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APRIL 29, 2022 BOARD MEETING MINUTES

Board Members Present

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

Board Members Absent

None

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
- Liezel McCockran, CE/Renewals Coordinator
- Suzy Costa, Legislative and Regulatory Analyst
- Sarah Proteau, Central Services Office Technician
- Rebecca Bon, Board Counsel
- Heather Hoganson, Regulatory Counsel

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

President Tate began the meeting at 9:10 a.m. due to technical difficulties, roll was taken, and a quorum established.

Agenda Item 2: President’s Welcome

- a) Mindfulness Exercise

President Tate welcomed all participants and Dr. Rodgers led a mindfulness exercise.

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

Dr. Tate introduced this item.

45 There was no public comment offered.

46

47 **Agenda Item 4: Discussion and Possible Approval of the Board Meeting Minutes:**
48 **February 17-18, 2022**

49

50 Dr. Tate introduced this item.

51

52 It was M(Harb Sheets)/S(Nystrom)/C to approve the minutes from February 17-18,
53 2022.

54

55 There was no Board or public comment offered.

56

57 Vote: 8 Ayes (Casuga, Cervantes, Harb Sheets, Nystrom, Phillips, Rescate, Rodgers,
58 Tate), 0 Noes

59

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

61

62 a) Legislative Visits Recap

63 b) Meeting Calendar

64

65 Dr. Tate provided this update and stated that as part of the Board of Psychology's policy
66 and advocacy role, Board staff scheduled meetings with the Chairs, Vice Chairs, and
67 staff members of the Senate Business, Professions and Economic Development
68 Committee and Assembly Business and Professions Committee. The purpose of the
69 meetings was to discuss the Board's legislative accomplishments from the 2021
70 Legislative year and the Board's 2022 proposed legislation. Additionally, the Board
71 discussed potential proposals for the 2023 legislative year, including the fee increase. In
72 attendance at the meetings on February 16 and February 23 were Dr. Tate, Dr. Phillips,
73 Dr. Cervantes, Dr. Casuga, Dr. Harb Sheets, and Board staff.

74

75 This update was provided for informational purposes only, with no action required.

76

77 Board members expressed appreciation for the productive aspect of the visits and the
78 interaction that ensued.

79

80 There was no public comment offered.

81

82 **Agenda Item 6: Executive Officer's Report (A. Sorrick)**

83

84 b) Personnel Update

85 c) 2021 Department of Consumer Affairs (DCA) Annual Report

86 d) COVID-19 Update

87

88 Ms. Sorrick provided these updates which were informational only with no action
89 required.

90

91 There was no Board or public comment offered.

92

93 **Agenda Item 7: DCA Update**

94

95 Ms. Holmes, DCA Board and Bureau Relations provided an update, which included
96 open meeting advice, public health guidance, and personnel updates.

97 This update was provided as informational only with no action required.

98

99 There was no Board or public comment offered.

100

101 **Agenda Item 8: Budget Report**

102

103 Mr. Glasspiegel provided this update, which was informational only with no action
104 required.

105

106 There was no Board or public comment offered.

107

108 Dr. Tate stated that Item 13 would be taken next.

109

110 **Agenda Item 13: Association of State and Provincial Psychology Boards (ASPPB)**
111 **EPPP2 Update**

112

113 Dr. Casuga introduced this item and invited Dr. Matt Turner, ASPPB, to provide this
114 update on the EPPP 2, which was done. He stated there would be two 90-minute Town
115 Hall Meetings in May to allow full update and comment from the public.

116

117 Dr. Harb Sheets inquired about dates of the town hall meetings.

118

119 Discussion ensued and it was confirmed that dates would be listed on the letter ASPPB
120 would be sending out to the Board to invite participation and that the meeting would be
121 held via Zoom.

122

123 Drs. Harb Sheets, Cervantes and Casuga volunteered to attend the meetings as
124 representatives of the Board.

125

126 Public Comment

127

128 Dr. Jo Linder Crow queried as to a specific date for stakeholders which Dr. Turner did
129 not have available. It was clarified that the date of a meeting for stakeholders would be
130 provided by ASPPB via Listserv at a later date.

131

132 There was no further Board or public comment offered.

133

134 The meeting continued with Agenda Item 9.

135

136 **Agenda Item 9: Budget Ad Hoc Committee Report and Consideration of**
137 **Committee Recommendations**

- 138
139 a) Fiscal Analysis (J. Burke/J. Glasspiegel/S. Costa)
140 b) Fee Recommendation

141
142 Dr. Rodgers, Committee Chair, provided this update and the Budget Ad Hoc Committee
143 recommendation that the Board increase the fees to the existing statutory cap.
144

145 Mr. Burke provided item 9(a) and noted that information was included in the combined
146 packet beginning on page 255. He provided a historical breakdown of how the fees had
147 been set and how fees were calculated while being analyzed to discover actual cost
148 involved for services.
149

150 Mr. Glasspiegel noted page 269 of the meeting materials showed data of cost
151 determination for applications and 270 which showed renewal cost determination.
152

153 Discussion ensued about how fees are set and the structure of how fees are set.
154 Dr. Phillips referenced the lack of fee increase since 1992 and services that had been
155 provided for years with no fee. He acknowledged that the increases may seem a large
156 leap for licensees and expressed his understanding and appreciation of the
157 collaborative effort to come to a resolution that would work.
158

159 Dr. Rodgers expressed thanks for the work staff has done in providing all detail and
160 analysis.
161

162 Ms. Sorrick summarized historical context of the need of a fee increase after 30 years
163 and referred to provided data and analysis within the materials.
164

165 Dr. Rodgers queried about other fund conditions within other programs within the
166 Department of Consumer Affairs so comparison could be made with the fund condition
167 of the Board. Reference was made to pages 245-247 within the meeting materials
168 combined packet for this information.
169

170 Public Comment
171

172 Discussion ensued regarding potential roll out of fee increase options and included
173 comments from Dr. Jo Linder Crow, CPA, and Dr. Elizabeth Winkelman, CPA. Topics
174 included how programs were funded under the umbrella of DCA and how they do not
175 receive any monies from the State General Fund.
176

177 Dr. Rodgers repeated the Committee recommendation that the Board increase its
178 fees with the application fees covering the cost of processing and the renewal fees as
179 presented in Scenario 3 in Attachment E (Statutory Minimum). Staff recommends the
180 Board adopt the statutory maximum as presented by staff. Staff will prepare answers to

181 the Assembly Committee on Business & Professions Fee Background Information
182 Questionnaire and seek an author to make the necessary statutory changes.

183
184 It was M/(Casuga)/S(Tate)/C to accept the Committee recommendation.

185
186 Votes: 9 Ayes (Casuga, Cervantes, Foo, Harb Sheets, Nystrom, Phillips, Rescate,
187 Rodgers, Tate), 0 Noes

188
189 **Agenda Item 10: Licensing Report**

190
191 Ms. Cheung provided this report which was for information only and with no action
192 required.

193
194 Discussion ensued about the efforts to reduce processing times for tasks within the
195 Licensing Unit with the challenges of limited staff.

196
197 Dr. Harb Sheets expressed understanding at the frustration of applicants and
198 appreciation for the hard work and efforts of staff to complete tasks in a timely manner
199 with a heavy workload which was echoed by Ms. Sorrick.

200
201 Public Comment

202
203 Multiple comments were received regarding the lengths of processing applications. Dr.
204 Michele Willingham, Dr. Nichole Duarte, Dr. Elizabeth Winkelman, Dr. Stacey Fields,
205 Janet Farrell made comment.

206
207 Ms. Cheung clarified the lower number of staff within the Licensing Unit that have been
208 processing all tasks compared to previous periods with shorter processing times.

209
210 Mr. Foo queried regarding the challenges the Licensing unit has faced with limitations
211 on the unit and how many full-time positions the unit had been missing. Ms. Cheung
212 stated that the Licensing Unit was down the equivalent of three full-time positions. Mr.
213 Foo clarified that there had been an increase in applications with the unit's operation at
214 70 percent staff to which Ms. Cheung responded in the affirmative.

