

Journal

***** The California Department of Consumer Affairs, Board of Psychology Newsletter *****

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President's Message



Seyron Foo, Board of Psychology

As California makes its comeback from the pandemic, we continue to adapt to ever-changing local conditions to fulfill our mission to protect consumers of psychological services by licensing psychologists, regulating the practice of psychology, and supporting the evolution of the profession.

With the differing approaches that counties may be taking, the Board has provided a six-month grace period to allow the one-hour, face-to-face, direct, individual supervision to be conducted via a HIPAA-compliant video until January 1, 2022. The trainee should indicate the face-to-face was completed using [HIPAA-compliant technology](#) during the COVID-19 pandemic in the weekly log. This grace period will serve as a transitional period as various waivers are wound down.

We are also looking forward to our first in-person meeting since the pandemic on November 18–19 in Sacramento. While over the last year we have continued to meet regularly virtually, I know that Board members and stakeholders look forward to returning in person. However, over the course of the last year and half, we have also witnessed an increase in public participation because of the accessibility of virtual meetings to stakeholders across the state. To that end, the Board will head into 2022 with a hybrid model of virtual Board meetings and in-person meetings to maximize the benefits of both mediums.

All of these forward-looking plans are contingent on the state's ability to manage the pandemic. The best path forward to reach a sense of normalcy includes vaccines against COVID-19. We encourage you to learn more about the vaccine and how to obtain it at [myturn.ca.gov](#). Together, we can tackle the pandemic head-on with the most effective strategy—getting vaccinated.

Finally, the Legislature has approved the Board's continuance through January 1, 2026, as a part of Senate Bill 801 (Archuleta and Roth). The Legislature conducts periodic reviews of the Board of Psychology's role of consumer protection, evaluating if we are effectively executing our mission. We are pleased that the Legislature has affirmed

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the Board's important role. SB 801 incorporates the Board's new changes. Notably, psychological assistants will be renamed registered psychological associates. This reflects consistent feedback from stakeholders who participated in our Pathways to Licensure conversations. Additionally, the Board incorporated the National Register of Health Services Psychologists (NRHSP) as an additional foreign credential evaluation service, responding to input from the public. Finally, to protect sensitive information, including confidential medical records, related to applicants seeking to extend the time

to gain supervised professional experience or to hold a psychological associate registration beyond 72 months, the Legislature determined that such decisions can be made with delegated authority in closed session to the Board's Licensure Committee.

While we continue to navigate uncertainty, I want to take the opportunity to thank the Board's staff for their continued diligence and adaptability in executing the Board's mission and the continued participation of stakeholders in the Board's virtual meetings.

The Role of the Board vs. the Role of Your Professional Association

Stephen C. Phillips, J.D., Psy.D., Board Member

The mission of the Board is to protect consumers of psychological services by licensing psychologists, regulating the practice of psychology, and supporting the evolution of the profession. As the Board's mission statement implies, the primary purpose of the Board is to protect consumers of psychological services in California. Unfortunately, licensees often confuse the Board's role with that of professional associations, such as the California Psychological Association (CPA).

As part of the current strategic plan for the Board, one of its priorities is to "to communicate what the Board is and what it does to promote a better understanding to specific stakeholders of the purpose, activities, and processes of the Board." The Board is a semi-autonomous consumer protection agency within the Department of Consumer Affairs of California, much like the Medical Board, the Contractors State License Board, and the Bureau of Automotive Repair. The Board is charged with the licensing, regulation, and enforcement of laws and regulations related to the practice of psychology. It both protects consumers from potential harm and, in doing so, it protects the value of the license held by psychologists by helping to ensure that appropriate legal and ethical standards are being observed by doctoral-level practitioners of psychology. A majority

of the Board's members are licensed psychologists who, along with the public members of the Board, give practical consideration to the implications of Board policies, processes, and decisions, while always considering the protection of the consumer their primary charge. The governor, Assembly speaker, and Senate president pro tempore appoint members to the Board to represent the interests of the consumers of California.

