EPPP (Part 2-Skills)

403 e) DCA's Office of Professional Examination Services (OPES) Status Report of the
404 EPPP Audit

405 Amy Welsh Gandy, test developer from OPES, provided a report on this item and
406 summarized that both EPPP Part 1 and Part 2 were reviewed through an occupational
407 analysis and that California was well represented in the analysis. She stated that pass
408 rates for part 1 were reasonable but had not received pass rates for part 2 as it was still
409 in beta testing.

410 Ms. Welsh Gandy stated that the Licensed Psychologists who were subject matter
411 experts in the evaluation provided positive feedback which supported the EPPP Part 1
412 and liked the EPPP Part 2 in its measure of skills. She concluded that the plan was to
413 continue using Part 1 and continue to evaluate Part 2 as more data was collected with
414 more candidates and in the meantime, continue using the CPLEE.

415 Dr. Tracy Montez echoed Ms. Welsh Gandy's points and stated that the intent of
416 evaluating examination options was to balance consumer protection with not creating
417 barriers to licensure.

418 There was no Board or public comment offered.

419 **Agenda Item 21: Enforcement Committee Report and Consideration of and**
420 **Possible Action on Committee Recommendations**

421 Dr. Phillips stated for the record that Ms. Cervantes was no longer serving on the
422 Enforcement committee and provided an update to this item. He stated that items
423 21(a)(1) through 21(a)(12) were statues and regulations that the Committee had been
424 reviewing for several months and would bring back to the Board after the next
425 Committee meeting. Dr. Phillips stated the focus would be on item 21(a)(13) but opened
426 for comment for 21(a)(1) through 21(a)(12).

427 There was no Board or public comment offered.

- 428 a) Statutory and Regulatory Update, Review, and Consideration of Additional
429 Changes
- 430 1. 16 CCR Section 1380.6 – Display of License Number
- 431 2. 16 CCR Sections 1393 – Requirements for Psychologists on Probation
- 432 3. 16 CCR Sections 1396 – Competence; 1396.1 – Interpersonal Relations; 1396.2
433 – Misrepresentation; 1396.3 – Test Security; 1396.4 – Professional Identification;
434 1396.5 – Consumer Information; 1397 – Advertising; 1397.1 – Child Abuse Reporting
435 requirements; 1397.2 – Other Actions Constituting Unprofessional Conduct
- 436 4. 16 CCR Sections 1397.30 – Citation; 1397.36 – Requirements for Professional
437 Corporations; 1397.37 – Shares: Ownership and Transfer; 1397.39 – Corporate
438 Activities; 1397.40 – Trusts
- 439 5. 16 CCR Sections 1397.50 – Citations and Fines; 1397.51 – Amount of Fines;
440 1397.52 – Compliance with Orders of Abatement; 1397.53 – Citations for Unlicensed
441 Practice; 1397.54 – Contest of Citations; 1397.55 – Disconnection of Telephone Service
- 442 6. BPC Sections 2902 – Definitions; 2903 – Licensure requirement; Practice of
443 psychology; Psychotherapy; 2903.1 – Biofeedback instruments; 2908 – Exemption of
444 other professions; 2912 – Temporary practice by licensees of other state or foreign
445 country
- 446 7. BPC Section 2934.1 – Posting of license status on Web site
- 447 8. BPC 2936 – Consumer and professional education in matters relevant to ethical
448 practice; Standards of ethical conduct; Notice
- 449 9. BPC Sections 2960 – Grounds for action; 2960 (a)-(r) (o); 2960.05 – Limitations
450 period for filing accusation against licensee; 2960.1 – Sexual contact with patient;
451 Revocation; 2960.2 – Licensee’s physical, emotional and mental condition evaluated;
452 2960.5 – Mental illness or chemical dependency; 2960.6 – Actions by other states;
453 2961 – Scope of action; 2962 – Petition for reinstatement or modification of penalty;
454 2963 – Matters deemed conviction; 2964 – Report of license revocation or restoration;
455 2964.3 – Persons required to register as sex offender; 2964.5 – Conditions of probation
456 or suspension; 2964.6 – Payment of probationary costs; 2965 – Conduct of
457 proceedings; 2966 – Suspension during incarceration for felony conviction;
458 Determination of substantial relationship of felony to functions of psychologist; Discipline
459 or denial of license; 2969 – Penalties for failure to provide medical records; Failure to
460 comply with court order; Multiple acts
- 461 10. BPC Sections 2970 – Violation of chapter as misdemeanor; 2971 – Injunctions
- 462 11. BPC 2985 – Renewal of suspended licenses; Reinstatement of revoked licenses,
463 2986 – Effect of failure to renew within prescribed time
- 464 12. BPC Section 2995 – Psychological corporation, 2996 – Violation of
465 unprofessional conduct, 2996.1 – Conduct of practice, 2996.2 – Accrual of income to

466 shareholder while disqualified prohibited, 2997 – Shareholders, directors and officers to
467 be licensees, 2998 – Name, 2999 – Regulation by committee
468 13. Disciplinary Guidelines – Review and Consider Draft Language for Violations of
469 Prohibition on Conversion Therapy

470 Ms. Monterrubio provided a summary of this item, attached in the materials on Agenda
471 Item 21(a)(13) and provided the recommendation to approve the Committee’s
472 recommendation to add minimum and maximum penalties to the disciplinary guidelines
473 for violating the sections of the code prohibiting sexual orientation efforts/conversion
474 therapy.