215
216 Discussion ensued regarding the process of hiring staff and the related theoretical
217 timeline related to that.

218
219 **Agenda Item 11: Continuing Education and Renewals Report**

220
221 Mr. Glasspiegel provided this update and referenced the documents which began on
222 page 343 of the combined packet in the meeting materials.

223
224 This was provided for information only with no action required.

225
226 Public Comment

227
228 Dr. Jo Linder Crow, CPA, expressed appreciation for the report and offered support of
229 CPA in the process of development of any FAQ resources for Licensees and the public.
230

231 No further public comment offered.
232

233 **Agenda Item 12: Enforcement Report**
234

235 Ms. Monterrubio provided this update which was for information only with no action
236 required.
237

238 There was no Board or public comment offered.
239

240 **Agenda Item 14: Legislative and Regulatory Affairs Updates**
241

242 Dr. Cervantes, Committee Chair, introduced this item and thanked Board staff for all
243 assistance on the meetings that were held throughout the year.
244

245 a) Legislation from the 2021 Legislative Session: Review and Possible Action
246 (M. Cervantes)
247

248 1. Board-Sponsored Legislation
249

250 A. SB 401 (Pan) Healing arts: psychology - Amendments to sections 2960
251 and 2960.1 of the Business and Professions Code Regarding Denial,
252 Suspension and Revocation for Acts of Sexual Contact
253

254 Mr. Glasspiegel provided update to this item, which was for information only, with no
255 action required.
256

257 There was no Board or public comment received.
258

259 2. Bills with Active Positions Taken by the Board
260

261 Dr. Cervantes stated these items are for information only, with no action required and
262 invited Ms. Costa to present items 14(2)(A)-(C).
263

264 A. AB 32 (Aguiar-Curry) Telehealth
265

266 Ms. Costa provided a summary and update on AB 32 (Aguiar-Curry). She stated that
267 the 2-year bill was in Senate Health Committee and did not have a hearing date set and
268 that the Board had a support position.
269

270 B. SB 731 (Durazo) Criminal records: relief

271 Ms. Costa provided a summary and update on SB 731 (Durazo). She stated that the bill
272 was located on the Assembly Floor and had failed passage in 2021, was available for
273 reconsideration but a vote had not been taken.

274
275 C. SB 772 (Ochoa Bogh) Professions and vocations: citations: minor
276 violations

277
278 Ms. Costa provided a summary and update on SB 772 (Ochoa Bogh), stated that the bill
279 failed to pass out of the senate, did not meet the house of origin deadline from January
280 2022 and was therefore, dead.

281
282 There was no Board or public comment offered for item 14(a)(2)(A), (B), and (C).

283
284 3. Watch Bills

285
286 Dr. Cervantes stated that these items would not be individually summarized in the
287 interest of time, and details were included beginning on page 452 of the combined
288 packet.

289
290 There was no Board or public comment offered.

- 291
292 A. AB 29 (Cooper) State bodies: meetings
293 B. AB 54 (Kiley) COVID-19 emergency order violation: license revocation
294 C. AB 225 (Gray) Department of Consumer Affairs: boards: veterans: military
295 spouses: licenses
296 D. AB 339 (Lee) State and local government: open meetings
297 E. AB 562 (Low) Frontline COVID-19 Provider Mental Health Resiliency Act
298 of 2021: health care providers: mental health services
299 F. AB 646 (Low) Department of Consumer Affairs: boards: expunged
300 convictions
301 G. AB 657 (Bonta) State civil service system: personal services contracts:
302 professionals
303 H. AB 810 (Flora) Healing arts: reports: claims against licensees
304 I. AB 830 (Flora) Department of Consumer Affairs: director: powers and
305 duties
306 J. AB 885 (Quirk) Bagley-Keene Open Meeting Act: teleconferencing
307 K. AB 1026 (Smith) Business licenses: veterans.
308 L. AB 1236 (Ting) Healing arts: licensees: data collection
309 M. AB 1386 (Cunningham) License fees: military partners and spouses
310 N. SB 102 (Melendez) COVID-19 emergency order violation: license
311 revocation
312 O. SB 221 (Wiener) Health care coverage: timely access to care
313 P. SB 224 (Portantino) Pupil instruction: mental health education

314
315 b) Legislation from the 2022 Legislative Session: Review and Possible Action
316 (M. Cervantes)

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1. Review of Bills for Active Position Recommendations to the Board
A. AB 1662 (Gipson) Licensing boards: disqualification from licensure:
criminal conviction

Dr. Cervantes introduced this item and stated that details were included beginning on page 576 of the combined packet.

Ms. Costa provided a summary and update on this item and the Legislative and Regulatory Committee recommendation that the Board adopt an Oppose position on AB 1662 (Gipson).

It was M/(Phillips)/S(Harb Sheets)/C to oppose AB 1662.

There was no Board or public comment received.

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

Votes: 8 Ayes (Casuga, Cervantes, Foo, Harb Sheets, Phillips, Rescate, Rodgers, Tate), 0 Noes, 1 Recusal (Nystrom)

B. AB 1733 (Quirk) State bodies: open meetings

Dr. Cervantes introduced this item and stated that details were included beginning on page 585 of the combined packet.

Ms. Costa provided an update to AB 1733 (Quirk) and the staff suggestion of a Support if Amended position. However, due to the deadline for all bills with fiscal impact being missed, it was unlikely the bill would move forward.

It was M(Foo)/S(Casuga)/C to take a Support if Amended position on AB 1733.

There was no Board or public comment received.

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

Votes: 8 Ayes (Casuga, Cervantes, Foo, Harb Sheets, Phillips, Rescate, Rodgers, Tate), 0 Noes, 1 Recusal (Nystrom)

C. AB 2123 (Villapudua) Bringing Health Care into Communities Act of 2023

Dr. Cervantes introduced this item and stated that details were included beginning on page 604 of the combined packet.

363 Ms. Costa provided an update to AB 2123 (Villapudua) and that the bill had been
364 referred to the Assembly Housing and Community Development Committee but was
365 without a hearing date. As such, it was unlikely that the bill would move forward in 2022.
366 Ms. Costa stated that the Legislative and Regulatory Committees recommendation that
367 the Board adopt a Support if Amended position on AB 2123 (Villapudua)
368

369 It was M(Casuga)/S(Tate)/C to adopt the Committee recommendation to take a Support
370 if Amended position on AB 2123.

371
372 There was no Board or public comment offered.

373
374 Ms. Nystrom recused herself from voting due to her employment with the State Senate.

375
376 Votes: 8 Ayes (Casuga, Cervantes, Foo, Harb Sheets, Phillips, Rescate, Rodgers,
377 Tate), 0 Noes, 1 Recusal (Nystrom)

378
379 D. AB 2754 (Bauer-Kahan) Psychology: supervising psychologists:
380 qualifications

381
382 Dr. Cervantes introduced this item and stated that details were included beginning on
383 page 611 of the combined packet.

384
385 Ms. Costa provided a summary and update to AB 2754 (Bauer-Kahan) and stated that
386 Board staff recommended the full Board adopt a Support if Amended position, as
387 adopted by the Legislative and Regulatory Committee. Since the author accepted the
388 Board's amendments and they went in print this week, Board staff recommends the full
389 Board instead take a Support position.

390
391 It was M(Harb Sheets)/S(Rodgers)/C to adopt the Staff and Committee
392 recommendation to take a Support position on AB 2754.

393
394 There was no Board comment offered.

395
396 Public Comment

397
398 Dr. Jo Linder-Crow, CPA, stated CPA sponsored this bill and thanked Board staff for the
399 collaborative efforts that had taken place.

400
401 Ms. Nystrom recused herself from voting due to her employment with the State Senate.