Professional associations, such as CPA, on the other hand, advocate on behalf of the interests of its members and California psychologists as a whole. Its representatives come before the Board to represent the best interests of its members. Similarly, the Board sees its stakeholders, such as its licensees, as an important part of the regulatory process, but it is the interests of consumers of psychological services that is given first consideration.

In short and in oversimplified terms, the Board protects consumers with due consideration of the practice concerns of its licensees. Professional psychological associations advocate for the best interests of psychologists and, when consistent, the best interests of the consumer. Hopefully, this distinction will help consumers and licensed psychologists to better understand the distinct roles of these respective organizations.



Licensed Mental Health Service Provider Education Program Award Recipient

Established in 1987, the Health Professions Education Foundation (HPEF) is the state's only nonprofit foundation statutorily created to encourage persons from underrepresented communities to become health professionals and increase access to health providers in medically underserved areas. Supported by Board licensing fees, grants, donations, and special funds, HPEF provides scholarship and loan repayment programs to students and graduates who agree to practice in California's medically underserved communities.

Shalbe Ealey, Psy.D.
2019–20 Licensed Mental Health Services Provider Education Program awardee, Southern California

My name is Shalbe Ealey and I am a current recipient of the Licensed Mental Health Services Provider Education Program (LMH) award for 2019–20. I have long nurtured a desire to provide mental health treatment to various individuals and focused my

training, education, and experience in this realm. I have the privilege to serve an underserved and marginalized population as a licensed clinical forensic psychologist working for the state.

The LMH award has given me the opportunity to continue to serve a community of individuals who society tends to disregard as untreatable while simultaneously aiding to lessen the ultimate financial burden of my training and education. The negative labels bestowed upon these individuals by society, their own actions, and at times their families, often impede their psychological progression towards wholistic health. I have had the opportunity to provide psychoeducation, advocacy, empathy, individual support, and mental health treatment to foster stability, understanding, and acceptance of their mental health illnesses. Being selected as an LMH award recipient has helped me to feel valued and appreciated within my field of practice! To say thank you for the opportunity is not enough.





One for Me and One for You

By Shacunda Rodgers, Ph.D., Board Member

Zoom fatigue. Pandemic fatigue. Mask fatigue. Social distancing fatigue. It has been a tiresome experience navigating all the ever-changing requirements for being in the world (or having to be away from the world) since the onset of the pandemic. Although many parts of the state and the world around us have now begun to reopen, there are still many people who are continuing to use videoconferencing platforms like Zoom to stay connected, particularly for work-related activities.

By now, we've all become intimately familiar with the experience of Zoom fatigue—the sense of physical, cognitive, and/or emotional exhaustion that comes from spending so much of our time residing within the four walls of our individual online Zoom boxes, while having had to spend over a year within the four walls of our homes. Our Zoom boxes are an apt metaphor for how we've been making our way through the pandemic collectively—neatly tucked away, separated from one another, but doing our best to create some semblance of being together, “connected but disconnected,” in the words of Dr. Steven Hickman, author of “Zoom Exhaustion is Real: Here Are Six Ways to Find Balance and Stay Connected,” which can be found in *Mindful Magazine*.

In this article, Dr. Hickman offers the following strategies to help manage Zoom fatigue:

1. **Take a few moments before clicking “Start” to settle and ground your attention.**
2. **Take the time to truly greet whoever is in the room with your full attention**—offer your attention to each face that appears (if the group is not too big).
3. **Choose “speaker view”** in order to focus your full attention on one person instead of the difficulty trying to take in 24 faces on “gallery view.”
4. **Resist the urge to multitask.**
5. **Try to take measured breaks between sessions.**
6. **And finally, remind yourself periodically that this is a new place** between presence and absence that we will have to learn how to accommodate as we go forward into the uncertain future.

These tips can be incredibly helpful in allowing ourselves to be fully present while on Zoom or another virtual meeting platform without being pulled into the narrative of how challenging it can sometimes be.

