

April 7, 2023 MINUTES**Board Members**

Lea Tate, PsyD, President
Shacunda Rodgers, PhD, Vice President
Sheryll Casuga, PsyD, CMPC
Seyron Foo
Mary Harb Sheets, PhD
Stephen Phillips, JD, PsyD
Ana Rescate

Board Members Absent

Marisela Cervantes, EdD, MPA
Julie Nystrom

Board Staff

Antonette Sorrick, Executive Officer
Jon Burke, Assistant Executive Officer
Sandra Monterrubio, Enforcement Program Manager
Stephanie Cheung, Licensing Manager
Liezal McCockran, CE/Renewals Coordinator
Mai Xiong, Licensing/BreEZe Coordinator
Troy Polk, Legislative and Regulatory Analyst
Sarah Proteau, Central Services Office Technician
Brittany Ng, Board Counsel

1

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

2

3
4 President Tate called the meeting to order at 12:00 p.m., roll was taken, and a quorum
5 established.

6

Agenda Item 2: President's Welcome

7

8
9 Dr. Tate welcomed all attendees to the meeting and stated the purpose of the meeting;
10 to review important legislative matters pertaining to the Board of Psychology.

11

12 Ms. McCockran provided information related to CPD credit and how attendees could
13 receive credit for attendance.

14

15 There was no Board or public comment offered.

16

**Agenda Item 3: Public Comment for Items Not on the Agenda. Note: The Board May
18 Not Discuss or Take Action on Any Matter Raised During this Public Comment**

19 **Section, Except to Decide Whether to Place the Matter on the Agenda of a Future**
20 **Meeting [Government Code sections 11125 and 11125.7(a)].**

21
22 There was no public comment offered

23
24 **Agenda Item 4: Legislation for the 2023 Legislative Session: Review and Possible**
25 **Action**

26
27 a) Board-Sponsored Legislation

28 1. Fee Schedule: Business and Professions Code section 2987

29
30 Dr. Tate introduced and Mr. Polk presented this item which was included on page 9 of the
31 meeting materials. This item was provided as informational only, with no action required.

32
33 There was no Board or public comment offered.

34
35 2. SB 887 (Committee on Business, Professions and Economic
36 Development) Consumer Affairs – Amendments to Suicide Risk
37 Assessment and Intervention Coursework and Aging and Long-Term
38 Care Coursework: Business and Professions Code sections 2915.4 and
39 2915.5

40
41 Mr. Polk presented this item which was included on page 13 of the meeting materials.
42 This item was provided as informational only, with no action required.

43
44 There was no Board or public comment offered.

45
46 3. Patient Privilege: Business and Professions Code section 2918

47
48 Mr. Polk presented this item which was included on page 94 of the meeting materials.
49 This item was provided as informational only, with no action required.

50
51 There was no Board or public comment offered.

52
53 b) Review of Bills for Active Position Recommendations

54 1. AB 282 (Aguiar-Curry) Psychologists: licensure

55
56 Dr. Tate introduced and Mr. Polk presented this item.

57
58 Mr. Polk provided the staff recommendation that the Board discuss AB 282 (Aguiar-Curry)
59 and consider taking a position.

60
61 Discussion ensued regarding the existing procedures in place and how this potential
62 change could affect staff processes and processing time, if the change would actually
63 speed up the process of licensure or merely provide different options for applicants for
64 when they could take the exam, and concern about language within the Bill as written and
65 if applicants would potentially have the ability to take the EPPP Part 2 exam without
66 having completed Supervised Professional Experience.

67
68
69
70
71
72
73
74
75
76
77
78
79
80
81
82
83
84
85
86
87
88
89
90
91
92
93
94
95
96
97
98
99
100
101
102
103
104
105
106
107
108
109
110
111
112
113
114

Board Comment

Discussion ensued and included comment regarding support for the intent of the Bill to speed the process up for applicants and referenced the challenges faced by staff from staffing shortages which led to longer than average wait times for the licensure process. It was stated that improvements had been made to reduce wait times and that those challenges were no longer an issue.

Dr. Harb Sheets asked if applicants could take the CPLEE ahead of the EPPP or if it was open-ended and did not specify which exams could be taken, when and in what order.

Ms. Karen Halbo, Regulatory Counsel, stated that in the Bill, page 4, lines 9 through 10 did not show a restriction on which exams could be taken when and in what order. She provided the option to refer to knowledge-based examinations required for licensing as specified by the Board, which would then allow the Board to specify in regulation.

Ms. Halbo recommended amending this section to add “as specified by the Board” so the Board would have the ability to specify that this would apply to the EPPP and not to the CPLEE.

It was M/(Foo)/S(Casuga) to Support AB 282 (Aguiar-Curry) if amended to include language that takes into consideration potential changes to the EPPP and to delegate to the Executive Officer that ability to work the language out with the Legislature.

Discussion ensued regarding whether the Board, as a consumer protection agency, should specify concern of the financial state of the applicants in a letter as consumer protection was the main purpose of the Board. It was clarified by Dr. Casuga that this was more of an emphasis for the overall discussion and that she did understand that the process of obtaining licensure was a stressful and time-consuming process but that it was not meant to be highlighted in a letter, either way.