402
403 Votes: 8 Ayes (Casuga, Cervantes, Foo, Harb Sheets, Phillips, Rescate, Rodgers,
404 Tate), 0 Noes, 1 Recusal (Nystrom)

405
406
407 E. SB 1365 (Jones) Licensing boards: procedures
408

409 Dr. Cervantes introduced this item and stated that details were included beginning on
410 page 621 of the combined packet.

411
412 Ms. Costa provided an update to SB 1365 (Jones) and the Legislative and Regulatory
413 Committee recommendation that the full Board adopt an Oppose position on SB 1365
414 (Jones).

415
416 It was M(Phillips)/S(Foo)/C adopt the Committee recommendation to take an Oppose
417 position on SB 1365.

418
419 There was no Board or public comment offered.

420
421 Ms. Nystrom recused herself from voting due to her employment with the State Senate.

422
423 Votes: 8 Ayes (Casuga, Cervantes, Foo, Harb Sheets, Phillips, Rescate, Rodgers,
424 Tate), 0 Noes, 1 Recusal (Nystrom)

425
426 F. SB 1428 (Archuleta) Psychologists: psychological testing technician:
427 registration

428
429 Dr. Cervantes introduced this item and stated that details were included beginning on
430 page 637 of the combined packet.

431
432 Ms. Costa provided a summary and update to SB 1428 (Archuleta) and stated that the
433 Legislative and Regulatory Committee recommended the full Board adopt a Support if
434 Amended position.

435
436 It was M(Harb Sheets)/S(Casuga)/C to adopt the Committee recommendation to take a
437 Support if Amended position on SB 1428.

438
439 There was no Board comment.

440
441 Public Comment

442
443 Dr. Elizabeth Winkelman thanked Board staff in assistance and support of this bill.

444
445 Ms. Nystrom recused herself from voting due to her employment with the State Senate.

446
447 Votes: 8 Ayes (Casuga, Cervantes, Foo, Harb Sheets, Phillips, Rescate, Rodgers,
448 Tate), 0 Noes, 1 Recusal (Nystrom)

449
450 2. Watch Bills

451
452 Dr. Cervantes introduced this item, which was included on page 663 of the combined
453 packet, with analysis on each bill included. She stated that this was for information only
454 with no action required.

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No Board or public comment was offered on watch bills A-J.

- A. AB 1795 (Fong) Open meetings: remote participation.
- B. AB 1860 (Ward) Substance abuse treatment: certification.
- C. AB 1921 (Jones-Sawyer) Correctional officers.
- D. AB 1988 (Bauer-Kahan) Warren-911-Emergency Assistance Act and Miles Hall-988-Mental Health and Suicide Prevention Lifeline.
- E. AB 2080 (Wood) Health Care Consolidation and Contracting Fairness Act of 2022.
- F. AB 2104 (Flora) Professions and vocations.
- G. AB 2229 (Luz Rivas) Peace officers: minimum standards: bias evaluation.
- H. AB 2274 (Blanca Rubio) Mandated reporters: statute of limitations.
- I. SB 1031 (Ochoa Bogh) Healing arts boards: inactive license fees.
- J. SB 1223 (Becker) Criminal procedure: mental health diversion.

c) Legislative Items for Future Meeting.

Dr. Cervantes introduced this item.

No Board or public comment was offered.

Agenda Item 15: Discussion and Possible Adoption of Continuing Professional Development Regulatory Package 16 CCR sections 1381.9, 1397.60, 1397.61, 1397.62, 1397.67, including consideration of comments received (M. Cervantes)

Dr. Cervantes introduced this item and referenced the long process involved which began as far back as November 2011. She referenced the documents included in the hand carry as well as the implementation plan which was included on page 255 of the combined packet and asked Mr. Glasspiegel to provide an update to this item.

Mr. Glasspiegel provided a historical summary and stated that the Board had been seeking to change the continuing education guidelines and requirements which related to the renewal, activation, or reinstatement of a psychology license since at least 2014.

He stated that in 2016, SB 1193 (by Senator Hill) modified existing law specifying that the Board shall issue a renewal license only to an applicant who has completed 36 hours of approved continuing professional development in the preceding two years. The rulemaking file would bring the Board in to compliance with the changes enacted by SB 1193.

Dates of interest for this package (CPD) were as follows:

- The package was noticed for the initial 45-day comment period on October 2, 2020, which ended on November 17, 2020.
- The regulatory hearing took place on November 19, 2020.

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- The Board considered comments at the December 2020 Board meeting and issued a notice of modified text on December 15, 2020. The comment period for that modified text ended on January 6, 2021.
 - At the February 2021 Board meeting, the Board voted to reject the comments received during the 15-day comment period as the comments were not considered to be germane and were outside of the scope of the revised text.
 - The package was submitted to the Office of Administrative Law (OAL) for final review on October 1, 2021. Upon review, OAL suggested additional changes which were incorporated into the (second) modified text, which was noticed April 4, 2022. The comment period on this modified text ended April 19, 2022. This text changed the implementation date of CPD to January 1, 2023.

512 He stated that at the direction of OAL, staff had individually summarized all comments
513 from the 45-day and 15-day comment periods and responded to each one separately.

514

515 Mr. Glasspiegel provided the Staff recommendation that after consideration of the
516 comments received as reflected in Attachments C and D, the Board adopt the second
517 modified regulation text with no further changes and approve all of the comment
518 responses with the following motion: To adopt the second modified text as noticed,
519 approve the responses to all comments received during all comment periods, delegate
520 to the Executive Officer the ability to make any technical or non-substantive edits to the
521 text in order to secure final approval from the Office of Administrative Law.

522

523 It was M/(Harb Sheets)S/(Phillips)/C to adopt the staff recommendation as listed.

524

525 Public Comment.

526

527 Dr. Elizabeth Winkelman, California Psychological Association (CPA), expressed
528 appreciation for the work of the Board and staff in their efforts and work on the process.
529 She queried as to what the next steps would be, should the Board vote to approve the
530 modified text as written.

531

532 Mr. Glasspiegel stated that once the Board approved the modified text, staff would
533 complete the documentation needed to resubmit the package to the Office of
534 Administrative Law. He stated that once the package was reviewed and approved by
535 OAL, the language would go into print quarterly but that the language itself has a start
536 date of January 1, 2023, for each section and while language would be visible, it would
537 not effective until the start date.

538

539 Mr. Glasspiegel stated his hope that approval would be received from OAL no later than
540 July 1, 2022

541

542 There was no additional public comment offered.

543

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

546 Text as Approved

547

548 **§ 1381.9. Renewal of Expired License; Reapplication After Cancelled**
549 **License.**
550

551 (a) In the event a licensee does not renew ~~his or her~~their license as provided in
552 section 2982 of the Code, the license expires. In addition to any other requirements,
553 a licensee renewing pursuant to section 2984 of the Code shall furnish a full set of
554 fingerprints as required by and set out in section 1381.7(b) as a condition of renewal.
555

556 (b) After a license has been expired for three years, the license is automatically
557 cancelled, and a new license must be obtained in order to provide psychological
558 services. A person whose license has been cancelled may obtain a new license
559 pursuant to the requirements in section 2986 of the Code, and providing the person:

- 560 (1) submits a complete licensing application pursuant to ~~section 1381~~ Article 2;
561 (2) meets all current licensing requirements;
562 (3) successfully passes the examination pursuant to section 1388.6;
563 (4) provides evidence of continuing professional development taken pursuant to
564 section 1397.67(b) or section 1397.67.1(b), as applicable per date of
565 application; and has no fact, circumstance, or condition ~~exists~~
566 grounds for denial of licensure under sections 480 of the Code or Division ~~2~~,
567 Chapter ~~6.6~~, Article 4 of the Code.
568

569 NOTE: Authority cited: Sections 2930 and 2982, Business and Professions Code.
570 Reference: Sections 118, 480, 2984 and 2986, Business and Professions Code; and
571 Section 11105(b)(10), Penal Code.
572