In reading this article by Dr. Hickman, I learned that he is the executive director of the Center for Mindful Self-Compassion, which allowed me to reflect on the good fortune I had to complete an eight-week course in Mindful Self-Compassion in May and June. The course was offered via Zoom, which allowed participants to join in together from all around the world (which is one of Zoom's definite benefits). One of my favorite practices I learned during this course was “Giving and Receiving Compassion,” which involves the act of breathing in kindness and compassion for yourself, and then “layering kindness and compassion” onto the breath as we extend it out to others. While the entire practice can be found in “Teaching the Mindful Self-Compassion Program: A Guide for Professionals” (Germer and Neff, 2019), I am including a short excerpt from this practice below. Feel free to read it first, then read it again while engaging in the practice, making the practice long enough to access the felt sense of breathing kindness and compassion into the body, and long enough to recognize your sending it out as well. Pay attention to what you notice internally. Here's the excerpt:

“Now focusing again on the sensation of breathing both in and out, savoring the sensation of breathing in and out.”

“Beginning to breathe in for yourself and out for [another] person or persons: ‘In for me and out for you,’ and ‘One for me and one for you.’”

“And as you breathe, drawing kindness and compassion in for yourself, and sending something good out to another.”



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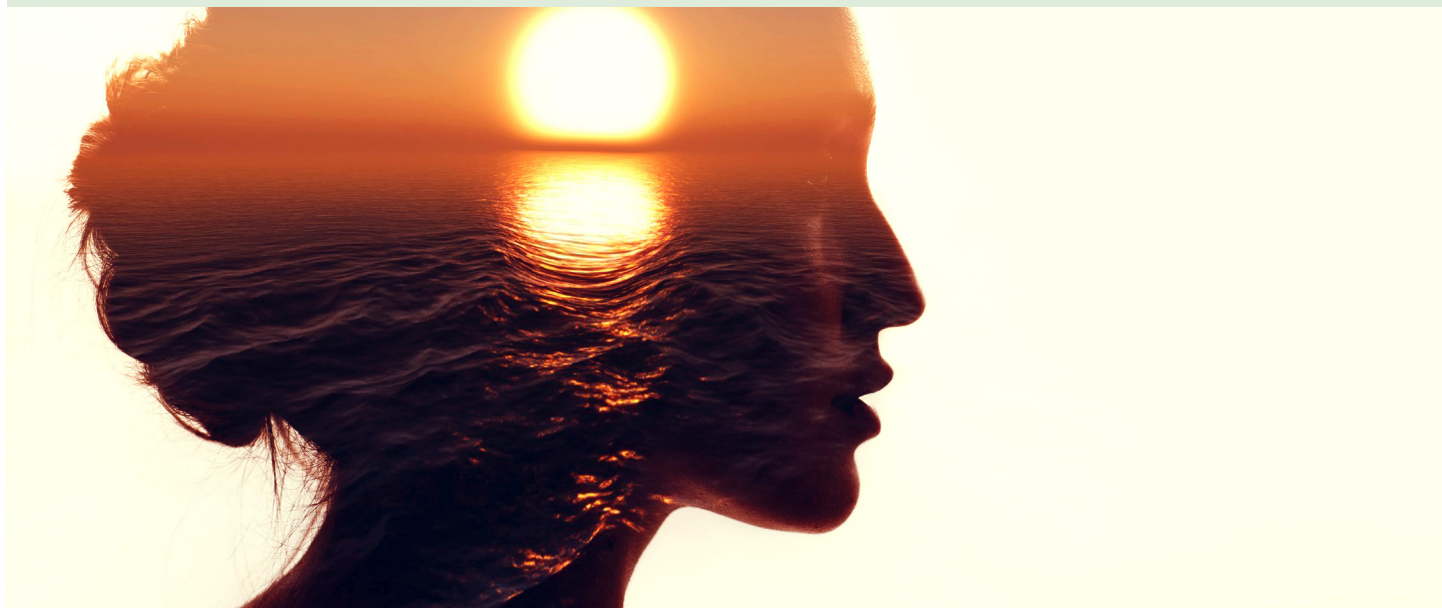
“Feel free to adjust the balance between breathing in and out—‘Two for me and one for you,’ or ‘One for me and three for you’—or just let it be an equal flow, whatever feels right to you at this moment.”