Discussion ensued regarding the difference between a Support if Amended position and an Opposed Unless Amended position and what direction the Board would want to go.

Dr. Phillips commented that other Boards may require the Law and Ethics exam to be taken prior to the start of any SPE, the idea being to make sure the applicants understand the rules before they meet with patients to provide services. He also questioned whether this Bill would actually save applicants any time or would it just make the process slightly more flexible.

Ms. Cheung stated that it may save a bit of time, but the testing would still be applicant driven, meaning they would still have to take the steps to take the tests and be ready for them.

Dr. Phillips stated that the Bill seemed well intended but expressed concern that it may cause confusion and more questions to applicants; that in the effort to provide a bit more flexibility it may confuse applicants as to when they should do which test in the process.

115 He also stated that it seemed reasonable to want prospective applicants to have taken
116 the Law and Ethics exam before or early in the process of obtaining SPE hours.

117
118 Mr. Burke stated that the Board of Behavioral Sciences did require their applicants to take
119 the Law and Ethics exam prior to seeing patients, even with supervision. The Board of
120 Psychology has applicants take it right before licensure so it would be the most recent
121 exam taken before going out on their own. He stated that this was just a policy decision
122 for the Board.

123
124 Public comment

125
126 Dr. Marilyn Immoos stated that she felt it may be helpful for applicants to be able to take
127 the CPLEE earlier.

128
129 Dr. Elizabeth Winkelman and Dr. Jo Linder Crow, California Psychological Association
130 (CPA), provided comment that CPA was co-sponsor of the Bill, and that the intent was to
131 provide more flexibility for applicants and streamline the process toward licensure.
132 Discussion ensued and additional comments were received echoing the previous
133 statements of support for an earlier option for applicants to take the CPLEE.

134
135 Dr. Rodgers queried how this Bill would affect the process once the EPPP Part 2 was a
136 requirement.

137
138 Ms. Halbo provided clarification on how the Bill was written and that the Board could
139 specify requirements for testing beyond the specifications that were in the language to
140 make it less broad.

141
142 Ms. Sorrick thanked everyone for the discussion and stated that there would be some
143 draft regulations to be presented at the EPPP Ad hoc Committee meeting on April 28,
144 2023. She stated that on page 4, line 10 of the Bill, which began on page 105 of the
145 meeting materials, a change could be made as follows: After “As documented by written
146 certification from the part of the applicants educational institution or program shall be
147 eligible to take any and all examinations required for licensure” if a comma was inserted
148 and “as specified by the Board” was added, then staff could lay out what the process
149 looks like in regulation, if it was the will of the Board.

150
151 Mr. Foo amended the motion that had been made as follows:

152
153 It was M/(Foo)/S(Casuga)/C to Oppose AB 282 (Aguiar-Curry) Unless amended to add
154 to page 4, line 10 of the Bill “as specified by the Board” and to delegate to the Executive
155 Officer and the Chair of the Legislative and Regulatory Affairs Committee that ability to
156 work the language out with the Legislature.

157
158 Public Comment

159
160 Discussion ensued regarding the historical context and motivation for the Bill by its
161 authors.

162

163 There was no further Board or public comment offered.
164
165 Vote: 7 Ayes (Casuga, Foo, Harb Sheets, Phillips, Rescate, Rodgers, Tate) 0 Noes
166
167 2. AB 883 (Mathis) Business Licenses: U.S. Department of Defense
168 SkillBridge program
169
170 Mr. Polk presented this item, which was included in the meeting materials, beginning on
171 page 106.
172
173 Dr. Tate asked if the Board expedited any applicants currently.
174
175 Mr. Polk confirmed that active military and spouses of active military have an option to
176 apply for expedited licensure.
177
178 It was M/(Phillips)/S(Tate) to support AB 883 (Mathis).
179
180 There was no further Board and no public comment offered.
181
182 Vote: 7 Ayes (Casuga, Foo, Harb Sheets, Phillips, Rescate, Rodgers, Tate) 0 Noes
183
184 3. AB 996 (Low) Department of Consumer Affairs: continuing education:
185 conflict-of-interest policy
186
187 Mr. Polk presented this item, which was included in the meeting materials, beginning on
188 page 114.
189
190 Discussion ensued about what sorts of situations this Bill would cover.
191
192 Mr. Polk stated that he had reached out to the author for clarification.
193
194 Dr. Phillips commented that it would be difficult to take a position without more
195 information.
196
197 Discussion ensued on the lack of clarity and need to reach out to the offer for more
198 information.
199
200 It was M/(Phillips)/S(Harb Sheets) to Oppose due to non-specificity and send a letter to
201 the author to request more information.
202
203 Dr. Phillips agreed to draft the letter.
204
205 No further Board comment offered.
206
207 Public comment
208
209 Dr. Sheila Henderson stated she did not understand what the purpose of this Bill.
210

211 Dr. Jo Linder Crow, CPA, stated CPA is trying to get more information on this Bill.

212

213 Vote: 7 Ayes (Casuga, Foo, Harb Sheets, Phillips, Rescate, Rodgers, Tate), 0 Noes

214

215

216 4. SB 372 (Menjivar) Department of Consumer Affairs: licensee and
217 registrant records: name and gender changes

218

219 Mr. Polk presented this item, which was included in the meeting materials beginning on
220 page 117.

221

222 Dr. Tate asked how this would affect Board staff and the existing process.

223

224 Ms. Sorrick provided clarity on the current process.

225

226 Dr. Harb Sheets and Dr. Phillips expressed concern about disciplinary action not showing
227 if it had been from the historic name.