573 **§ 1397.60. Definitions. [Effective until December 31, 2020]**
574 **2.1**

575 This section is inoperative January 1, 2021, and repealed on December 31,
576 2012.
577

578 As used in this article:

579 (a) "Conference" means a course consisting of multiple concurrent or sequential
580 free-standing presentations. Acceptable presentations must meet the requirements
581 of section 1397.61(c).
582

583 (b) "Continuing education" (CE) means the variety of forms of learning experiences,
584 including, but not limited to, lectures, conferences, seminars, workshops, grand
585 rounds, in-service training programs, video conferencing, and independent learning
586 technologies.
587

588 (c) "Course" or "presentation" means an approved systematic learning experience of
589 at least one hour in length. One hour shall consist of 60 minutes of actual instruction.
590 Courses or presentations less than one hour in duration shall not be acceptable.
591

592 (d) “Grand rounds” or “in-service training program” means a course consisting of
593 sequential, free-standing presentations designed to meet the internal educational
594 needs of the staff or members of an organization and is not marketed, advertised or
595 promoted to professionals outside of the organization. Acceptable presentations must
596 meet the requirements of section 1397.61(c).
597

598 (e) “Independent learning” means the variety of forms of organized and directed
599 learning experiences that occur when the instructor and the student are not in direct
600 visual or auditory contact. These include, but are not limited to, courses delivered via
601 the Internet, CD-ROM, satellite downlink, correspondence and home study. Self-
602 initiated, independent study programs that do not meet the requirements of section
603 1397.61(c) are not acceptable for continuing education. Except for qualified
604 individuals with a disability who apply to and are approved by the Board pursuant to
605 section 1397.62(c), independent learning can be used to meet no more than 75%
606 (27½ hours) of the continuing education required in each renewal cycle. Independent
607 learning courses must meet the requirements of section 1397.61(c).
608

609 (f) “Provider” means an organization, institution, association, university, or other
610 person or entity assuming full responsibility for the course offered, whose courses
611 are accepted for credit pursuant to section 1397.61(c)(1).
612

613 Note: Authority cited: Sections 2915(g) and 2930, Business and Professions
614 Code. Reference: Sections 29 and 2915, Business and Professions Code.
615

616 **§ 1397.60.1. Definitions. [Effective January 1, 2024-23.]**
617

618 This section shall be applicable to both a license that expires on or after January 1,
619 2023, and an application for license renewal, reactivation, or reinstatement received
620 on or after January 1, 2023, or is renewed, reactivated, or reinstated on or after,
621 January 1, 2024.

622 Continuing Professional Development (CPD) means required learning activities
623 approved for the purpose of license renewal. CPD shall be met in the following The
624 four categories: of CPD are Professional Activities (section 2915(c)(1) of the Code);
625 Academic (section 2915(c)(2) of the Code); Sponsored Continuing Education (section
626 2915(c)(3) of the Code); and Board Certification (section 2915(c)(4) of the Code).
627

628 (a) Acceptable CPD learning activities under “Professional Activities” include: (1)
629 “Peer Consultation”

630 (A) “Peer Consultation” means engaging in structured and organized
631 interaction, in person or electronically mediated, with professional
632 colleagues designed to broaden professional knowledge and expertise,
633 reduce professional isolation, and directly inform the work of the
634 psychologist. CPD pursuant to this ~~section~~ paragraph may only be
635 obtained through individual or group case consultation, reading groups,
636 or research groups. These activities must be focused on maintaining,
637 developing, or increasing conceptual and applied competencies that

638 are relevant to psychological practice, education, or science.
639 (B) "Peer Consultation" does not include "Supervision" as defined in
640 ~~section subsection~~ (b)(3).
641

642 (2) "Practice Outcome Monitoring" (POM)

643 "Practice Outcome Monitoring" (POM) means the application of
644 outcome assessment protocols with clients/patients, in order to monitor
645 one's own practice process and outcomes, with the goal of assessing
646 effectiveness. All outcome measures must be sensitive to cultural and
647 diversity issues.
648

649 (3) "Professional Services"

650 "Professional Services" means ongoing participation in services
651 related to the field of psychology, or other related disciplines,
652 separate and apart from a fee-for-service arrangement, including ~~but~~
653 ~~not limited to, the following:~~ serving on psychological association
654 boards or committees, editorial boards of peer reviewed journals
655 related to psychology or other related disciplines, scientific grant
656 review teams, and boards of regulatory bodies; program
657 development; and/or evaluation activities, ~~separate and apart from a~~
658 ~~fee for service arrangement.~~
659

660 (4) "Conference/Convention Attendance" "Conference/Convention

661 Attendance" means attending a
662 professional gathering, either in person or via electronic means, that
663 consists of multiple concurrent or sequential free-standing presentations
664 related to the practice of psychology, or that may be applied to
665 psychological practice, where the licensee interacts with professional
666 colleagues and participates in the social, interpersonal, professional,
667 and scientific activities that are part of the environment of those
668 gatherings. CPD credit may be accrued for "Conference/Convention
669 Attendance" separate from credit earned for completing sponsored CE
670 coursework or sessions at the same conference/convention.
671

672 (5) "Examination Functions"

673 "Examination Functions" means serving in any function related to
674 examination development for the Board or for the development of the
675 EPPP.
676

677 (6) "Expert Review/Consultation"

678 "Expert Review/Consultation" means serving in any expert capacity for
679 the Board.
680

681 (7) "Attendance at a California Board of Psychology Meeting"

682 "Attendance at a California Board of Psychology Meeting" means
683 ~~physical~~ attendance, either in person or via electronic means, at a full-

684 day Board meeting or ~~physical attendance at~~ a separately noticed
685 ~~C~~committee meeting of the Board.
686

687 (b) Acceptable CPD learning activities under “Academic” include: (1)

688 “Academic Coursework”

689 “Academic Coursework” means completing and earning academic credit
690 for a graduate-level course related to psychology from an institution
691 whose degree meets the requirements of section 2914 of the Code.
692

693 (2) “Academic/Sponsor-Approved Continuing Education (CE) Instruction” (A)

694 “Academic Instruction” means teaching a graduate-level course that is
695 part of a degree program which degree meets the requirements of
696 section 2914(~~eb~~) of the Code.

697 (B) “Sponsor-Approved CE Instruction” means teaching a sponsored
698 CE course that relates to the practice of psychology as defined in
699 section 1397.60.1(c).
700

701 (3) “Supervision”

702 “Supervision” means overseeing the professional experience of a
703 trainee who is accruing hours toward licensure as a ~~P~~psychologist,
704 ~~M~~marriage and ~~F~~family ~~T~~therapist, ~~L~~icensed ~~C~~linical ~~S~~social
705 ~~W~~orker, ~~L~~icensed ~~P~~rofessional ~~C~~linical ~~C~~ounselor, ~~L~~icensed
706 ~~E~~ducational ~~P~~psychologist, or ~~P~~hysician and ~~S~~urgeon.
707

708 (4) “Publications”

709 “Publications” means authoring or co-authoring peer-reviewed journal
710 articles, book chapters, or books, or editing or co-editing a book,
711 related to psychology or a related discipline.

712 (5) “Self-Directed Learning”

713 “Self-Directed Learning” means independent educational activities
714 focused on maintaining, developing, or increasing conceptual and
715 applied competencies that are relevant to psychological practice,
716 education, or science, such as reading books or peer-reviewed journal
717 articles, watching videos or webcasts, ~~or~~ listening to podcasts,
718 attending a webinar that is not sponsor-approved for CE credit, taking
719 academic coursework provided by institutions that do not meet the
720 requirements in section 1397.61.1(b)(1), and conference/convention
721 attendance that does not meet the requirements of section
722 1397.60.1(a)(4).
723

724 (c) Acceptable CPD learning activities under “Sponsored Continuing Education”
725 means Sponsor-Approved Continuing Education, which includes any approved
726 structured, sequenced learning activity, whether conducted in-person or online.