I’ve been astounded by how heart-opening this exercise has been, as it has allowed my sense of compassion—both for myself and others—to expand, extending my ability to offer a silent wish for ease and wellbeing to those near me, as well as those who are far away. With continued practice, it is enabling me to strengthen the love I have for those close to me, offer friendliness to those who are more neutral in my life, and has even engendered some feelings of tenderness toward those that are more difficult. It has deepened my connection both to myself and has helped me become more attuned to the concept of our shared humanity, regardless of our many differences. Lastly, it has made me profoundly aware of the idea that we all have suffered in some way, particularly during the pandemic, and that compassion can be a beautiful antidote we can offer ourselves during moments of distress.

So, what does this have to do with Zoom fatigue? Well, since having learned this practice, I have begun using this Giving and Receiving Compassion practice

during my Zoom calls, breathing in compassion for myself, while also breathing for others who are also on the call. The chances are that the other people on the call are just as weary from Zoom fatigue as I might be and could benefit from the energy of care that I am silently directing toward them. “One for me and one for you” is such a settling, grounding practice that you can use at any time for yourself, while also sending compassion outward, in all directions, which then indirectly benefits others. It’s also a helpful strategy for redirecting and recharging our energy during Zoom calls, rather than being drained and becoming depleted of our internal resources.

The next time you find yourself on a virtual call, consider practicing these strategies shared by Dr. Hickman, holding it all with the warmth of kindness and compassion. Remind yourself of the “One for me and one for you” practice, and offer this same empathic wish to another person while on the call. Perhaps it may stay with you, and you’ll decide to breathe for other people you encounter in your real life as well. My hope is that these practices will smooth out the hard edges of fatigue, while offering you a soft place for you and your awareness to land. Wishing you peace, ease, and rest in the days and weeks ahead.





Explanation of Disciplinary Language and Actions

Gross negligence: An extreme departure from the standard of care.

Incompetence: Lack of knowledge or skills in discharging professional obligations.

Public letter of reproof: Formal discipline that consists of a reprimand of a licensee that is a matter of public record for conduct in violation of the law.

Accusation: A formal, written statement of charges.

Stipulated settlement of decision: The case is formally negotiated and settled prior to hearing.

Surrender: To resolve a disciplinary action, the licensee has given up his or her license, subject to acceptance by the Board of Psychology.

Suspension from practice: The licensee is prohibited from practicing or offering to provide psychological services during the term of suspension.

Revoked: The right to practice has ended due to disciplinary action.

Revocation stayed, probation with terms and conditions: “Stayed” means the revocation is postponed. Professional practice may continue so long as the licensee complies with specific probationary terms and conditions. Violation of any term of probation may result in the revocation that was postponed.

Administrative Citations:

April 1–June 30, 2021

Bryna Susan Siegel

Unlicensed, San Francisco

On May 14, 2021, the Board issued a citation containing an order of abatement and fine in the amount of \$5,000 to Bryna Susan Siegel for engaging in the unlicensed practice of psychology by conducting psychological assessments and making medical diagnoses when she signed reports that looked as if she was in fact a clinician who conducted the assessments.

Disciplinary Actions:

April 1–June 30, 2021

REVOCATION

Peter Barry Karzmark, Ph.D.

Psychologist License No. PSY 8551, San Jose

The Board revoked Dr. Karzmark’s license after a default decision was entered following the filing of a First Amended Accusation that alleged he engaged in unprofessional conduct and was grossly negligent when he failed to use more contemporary tests in order to assess intellectual functioning; failed to utilize baseline testing, or tests to estimate premorbid functioning; failed to maintain records; failed to properly assess and interpret the evidence and tests in line with the standard of care; and failed to consider collateral or first-hand information

regarding daily functioning. The default decision and order took effect April 14, 2021, after Dr. Karzmark failed to file a notice of defense.