475 It was M/(Tate)S/(Casuga)/C to adopt the Committee recommendation.

476 Discussion ensued regarding number of complaints received since prohibition on
477 conversion therapy had been implemented, of which there had been ten since 2013,
478 when the law went into effect.

479 Mr. Foo thanked the Board’s Deputy Attorney General (DAG) Liaison, Mr. Templet for
480 his assistance through the process of drafting language for these guidelines and stated
481 that this would be the last Board meeting for Mr. Templet as he had accepted a new
482 position.

483 Mr. Templet stated his appreciation for the well wishes.

484 There was no public comment offered.

485 Votes: 9 Ayes, (Casuga, Cervantes, Foo, Harb Sheets, Nystrom, Phillips, Rescate,
486 Rodgers, Tate), 0 Noes

487 **Agenda Item 22: Election of Officers**

488 Mr. Foo introduced Jonathan Burke, Assistant Executive Officer to facilitate the process
489 of the Annual Election of Officers.

490 Mr. Burke introduced this item and read from Business and Professions Code Section
491 2925, “The Board shall elect annually a President and Vice President from among its
492 members; or policy states, election for the offices of President and Vice President shall
493 be conducted at last Board meeting of the year. The newly elected President and Vice
494 President shall assume duties on January 1.” He stated that nominations for each office
495 would be accepted and followed by a vote for that office, beginning with the office of
496 President for 2022 and asked for any nominations to be given.

497 President

498 Dr. Phillips nominated Dr. Lea Tate. Dr. Tate accepted the nomination. This was
499 seconded by Ms. Nystrom.

500 Ms. Cervantes nominated Dr. Harb Sheets which was ultimately accepted then
501 withdrawn with much appreciation and gratitude by Dr. Harb Sheets. Dr. Harb Sheets

502 stated that she fully supported Dr. Tate's nomination and felt that Dr. Tate was
503 incredibly well qualified to serve as Board President.

504 Discussion ensued of the high regard that Board members had for both nominated
505 parties. Dr. Phillips commented that he believed that either Dr. Tate or Dr. Harb Sheets
506 would be effective and qualified in the role of Board President which was echoed by
507 Drs. Casuga and Ms. Cervantes.

508 There was no public comment offered.

509 It was M/(Phillips)S/(Nystrom)/C to nominate Dr. Tate as Board President for 2022.

510 Verbal Vote/Roll Call was called to elect Dr. Tate as Board President for 2022 at 1:26
511 p.m.

512 Votes: 9 Ayes, (Casuga, Cervantes, Foo, Harb Sheets, Nystrom, Phillips, Rescate,
513 Rodgers, Tate), 0 Noes

514 Vice President

515 Dr. Tate nominated Mr. Foo who accepted the nomination.

516 Ms. Cervantes nominated Dr. Rodgers who expressed gratitude at the nomination but
517 respectfully declined and stated her intent to support Mr. Foo.

518 Verbal Vote/Roll Call was called to elect Mr. Foo as Board Vice President for 2022 at
519 1:32 p.m.

520 Votes: 9 Ayes, (Casuga, Cervantes, Foo, Harb Sheets, Nystrom, Phillips, Rescate,
521 Rodgers, Tate), 0 Noes

522 Mr. Burke thanked everyone for their participation, congratulated the newly elected
523 officers and stated that their term would begin on January 1, 2022.

524 Discussion ensued between Board members where all Board members expressed
525 appreciation to outgoing President Foo on his leadership during a difficult time.

526 Mr. Foo expressed his appreciation to all Board Members for the kind words and stated
527 that he was grateful to continue service to the Board as Vice President.

528 **Agenda Item 23: Recommendations for Agenda Items for Future Board Meetings.**

529 Dr. Casuga requested a mindfulness exercise if Dr. Rodgers would be willing to lead
530 one at the next meeting which was agreed to by Dr. Rodgers.

531 Mr. Foo asked staff to include a separate line item in the February agenda to include a
532 mindfulness exercise led by Dr. Rodgers.

533 There was no public comment offered.

534 **ADJOURNMENT**

535 The meeting adjourned at 1:45 p.m.

DRAFT