727 “Course” ~~or~~ and “presentation” means a sponsor-approved systematic learning
728 experience. “Provider” means an organization, institution, association, university, or
729 other person or entity assuming full responsibility for the CE program offered, and

730 whose courses are accepted for credit pursuant to section 1397.61.~~1(k)~~(1) and (2).
731

732 (d) Acceptable CPD learning activities under “Board Certification” are defined as the
733 initial earning of a specialty certification in an area of psychology from the American
734 Board of Professional Psychology (ABPP).
735

736 Note: Authority cited: Sections 2915(g) and 2930, Business and Professions
737 Code. Reference: Sections 29 and 2915, Business and Professions Code.
738

739 **§ 1397.61. Continuing Education Requirements. [Effective until December 31,**
740 **2024~~22~~**
741

742 This section is inoperative January 1, 2024~~23~~, and repealed on December 31,
743 2024~~23~~.
744

745 (a) Except as provided in section 2915(e) of the Business and Professions Code and
746 section 1397.62 of these regulations, each licensed psychologist shall certify on the
747 application for license renewal that ~~he or she~~ the licensee has completed the
748 continuing education requirements set forth in section 2915 of the Code. A licensee
749 who renews ~~his or her~~ their license for the first time after the initial issuance of the
750 license is only required to accrue continuing education for the number of months that
751 the license was in effect, including the month the license was issued, at the rate of
752 1.5~~2~~ hours of approved continuing education per month. Continuing education earned
753 via independent learning pursuant to section 1397.60(e) shall be accrued at no more
754 than 75% of the continuing education required for the first time renewal. The required
755 hours of continuing education may not be accrued prior to the effective date of the
756 initial issuance of the license. A licensee who falsifies or makes a material
757 misrepresentation of fact on a renewal application or who cannot verify completion of
758 continuing education by producing verification of attendance certificates, whenever
759 requested to do so by the Board, is subject to disciplinary action under section 2960
760 of the Code.

761
762 (b) Any person renewing or reactivating ~~his or her~~ their license shall certify under
763 penalty of perjury to the Board of Psychology as requested on the application for
764 license renewal, that ~~he or she~~ the licensee has obtained training in the subject of
765 laws and ethics as they apply to the practice of psychology in California. The training
766 shall include recent changes/updates on the laws and regulations related to the
767 practice of psychology; recent changes/updates in the Ethical Principles of
768 Psychologists and Code of Conduct published by the American Psychological
769 Association; accepted standards of practice; and other applications of laws and ethics
770 as they affect the licensee's ability to practice psychology with safety to the public.
771 Training pursuant to this section may be obtained in one or more of the following
772 ways:

- 773 (1) Formal coursework in laws and ethics taken from an accredited
774 educational institution;
775 (2) Approved continuing education course in laws and ethics;

- 776 (3) Workshops in laws and ethics;
777 (4) Other experience which provide direction and education in laws and
778 ethics including, but not limited to, grand rounds or professional association
779 presentation.
780

781 If the licensee chooses to apply a specific continuing education course on the topic
782 of laws and ethics to meet the foregoing requirement, such a course must meet the
783 content requirements named above, must comply with section 1397.60(c), and may
784 be applied to the 36= hours of approved continuing education required in Business
785 and Professions Code section 2915(a).
786

787 (c) The Board recognizes and accepts for continuing education credit courses
788 pursuant to this section. A licensee will earn one hour continuing education credit for
789 each hour of approved instruction.

- 790 (1) Continuing education courses shall be:
791 (A) provided by American Psychological Association (APA), or its
792 approved sponsors;
793 (B) Continuing Medical Education (CME) courses specifically
794 applicable and pertinent to the practice of psychology and that are
795 accredited by the California Medical Association (CMA) or the
796 Accreditation Council for Continuing Medical Education (ACCME); or
797 (C) provided by the California Psychological Association, or its
798 approved sponsors.
799 (D) approved by an accrediting agency for continuing education
800 courses taken prior to January 1, 2013, pursuant to this section as it
801 existed prior to January 1, 2013.

802 (2) Topics and subject matter for all continuing education shall be pertinent
803 to the practice of psychology. Course or learning material must have a
804 relevance or direct application to a consumer of psychological services.

805 (3) No course may be taken and claimed more than once during a renewal
806 period, nor during any twelve (12) month period, for continuing education
807 credit.

808 (4) An instructor may claim the course for ~~his/her~~ their own credit only one
809 time that ~~he/she~~ the licensee teaches the acceptable course during a renewal
810 cycle, or during any twelve (12) month period, receiving the same credit hours
811 as the participant.
812

813 (d) Examination Functions. A licensee who serves the Board as a selected participant
814 in any examination development related function will receive one hour of continuing
815 education credit for each hour served. Selected Board experts will receive one hour
816 of continuing education credit for each hour attending Board sponsored Expert
817 Training Seminars. A licensee who receives approved continuing education credit as
818 set forth in this paragraph shall maintain a record of hours served for submission to
819 the Board pursuant to section 1397.61(e).
820

821 (e) A licensee shall maintain documentation of completion of continuing education

822 requirements for four (4) years following the renewal period, and shall submit
823 verification of completion to the Board upon request. Documentation shall contain the
824 minimum information for review by the Board: name of provider and evidence that
825 provider meets the requirements of section 1397.61(c)(1); topic and subject matter;
826 number of hours or units; and a syllabus or course description. The Board shall make
827 the final determination as to whether the continuing education submitted for credit
828 meets the requirements of this article.

829
830 (f) Failure to provide all of the information required by this section renders any
831 application for renewal incomplete and not eligible for renewal.

832
833 Note: Authority cited: Sections 2915(g) and 2930, Business and Professions Code.
834 Reference: Sections 29, 32, and 2915 ~~and 2915.7~~, Business and Professions Code.

835
836 **§ 1397.61.1. Continuing Professional Development Requirements. [Effective**
837 **January 1, 2024-23.]**
838

839 This section shall be applicable to both a license that expires on or after
840 January 1, 2023, and an application for license renewal, reactivation, or
841 reinstatement received on or after January 1, 2023, or is renewed,
842 reactivated, or reinstated on or after, January 1, 2021.
843

844 (a) Except as provided in section ~~2915(e) of the Business and Professions Code~~
845 ~~and section~~ 1397.62.1 of these regulations, a psychologist shall certify under penalty
846 of perjury to the Board on the application for license renewal that ~~he or she~~ the
847 licensee has completed the CPD requirements set forth in this Article and section
848 2915 of the Code. Failing to do so, or falsifying or making a material
849 misrepresentation of fact on a renewal application, or failing to provide
850 documentation verifying compliance whenever requested to do so by the Board,
851 shall be considered unprofessional conduct and subject the licensee to disciplinary
852 action and render ~~his or her~~ their license ineligible for renewal.
853

854 (b) A psychologist renewing ~~his or her~~ their license shall certify under penalty of
855 perjury on the application for license renewal that ~~he or she~~ the licensee has
856 engaged in a minimum of four (4) hours of training in the subject of laws and ethics,
857 as they apply to the practice of psychology in California for each renewal period.
858 This includes recent changes or updates on the laws and regulations related to the
859 practice of psychology; recent changes or updates in the Ethical Principles of
860 Psychologists and Code of Conduct published by the American Psychological
861 Association; accepted standards of practice; and other applications of laws and
862 ethics as they affect the licensee's ability to practice psychology safely. This
863 requirement shall be met using any combination of the four (4) CPD categories, and
864 the licensee shall indicate on ~~his or her~~ their documentation which of the CPD
865 activities are being used to fulfill this requirement. The four (4) hours shall be
866 considered part of the 36-hour CPD requirement.
867

868 (c) A psychologist renewing ~~his or her~~ their license shall certify under penalty of
869 perjury on the application for license renewal that ~~he or she~~ the licensee has engaged
870 in a minimum of four (4) hours of training for each renewal period pertinent to Cultural
871 Diversity and/or Social Justice issues as they apply to the practice of psychology in
872 California. Cultural Diversity pertains to differences in age, race, culture, ethnicity,
873 nationality, immigration status, gender, gender identity, sexual orientation,
874 socioeconomic status, religion/spirituality, and physical ability. Social Justice pertains
875 to the historical, social and political inequities in the treatment of people from non-
876 dominant groups, while addressing the various injustices and different types of
877 oppression that contribute to individual, family and community psychological
878 concerns. This requirement shall be met using any combination of the four (4) CPD
879 categories, and the licensee shall indicate on ~~his or her~~ their documentation which of
880 the CPD activities are being used to fulfill this requirement. The four (4) hours shall be
881 considered part of the 36-hour CPD requirement.