SURRENDER

Molly O’Griffin, Psy.D.

Psychologist License No. PSY 22791, Novato

Dr. O’Griffin stipulated to the surrender of her license after the Board filed a Petition to Revoke Probation that alleged she failed to comply with the conditions of her probation requiring that she abstain from drugs and alcohol and submit to tests and samples. The decision and order took effect April 16, 2021.

Sarah Neustadter, Ph.D.

Psychologist License No. PSY 25470, Venice

Dr. Neustadter stipulated to the surrender of her license after the Board filed an Accusation that alleged she engaged in unprofessional conduct when she had sexual relations with a former patient. The surrender took effect June 7, 2021.

Joseph D. Muto, Psy.D.

Psychologist License No. PSY 25331, Washington, D.C.

Dr. Muto stipulated to the surrender of his license after the Board filed a Petition to Revoke Probation that alleged he failed to comply with the conditions of his probation requiring that he abstain from drugs and alcohol and submit to tests and samples. The surrender took effect May 11, 2021.

Belinda Jo Lopes, Ph.D.

Psychologist License No. PSY 17849, Walnut Creek

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Dr. Lopes stipulated to the surrender of her license after the Board filed a First Amended Accusation that alleged she engaged in unprofessional conduct and was grossly negligent when she failed to consider additional data points before presenting her report, did not appear to have met the educational requirements to qualify as a child custody evaluator or the mandatory yearly requirements to maintain that status; did not control for bias; failed to clarify the treatment relationships of the patients and failed to address concerns regarding conflicts; failed to maintain patient confidentiality; failed to provide the appropriate client termination or transfer of care; failed to avoid a conflict of interest; and failed to avoid harm to her patients. The decision and order took effect June 20, 2021.

PROBATION

Julie A. Davis, Psy.D.

Psychologist License No. PSY 24689, Laguna Niguel

Dr. Davis stipulated to placing her license on probation for three years, and is subject to its revocation if she fails to comply with the terms and conditions of probation, after the Board filed an Accusation that alleged she engaged in unprofessional conduct and committed gross negligence when she failed to report suspicions of child abuse or neglect; threatened to file a report with Child Protective Services unless a patient complied with various demands; made a custody recommendation without having been asked to do so by the court, and without evaluating both parents; and functioned outside her particular field of competence. The order took effect April 9, 2021.

Christy Fiber Sigmon, Psy.D.

Psychologist License No. PSY 20740, Davis

The Board placed Dr. Fiber Sigmon's license on probation for five years, and is subject to its revocation if she fails to comply with the terms and conditions of probation, after the Board filed an Accusation that alleged she engaged in dishonest, corrupt, and fraudulent acts; violated the rules or ethical code of the profession, or conduct that is unbecoming to a member in good standing of the profession, and that demonstrates an unfitness to practice the profession; knowingly engaged in activity in which temporary or more enduring

personal problems in her personality integration resulted in inferior professional services or harm to a patient or client; and violated the standards of ethical conduct relating to the practice of psychology. The decision and order took effect April 21, 2021.

Morella Bombardini, Psy.D.

Psychologist License No. PSY 24339, Annapolis, MD

The Board placed Dr. Bombardini's license on probation for five years, and is subject to its revocation if she fails to comply with the terms and conditions of probation, after the Board filed an Accusation that alleged she was convicted of a crime substantially related to the qualifications, duties, and functions of a licensed psychologist. The decision and order took effect April 23, 2021.

Kelly Lyttle Tonelli, Psy.D.