228

229 Discussion ensued about the challenges of providing appropriate consumer protection
230 and how to avoid causing trauma to licensees that have gender transitioned. Additional
231 discussion ensued regarding implementation and how disciplinary actions could continue
232 to show with a name or gender change of this nature.

233

234 Ms. Sorrick said that page 127 in the combined packet provided some details from the
235 Bill analysis.

236

237 Discussion ensued as to how the language of the Bill is written.

238

239 It was M/(Phillips)/S(Harb Sheets)/C to Oppose the Bill as written while recognizing the
240 purpose of the Bill, lauding the intent, but opposing because of the implementation
241 concerns and the lack of specificity in the current language and to suggest to the sponsor
242 and stakeholders to better elaborate a way to make this concept work.

243

244 Jennifer Alley, CPA provided background information as to how this Bill came about and
245 stated the purpose of the Bill was to apply to people with legal name changes that request
246 the information to be held confidential not standard name changes.

247

248 Discussion ensued regarding the language of the statute was not specific enough and a
249 larger conversation should be had with the sponsors and stakeholders, possibly a working
250 group to come up with more specific language.

251

252 Public Comment

253

254 Dr. Marilyn Immoos commented that the spirit of this Bill should be preserved, and a
255 workgroup sounds like a good idea and thanked everyone for the discussion.

256

257 Dr. Connie Sako stated that the current process had affected the members of CPA and
258 its Sacramento Chapter. She stated that large numbers of local organizations are already
259 working on and discussing this issue.

260
261 Jennifer Alley expressed appreciation for the discussion and asked the Board to consider
262 support of the Bill in concept and allow for a working group to work out details.

263
264 There was no further public comment offered.

265
266 Mr. Foo stated that he could not support an oppose position without an avenue to show
267 an intent to support the concept.

268
269 Vote: 6 Ayes (Casuga, Harb Sheets, Phillips, Rescate, Rodgers, Tate) 1 No (Foo)

270
271
272 5. SB 373 (Menjivar) Board of Behavioral Sciences, Board of Psychology,
273 and Medical Board of California: licensees' and registrants' addresses

274
275 Mr. Polk presented this item, which was included in the meeting materials beginning on
276 page 132.

277
278 Dr. Phillips asked clarification as to the current requirements.

279
280 Mr. Polk stated that the Address of Record was not required to be a home address and
281 could be a PO Box.

282
283 It was M/(Harb Sheets)/S(Rodgers)/F that the Board Support the Bill.

284
285 Dr. Phillips expressed concern that given that the Board does not require licensees to
286 provide home addresses and licensees have the option to get a PO Box that this creates
287 a cost issue to implement as well as a possible issue for consumers being unable to
288 contact a former provider.

289
290 Discussion ensued about personal safety and different possibilities of what to list for an
291 Address of Record.

292
293 Public comment

294
295 Jennifer Alley, CPA, provided examples of other boards that do not provide complete
296 address of record and clarity of concern regarding privacy of licensees.

297
298 Vote: 3 Ayes (Foo, Harb Sheets, Rodgers), 3 Noes (Casuga, Phillips, Tate), Absent
299 (Rescate)

300
301 **Agenda Item 5: Legislative Items for Future Meeting. The Board May Discuss Other**
302 **Items of Legislation in Sufficient Detail to Determine Whether Such Items Should**
303 **be on a Future Board Meeting Agenda and/or Whether to Hold a Special Meeting of**
304 **the Board to Discuss Such Items Pursuant to Government Code section 11125.4.**

305
306 Dr. Tate presented this item.

307
308 Dr. Casuga recommended to watch AB 248 in regard to obsolete terms.

309
310 There was no public comment offered.

311
312 **Agenda Item 6: Recommendations for Agenda Items for Future Board Meetings.**
313 **Note: The Board May Not Discuss or Take Action on Any Matter Raised During This**
314 **Public Comment Section, Except to Decide Whether to Place the Matter on the**
315 **Agenda of a Future Meeting [Government Code Sections 11125 and 11125.7(a)].**

316
317 Dr. Tate presented this item.

318
319 There was no Board or public comment offered.

320
321 **CLOSED SESSION**
322 The Board will Meet in Closed Session Pursuant to Government Code Section
323 11126(c)(3) to Discuss Disciplinary Matters Including Petitions for Reinstatement,
324 Modification, or Early Termination, Proposed Decisions, Stipulations, Petitions for
325 Reconsideration, and Remands.

326
327
328 **ADJOURNMENT**

329
330 **The meeting adjourned at 5:16 p.m.**

331
332