882
883 (d) Topics and subject matter for all CPD activities shall be pertinent to the
884 practice of psychology.
885

886 (e) The Board recognizes and accepts CPD hours that meet the description of the
887 activities set forth in section 1397.60.1. With the exception of 100% ABPP Board
888 Certification, a licensee shall accrue hours during each renewal period from at least
889 two (2) of the four (4) CPD activity categories: Professional Activities; Academic;
890 Sponsored Continuing Education; and Board Certification.

891 Unless otherwise specified, for any activity for which the licensee wishes to claim
892 credit, no less than one (1) hour credit may be claimed and no more than the
893 maximum number of allowable hours, as set forth in subsection (f), may be claimed
894 for each renewal period.
895

896 (f) Acceptable CPD learning activities under "Professional Activities" ~~include~~ are
897 as follows:

898 (1) "Peer Consultation"

899 (A) A maximum of 18 hours shall be credited in "Peer Consultation".

900 (B) One (1) hour of activity in "Peer Consultation" equals one (1) hour of
901 credit.

902 (C) The licensee shall maintain a record of this activity as
903 documentation of compliance. This record shall include: date(s), type
904 of activity, and total number of hours.
905

906 (2) "Practice Outcome Monitoring" (POM)

907 (A) A maximum of nine (9) hours shall be credited in "POM".

908 (B) "POM" for one (1) patient/client equals one (1) hour credited. (C)
909 The licensee shall maintain a record of this activity as documentation
910 of compliance. This record shall include: date(s) of monitoring, client
911 identifier, and how outcomes were measured.
912

913 (3) "Professional Service"

914 (A) A minimum of 4.5_≡ hours and a maximum of 12_≡ hours shall be
915 credited in "Professional Service".
916 (B) One (1) year of "Professional Service" for a particular activity
917 equals nine (9) hours credited and six (6) months equals 4.5_≡ hours
918 credited.
919 (C) The licensee shall maintain a record of this activity as
920 documentation of compliance. This record shall include: board or
921 program name, role of licensee, dates of service, and term of service
922 (six months or one year).
923

924 (4) "Conference/Convention Attendance"

925 (A) A maximum of six (6) hours shall be credited in
926 "Conference/Convention Attendance".
927 (B) One (1) full conference/convention day attendance equals one (1)
928 hour credited.
929 (C) The licensee shall maintain a record of this activity as
930 documentation of compliance. This record shall include: name of
931 conference/convention attended, proof of registration, and date(s) of
932 conference/convention attended.
933

934 (5) "Examination Functions"

935 (A) A maximum of 12_≡ hours shall be credited in "Examination
936 Functions".
937 (B) One (1) hour of service equals one (1) hour of credit. (C)
938 The licensee shall maintain a record of this activity as
939 documentation of compliance. This record shall include: name of
940 exam, dates of service, and number of hours.
941

942 (6) "Expert Review/Consultation"

943 (A) A maximum of 12_≡ hours shall be credited in "Expert
944 Review/Consultation".
945 (B) One (1) hour of service in an expert capacity equals one (1)
946 hour of credit.
947 (C) The licensee shall maintain a record of this activity as
948 documentation of compliance. This record shall include: dates of
949 service and number of hours.
950

951 (7) "Attendance at a California Board of Psychology Meeting"

952 (A) A maximum of eight (8) hours shall be credited in "Attendance at a
953 California Board of Psychology Meeting".
954 (B) Attendance for one (1) day Board or ~~C~~committee meeting equals six
955 (6) hours of credit. For Board or ~~C~~committee meetings that are three (3)
956 hours or less, one (1) hour of attendance equals one (1) hour of credit.
957 (C) The licensee shall maintain a record of hours as documentation of
958 compliance. This record shall include: date of meeting, name of
959 meeting, and number of hours attended. A psychologist requesting CPD

960 credit pursuant to this subdivision shall have signed in and out on an
961 attendance sheet providing ~~his or her~~ their first and last name, license
962 number, time of arrival and time of departure from the meeting.
963

964 (g) Acceptable CPD learning activities under “Academic” ~~include~~ are
965 as follows:

966 (1) “Academic Coursework”

967 (A) A maximum of 18 $\frac{1}{2}$ hours shall be credited in “Academic
968 Coursework”.

969 (B) Each course taken counts only once for each renewal period and
970 may only be submitted for credit once the course is completed. (C) Each
971 one (1) semester unit earned equals six (6) hours of credit and each
972 one (1) quarter unit earned equals 4.5 $\frac{1}{2}$ hours of credit.

973 (D) The licensee shall maintain a record of this activity as
974 documentation of compliance. This record shall include a transcript with
975 evidence of a passing grade (C or higher, or “pass”).
976

977 (2) “Academic/Sponsor-Approved CE Instruction” (A)
978 “Academic Instruction”

979 (i) A maximum of 18 $\frac{1}{2}$ hours shall be credited in “Academic
980 Instruction”.

981 (ii) Each course taught counts only once for each renewal period and
982 may only be submitted for credit once the course is completed. (iii) A
983 term-long (quarter or semester) academic course equals 18 $\frac{1}{2}$ hours of
984 credit.

985 (iv) The licensee shall maintain a record of this activity as documentation
986 of compliance. This record shall include: course syllabus, title of course,
987 name of institution, and dates of instruction.
988

989 (B) “Sponsor-Approved CE Instruction”

990 (i) A maximum of 18 $\frac{1}{2}$ hours shall be used in “Sponsor-Approved CE
991 Instruction”.

992 (ii) Each course taught counts only once for each renewal period and
993 may only be submitted for credit once the course is completed. (iii) One
994 (1) hour of instruction equals 1.5 $\frac{1}{2}$ hours of credit.

995 (iv) The licensee shall maintain a record of this activity as
996 documentation of compliance. This record shall include: course
997 syllabus, title of course, dates of instruction, name of sponsoring
998 entity, and number of hours taught.
999

1000 (3) “Supervision”

1001 (A) A maximum of 18 $\frac{1}{2}$ hours shall be credited in “Supervision”. (B)
1002 One (1) hour of supervision equals one (1) hour of credit. (C) The
1003 licensee shall maintain a record of this activity as documentation of
1004 compliance. This record shall include: dates of supervision and a
1005 trainee identifier.
1006

1007 (4) "Publications"
1008 (A) A maximum of nine (9) hours shall be credited in "Publications". (B)
1009 One (1) publication equals nine (9) hours of credit.
1010 (C) A publication may only be counted once.
1011 (D) The licensee shall maintain a record of this activity as
1012 documentation of compliance. This record shall include: either a
1013 letter of acceptance for publication, or proof of publication with
1014 publication date in the renewal period for which it is being submitted.
1015

1016 (5) "Self-Directed Learning"
1017 (A) A maximum of six (6) hours shall be credited in "Self-Directed
1018 Learning".
1019 (B) One (1) hour of activity in "Self-Directed Learning" equals one (1)
1020 hour of credit.
1021 (C) The licensee shall maintain a record of this activity as
1022 documentation of compliance. This record shall include: date(s),
1023 medium (e.g. webinar), topic or title, and total number of hours.
1024

1025 (h) Acceptable "Sponsored Continuing Education" ~~include~~ are as follows:
1026 (1) A maximum of 27 hours shall be credited in "Sponsored Continuing
1027 Education".
1028 (2) Credit may be granted only once during a renewal cycle for each
1029 course taken.
1030 (3) One (1) hour of sponsored continuing education equals one (1) hour of
1031 credit.
1032 (4) The licensee shall maintain proof of attendance provided by the
1033 sponsor of the continuing education as documentation of compliance.
1034

1035 (i) Acceptable CPD learning activities under "Board Certification" ~~include~~ are
1036 as follows: (1) ABPP Board Certification
1037 (A) ABPP Board Certification ~~may~~ counts for 100% (36 hours) of
1038 required CPD in the renewal cycle in which the certification is
1039 awarded.
1040 (B) The licensee shall maintain proof of specialty certification as
1041 documentation of compliance.
1042

1043 (2) "Senior Option" ABPP Board Certification
1044 (A) "Senior Option" ABPP Board Certification ~~may~~ counts for 50%
1045 (18 hours) of required CPD in the renewal cycle in which the
1046 certification is awarded.
1047 (B) The licensee shall maintain proof of specialty certification as
1048 documentation of compliance.
1049

1050 (j) To satisfy the requirements of section 2915 of the Code, an organization seeking
1051 the authority to approve a provider of continuing education shall meet the following
1052 requirements. An organization authorized pursuant to this section may also provide
1053 continuing education. An organization previously approved by the Board to approve

1054 providers of CE are deemed authorized under this section.