Psychologist License No. PSY 19248, Irvine

Dr. Tonelli stipulated to placing her license on probation for three years, and is subject to its revocation if she fails to comply with the terms and conditions of probation, after the Board filed an Accusation that alleged she committed unprofessional conduct and gross negligence when she took on a minor patient whose mother she was already treating, and refused to transmit the minor patient's records to her father upon written request. The decision and order took effect June 10, 2021.

Regulatory Update

Below are the Board's pending regulatory changes and their status in the formal rulemaking process.

Title 16, California Code of Regulations (CCR) Sections 1391.1, 1391.2, 1391.5, 1391.6, 1391.8, 1391.10, 1391.11, 1391.12, 1392.1—Psychological Assistants

Status: Initial departmental review.

This phase includes reviews by the Department of Consumer Affairs, and Business, Consumer Services and Housing Agency before formal Notice of Public Hearing with the Office of Administrative Law (OAL).

This regulatory package does the following:

Conforms the CCR to statutory changes made in Senate Bill 1193 (Hill, Chapter 484, Statutes of 2016),

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which requires psychological assistants to obtain a single registration with the Board, to be renewed annually. This registration will be independent from their supervisor(s) or employer(s) but does not remove the requirement that psychological assistants practice only under supervision. Additionally, the proposed regulatory language is to avoid duplication as to who pays the psychological assistant registration fee, as this is already specified in statute.

Title 16, CCR Sections 1381.9, 1397.60, 1397.61, 1397.62, 1397.67—Continuing Professional Development

Status: Preparation of final documentation.

This package was delivered to OAL on 9/22/2020 and was in the Notice Register published on 10/2/2020. The language was subsequently modified and put out for an additional 15-day comment period. The Board reviewed those comments at its February meeting and approved the language.

This regulatory package does the following:

Changes the continuing education guidelines and requirements that must be completed by licensed psychologists from the continuing education (CE) model to the broader continuing professional development (CPD) model.

Title 16, CCR Sections 1381.9, 1381.10, 1392—Retired License, Renewal of Expired License, Psychologist Fees

Status: Initial departmental review.

This phase includes reviews by the Department of Consumer Affairs and Business, Consumer Services and Housing Agency before formal Notice of Public Hearing with OAL.

This regulatory package does the following:

Adopts section 1381.10 in Division 13.1 in the Board's regulations and be titled "Retired Status." This proposal would allow a licensee to apply to have their license placed in retired status.

Addition to Title 16, CCR Section 1392—Psychologist Fees—California Psychology Law and Ethics Exam (CPLEE) and Initial License and Biennial Renewal Fee for Psychologists

Status: Preparing regulatory package.

This phase includes preparation of the regulatory package and collaborative reviews by the Board, its staff, and legal counsel.

This regulatory package does the following:

Raises the fees for the CPLEE to cover the Board's costs to create and administer the exam.

Title 16, CCR Section 1395.2—Disciplinary Guidelines and Uniform Standards Related to Substance-Abusing Licensees

Status: Preparing regulatory package.

This phase includes preparation of the regulatory package and collaborative reviews by Board staff and legal counsel.

This regulatory package does the following:

It makes substantive changes to the Board's disciplinary guidelines including conforming changes pursuant to Assembly Bill 2138, conviction and substantial relationship criteria, and uniform standards for substance abusing licensees.

Regulation Advisory

Title 16, CCR Section 1396.8—Standards of Practice for Telehealth

Status: Filed with the Secretary of State's Office and became effective August 10, 2021.

Purpose: California Code of Regulations, Title 16, Section 1396.8 relating to standards of practice for telehealth services was added effective August 10, 2021.

History: In 2011, as part of the Board's sunset review, the Legislature asked the Board if legislative or regulatory changes needed to be made to address telehealth or online practice. In its report back to the Legislature, the Board stated it was researching and analyzing the use of telehealth as a mode for the practice of psychology and what impact this newer mode of psychotherapy delivery will have on the consumer of psychological services. In 2016, as part of its next sunset review, the Board committed to developing telepsychology regulations that would instruct licensees how to

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provide telehealth to Californians, and give additional opportunities to provide care to underserved populations. In its efforts to meet its commitment, the Board established the ad hoc Telepsychology Committee. The Committee considered the American Psychological Association Guidelines for the Practice of Telepsychology and the Association of State and Provincial Psychology Board Telepsychology Task Force Principles and Standards when developing draft regulatory language.