1055 (1) The approving organization must:

1056 (A) have a 10-year history of providing educational programming for
1057 psychologists;

1058 (B) have documented procedures for maintaining a continuing
1059 education approval program, including, ~~but not limited to~~:

1060 (i) maintaining and managing records and data related to approved CE
1061 programs, and

1062 (ii) monitoring and approving CE providers and courses;

1063 (C) have policies in place to avoid a conflict of interest between its
1064 provider and approval functions;

1065 (D) evaluate each CE provider seeking approval, including itself,
1066 according to current evidence as to what constitutes an appropriate
1067 program in terms of content and level of presentation, as set out in
1068 subsection (j)(2);

1069 (E) conduct periodic reviews of courses offered by providers approved by
1070 the organization, as well as its own courses, to determine compliance with
1071 the organization's requirements and the requirements of the Board;

1072 (F) establish a procedure for determining if an approved provider
1073 meets regulatory criteria as established in this subsection; and (G)

1074 have a process to respond to complaints from the Board,

1075 providers, or from licensees concerning activities of any of its approved
1076 providers or the provider's ~~their~~ courses.
1077

1078 (2) The approving organization shall ensure that approved providers:

1079 (A) offer content at post-licensure level in psychology that is designed to
1080 maintain, develop, broaden, and/or increase professional competencies;

1081 (B) demonstrate that the information and programs presented are intended
1082 to maintain, develop, and increase conceptual and applied competencies
1083 that are relevant to psychological practice, education, or science, and have
1084 a direct consumer application in at least one of the following ways:

1085 (i) programs include content related to well-established
1086 psychological principles,

1087 (ii) programs are based on content that extends current theory,
1088 methods or research, or informs current practice,

1089 (iii) programs provide information related to ethical, legal, statutory,
1090 or regulatory guidelines and standards that impact the practice of
1091 psychology, and/or

1092 (iv) programs' content focuses on non-traditional or emerging
1093 practice or theory and can demonstrate relevance to practice;

1094 (C) use a formal (written) evaluation tool to assess program
1095 effectiveness (what was learned) and assess how well each of the
1096 educational goals was achieved (this is separate from assessing
1097 attendee satisfaction with the CE program);

1098 (D) use results of the evaluation process to improve and plan future
1099 programs;

1100 (E) provide CE credit on the basis of one hour of credit will be earned for
1101 each hour of approved instruction;
1102 (F) provide attendance verification to CE attendees that includes the
1103 name of the licensee, the name of the course, the date of the course, the
1104 number of credit hours earned, and the approving agency;
1105 (G) provide services to all licensees without discrimination; and
1106 (H) ensure that advertisements for CE courses include language that
1107 accurately reflects the approval status of the provider.
1108

1109 (3) Failure of the approving organization to meet the provisions of ~~this section~~
1110 subsection (j)(1) or (2) shall constitute cause for revocation of authorization by
1111 the Board. Authorization shall be revoked only by a formal Board action, after
1112 notice and hearing, and for good cause.
1113

1114 (k)(1) Each person who applies to renew his or her license shall certify under
1115 penalty of perjury that he or she the licensee has complied with all the applicable
1116 requirements of this section within the licensure period they are currently in, shall
1117 maintain proof of compliance for four (4) years from the effective date of the
1118 renewal, and shall submit such proof to the Board upon request.
1119

1120 ~~(k)(2) Each person who applies to reactivate or reinstate his or her license shall~~
1121 certify under penalty of perjury that he or she the licensee has complied with all the
1122 applicable requirements of this section within the 24-month period prior to the
1123 request to reactive or reinstate, shall maintain proof of compliance for four (4) years
1124 from the date of the reactivation or reinstatement, and shall submit such proof to the
1125 Board upon request.
1126

1127 (l) No activity may be claimed for credit in more than one CPD category.
1128

1129 (m) For a license that renews or is reactivated between January 1, 2024~~23~~, and
1130 December 31, 2024~~23~~, the hours accrued will qualify for renewal if they meet either
1131 the requirements of ~~this section 1367.61 as it existed prior to January 1, 2021~~ on
1132 December 31, 2022, or as it exists after January 1, 2021 ~~this section.~~
1133

1134 Note: Authority cited: Sections 2915 and 2930, Business and Professions Code.
1135 Reference: Sections 29, 32, and 2915 and 2915.7, Business and Professions Code.
1136

1137 **§ 1397.62. Continuing Education Exemptions and Exceptions. [Effective**
1138 **until December 31, 2024.]**
1139

1140 This section is inoperative January 1, 2024~~23~~, and repealed on December 31,
1141 2024~~23~~.
1142

1143 At the time of making application for renewal of a license, a psychologist may as
1144 provided in this section request an exemption or an exception from all or part of the
1145 continuing education requirements.

1146
1147 (a) The Board shall grant an exemption only if the psychologist verifies in writing
1148 that, during the two-year period immediately prior to the expiration date of the
1149 license, ~~he or she~~ the licensee:

1150 (1) Has been engaged in active military service reasonably preventing
1151 completion of the continuing education requirements, except that a
1152 licensee granted an exemption pursuant to this section shall still be
1153 required to fulfill the laws and ethics requirement set forth in section
1154 1397.61(b); or

1155 (2) Has been prevented from completing the continuing education
1156 requirements for reasons of health or other good cause which includes:

1157 (A) Total physical and/or mental disability of the psychologist for at
1158 least one year; or

1159 (B) Total physical and/or mental disability of an immediate family
1160 member for at least one year where the psychologist has total
1161 responsibility for the care of that family member.

1162
1163 Verification of a physical disability under subsection (a)(2) shall be by a licensed
1164 physician and surgeon or, in the case of a mental disability, by a licensed
1165 psychologist or a board certified or board eligible psychiatrist.

1166
1167 (b) An exception to the requirements of Business and Professions Code section
1168 2915(d) may be granted to licensed psychologists who are not engaged in the direct
1169 delivery of mental health services for whom there is an absence of available
1170 continuing education courses relevant to their specific area of practice.

1171 (1) An exception granted pursuant to this subsection means that the Board will
1172 accept continuing education courses that are not acceptable pursuant to
1173 section 1397.61(c) provided that they are directly related to the licensee's
1174 specific area of practice and offered by recognized professional organizations.
1175 The Board will review the licensee's area of practice, the subject matter of the
1176 course, and the provider on a case-by-case basis. This exception does not
1177 mean the licensee is exempt from completing the continuing education
1178 required by Business and Professions Code section 2915 and this article.

1179 (2) Licensees seeking this exception shall provide all necessary information to
1180 enable the Board to determine the lack of available approved continuing
1181 education and the relevance of each course to the continuing competence of
1182 the licensee. Such a request shall be submitted in writing and must include a
1183 clear statement as to the relevance of the course to the practice of psychology
1184 and the following information:

1185 (A) Information describing, in detail, the depth and breadth of the
1186 content covered (e.g., a course syllabus and the goals and objectives
1187 of the course), particularly as it relates to the practice of psychology.

1188 (B) Information that shows the course instructor's qualifications to
1189 teach the content being taught (e.g., ~~his or her~~ their education, training,
1190 experience, scope of practice, licenses held and length of experience
1191 and expertise in the relevant subject matter), particularly as it relates

1192 to the practice of psychology.
1193 (C) Information that shows the course provider's qualifications to
1194 offer the type of course being offered (e.g., the provider's
1195 background, history, experience and similar courses previously
1196 offered by the provider), particularly as it relates to the practice of
1197 psychology.
1198

1199 (3) This subsection does not apply to licensees engaged in the direct
1200 delivery of mental health services.
1201

1202 (c) Psychologists requiring reasonable accommodation according to the Americans
1203 with Disabilities Act may be granted an exemption from the on-site participation
1204 requirement and may substitute all or part of their continuing education requirement
1205 with an American Psychological Association or accreditation agency approved
1206 independent learning continuing education program. A qualified individual with a
1207 disability must apply to the Board to receive this exemption.
1208

1209 (d) Any licensee who submits a request for an exemption or exception that is denied
1210 by the Board shall complete any continuing education requirements within 120 days
1211 of the notification that the request was denied.
1212

1213 NOTE: Authority cited: Sections 2915(g) and 2930, Business and Professions
1214 Code. Reference: Section 2915, Business and Professions Code.
1215

1216 **§ 1397.62.1. Continuing Education Exemptions. [Effective January 1, 2021-23]**
1217

1218 This section shall be applicable to both a license that expires on or after
1219 January 1, 2023, and an application for license renewal, reactivation, or
1220 reinstatement received on or after January 1, 2023, or is renewed,
1221 reactivated, reinstated on or after, January 1, 2021.
1222

1223 (a) To be granted an exemption from all or part of the CPD requirements, a licensee
1224 must certify in writing that ~~he or she~~ the licensee has met the requirement of section
1225 114.3 of the Code that during the two-year period immediately preceding the
1226 expiration of the license, ~~he or she~~ the licensee was on active military duty. The
1227 request for exemption must be submitted no less than thirty (30) days prior to the
1228 submission of an application for the renewal of the license. For the first renewal after
1229 discharge from active military service, ~~he or she~~ the licensee shall be exempt from the
1230 CPD renewal requirements, except that ~~he or she~~ the licensee must accrue, as a
1231 condition of renewal, 1.5 hours of CPD per month (or portion of a month) remaining
1232 in the renewal cycle post-discharge, calculated 60 days after discharge date. The
1233 licensee shall then, at a minimum, fulfill the Laws and Ethics requirement set out in
1234 section 1397.61.1(b), and the Cultural Diversity and/or Social Justice requirement set
1235 out in section 1397.61.1(c).
1236

1237 (b) Any licensee who submits a request for an exemption that is denied, in whole or

1238 in part, by the Board shall complete any CPD requirements within 120 days of the
1239 notification that the request was denied.

1240 NOTE: Authority cited: Sections 114.3, 2915~~(g)~~, and 2930, Business and
1241 Professions Code. Reference: Sections 114.3 and 2915, Business and
1242 Professions Code.

1243 **§ 1397.67. Renewal After Inactive or Delinquent Expired Status. [Effective**
1244 **until December 31, 2020~~12~~.]**
1245

1246 This section is inoperative January 1, 2021~~23~~, and repealed on December 31,
1247 2021~~23~~.
1248

1249 (a) To activate a license which has been placed on inactive status pursuant to section
1250 2988 of the Code, the licensee must submit evidence of completion of the requisite
1251 36~~=~~ hours of qualifying continuing education courses for the two-year period prior to
1252 establishing the license as active.
1253

1254 (b) For the renewal of a delinquent psychologist license within three years of the date
1255 of expiration, the applicant for renewal shall provide evidence of completion of 36~~=~~
1256 hours of qualifying continuing education courses for the two-year period prior to
1257 renewing the license.
1258

1259 After a license has been delinquent for three years, the license is automatically
1260 cancelled and the applicant must submit a complete licensing application, meet all
1261 current licensing requirements, and successfully pass the licensing examination just
1262 as for the initial licensing application unless the Board grants a waiver of the
1263 examination pursuant to section 2946 of the Code.
1264

1265 NOTE: Authority cited: Sections 2915(g) and 2930, Business and Professions
1266 Code. Reference: Sections 2915, 2984 and 2988, Business and Professions
1267 Code.
1268

1269 **§ 1397.67.1. Continued Professional Development Requirements for**
1270 **Reactivation. [Effective January 1, 2021~~23~~.]**
1271

1272 This section shall be applicable to *both* a license that expires on or after
1273 *January 1, 2023, and an application for license renewal, reactivation, or*
1274 *reinstatement received on or after January 1, 2023, ~~or is renewed,~~*
1275 *reactivated, or reinstated on or after, January 1, 2021~~2~~.*
1276

1277 (a) To activate a license that has been placed on inactive status pursuant to section
1278 2988 of the Code, the licensee shall submit evidence of completion of the requisite
1279 36~~=~~ hours of qualifying CPD for the two-year period prior to reactivating the license.
1280

1281 (b) For the renewal of an expired psychologist license within three years of the date
1282 of expiration, the applicant for renewal shall provide evidence of completion of 36~~=~~
1283 hours of qualifying CPD for the two-year period prior to renewing the license.

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NOTE: Authority cited: Sections 2915~~(c)~~ and 2930, Business and Professions Code. Reference: Section 2915, 2984~~7~~ and 2988, Business and Professions Code.

Agenda Item 16: Regulatory Update, Review, and Consideration of Additional Changes (M. Cervantes)

- a) 16 CCR sections 1391.1, 1391.2, 1391.5, 1391.6, 1391.8, 1391.10, 1391.11, 1391.12, 1392.1 – Registered Psychological Associates
- b) 16 CCR sections 1381.10, 1392, and 1397.69 – Retired License, Renewal of Expired License, Psychologist Fees (retired license)
- c) 16 CCR sections 1391.13, and 1391.14 – Inactive Psychological Associates Registration and Reactivating a Psychological Associate Registration
- d) 16 CCR sections 1392 and 1392.1 – Psychologist Fees and Psychological Associate Fees
- e) 16 CCR 1395.2 – Disciplinary Guidelines and Uniform Standards Related to Substance-Abusing Licensees
- f) 16 CCR sections 1380.3, 1381, 1381.1, 1381.2, 1381.4, 1381.5, 1382, 1382.3, 1382.4, 1382.5, 1386, 1387, 1387.1, 1387.2, 1387.3, 1387.4, 1387.5, 1387.6, 1387.10, 1388, 1388.6, 1389, 1389.1, 1391, 1391.1, 1391.3, 1391.4, 1391.5, 1391.6, 1391.8, 1391.11, and 1391.12 – Pathways to Licensure
16 CCR sections 1380.6, 1393, 1396, 1396.1, 1396.2, 1396.3, 1396.4, 1396.5, 1397, 1397.1, 1397.2, 1397.35, 1397.37, 1397.39, 1397.50, 1397.51, 1397.52, 1397.53, 1397.54, 1397.55 - Enforcement Provisions

Dr. Cervantes introduced this item and stated that details were included beginning on page 721 of the combined packet and that there was no action required.

Mr. Glasspiegel provided a summary and update of this item and stated that the fee package was with the OAL, who would have until early May to review and provide feedback.

There was no Board or public comment offered.

Agenda Item 17 Recommendations for Agenda Items for Future Board Meetings.

There was no Board comment.

Public Comment

Dr. Elizabeth Winkelman, CPA, requested that there be further discussion on processing times within the Licensing Unit.

Agenda Item 18: The Board met in closed session.

ADJOURNMENT

1331

1332 The meeting adjourned at 4:14 p.m.

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