Summary of Changes: The regulation governs three types of telehealth transactions:

1. A California licensee providing telehealth services to clients located in California.
2. A California licensee providing telehealth services to clients who have received services in California but who are temporarily located out-of-state, subject to the laws of the other jurisdiction.
3. A California licensee located out-of-state providing services to clients in California.

The language clarifies that licensees may provide services as noted above, subject to the laws and regulations of the other jurisdiction because the Board cannot dictate that it is allowable for either the licensee or client to deliver and receive services in that other jurisdiction, even though such services would not violate California's laws and regulations, provided all other conditions are met.

This regulation also establishes the conditions under which the provision of psychological health care services via telehealth must be provided. This proposal requires that licensees hold a valid and current license issued by the Board to provide psychological health care services via telehealth. It also requires that licensees obtain informed consent from the client specific to the considerations unique to the receipt of such services via telehealth. Additionally, it requires that licensees are competent to deliver such services, determine that the delivery of services via telehealth is appropriate for each client, take reasonable steps to ensure that electronic data is transmitted securely, and comply with all other provisions of the Psychology Licensing Law and its attendant regulations.

Business and Professions Code section 2290.5 requires a licensee to obtain a patient's informed consent to use telehealth, including the risks to confidentiality and data security, potential for connection disruption, insurance issues, and other ways in which telehealth differs from in-person health care services. This is necessary to advance consumer protection because the informed consent must address the uniqueness of receiving telehealth services, making for a more educated consumer who is more able to determine whether receipt of services in this manner is right for the client.

Additionally, the licensee is likewise required to evaluate whether services can be appropriately provided to a client, taking into account the client's needs, preferences, risks/benefits, and physical location and circumstances. This is necessary to advance consumer protection because the licensee must consider whether the individual client's needs and safety will be met by telehealth. The regulation further requires that the provision of telehealth be within the licensee's (or trainee's) own competence, including the information technology chosen for the delivery of telehealth, before engaging in telehealth services. Consumer protection requires that the licensee be competent to provide services through telehealth because of the different nature of this modality, which also requires familiarity with the available platforms and their appropriate use. This is necessary because confidentiality of data, HIPAA compliance, and client privacy are bedrock ethical and legal concerns of the practice of psychology.

Lastly, it would require the licensee to comply with all provisions of the Psychology Licensing Law and attendant regulations, as well as any laws or standards of care in California and any other jurisdiction state, if any, where either the licensee or the client is located. This is necessary to inform licensees that providing services via telehealth does not release them from their other legal and ethical responsibilities in their practice of psychology. Telepsychology is not a type of psychological service but a mode of delivery for the services provided, and subject to all the standards otherwise applicable to the services being rendered.

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Regulation text effective August 10, 2021:

§1396.8. Standards of Practice for Telehealth Services

(a) A licensee is permitted to provide psychological health care services via telehealth subject to the laws and regulations of the other jurisdiction where either the licensee and/or the client is located, including, but not limited to, the following circumstances:

(1) To a client at an originating site in this State, as defined in section 2290.5 of the Code, when a licensee is located at a distant site within this State.

(2) To a client who has received services in this State, and who is temporarily located outside of this State.

(3) To a client who is located in this State when a licensee is temporarily located outside of this State.

(b) As used in this section, a licensee shall include a licensee, registrant, psychology trainee, or other supervised individual permitted to provide psychological services under the Psychology Licensing Law, beginning with section 2900 of the Code.

(c) The provision of psychological health care services under subdivision (a) are subject to the following conditions:

(1) The licensee holds a valid and current license issued by the Board or is otherwise allowed to practice under this section.

(2) The licensee obtains and documents informed consent for the provision of psychological health care services via telehealth from the client. Such consent shall cover concerns unique to the receipt of psychological health care services via telehealth, including risks to confidentiality and security, data storage policies and procedures specific to telehealth, the possibility of disruption and/or interruption of service due to technological failure, insurance coverage considerations, and other issues that the licensee can reasonably anticipate regarding the non-comparability between psychological health care services delivered in person and those delivered via telehealth.

(3) The licensee determines that delivery of psychological health care services via telehealth is appropriate after considering at least the following factors:

(A) The client's diagnosis, symptoms, and medical/psychological history;

(B) The client's preference for receiving psychological health care services via telehealth;

(C) The nature of the psychological health care services to be provided, including anticipated benefits, risks, and constraints resulting from their delivery via telehealth;

(D) The benefits, risks, or constraints posed by the client's physical location.

These include the availability of appropriate physical space for the receipt of psychological health care services via telehealth, accessibility of local emergency psychological health care services, and other considerations related to the client's diagnosis, symptoms, or condition.

(E) The provision of telehealth services is within the scope of competency of a psychology trainee, or other supervised individuals as specified in (b) above, who provides psychological health care services under the supervision of the licensee.

(4) The licensee is competent to deliver such services based upon whether the licensee possesses the appropriate knowledge, skills, and abilities relating to delivery of psychological health care services via telehealth, the information technology chosen for the delivery of telehealth services, and how such services might differ from those delivered in person.

(5) The licensee takes reasonable steps to ensure that electronic data is transmitted securely, and informs the client immediately of any known data breach or unauthorized dissemination of data.

(6) The licensee complies with all other provisions of the Psychology Licensing Law and its attendant regulations, and all other applicable provisions of law and standards of care in this State and the other jurisdiction, if any, where either the licensee or the client is located.

Authority: Section 2930, Business and Professions Code

Reference: Sections 686, 2290.5, 2904.5, 2960, and 2960.6, Business and Professions Code

Legislative Update

For up to date bill status information, visit our website at www.psychology.ca.gov/laws_regs/legislation.shtml.

SPONSORED LEGISLATION

SB 401 (Pan)—Psychology: unprofessional conduct: disciplinary action: sexual acts

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This bill would add sexual behavior (inappropriate actions and communications of a sexual nature for the purpose of sexual arousal, gratification, exploitation, or abuse) with a client or former client to the list of what is considered unprofessional conduct that would give the ALJ the statutory authority in a proposed decision to include an order of revocation.

The bill would also add clear definitions to the following sexual acts: sexual abuse, sexual behavior, sexual contact, and sexual misconduct. Note: this would not change or diminish the Board's adjudicatory discretion as to the final discipline.

This bill is a two-year bill and will resume the legislative process in 2022.

ACTIVE BOARD POSITION

AB 32 (AQUIAR, CURRY)—Telehealth

This bill would require the State Department of Health Care Services to indefinitely continue the telehealth flexibilities in place during the COVID-19 pandemic state of emergency. The telehealth flexibilities implemented during the COVID-19 pandemic have increased access to care and we applaud these efforts.

Board Position: Support

To view the text of the bill, click here: [Bill Text - AB-32 Telehealth. \(ca.gov\)](#)

AB 107 (SALAS)—Licensure: veterans and military spouses

This bill would expand the requirement in Business and Professions Code (BPC) section 115.6, relating to the issuance of temporary licenses for individuals married to, or in a domestic partnership or other legal union with, an active-duty member of the armed forces who is assigned to a duty station in this state under official active-duty military orders, to include among others, the Board.

The bill would exempt from these provisions a board that has a process in place by which an out-of-state licensed applicant in good standing who is married to, or in a domestic partnership or other legal union with, an active-duty member of the armed forces who is able to receive expedited, temporary authorization to practice while meeting state-specific requirements for a period of at least one year.

Requested amendments were made to this bill and thus the Board has taken a support position on this bill.

Board Position: Support

To view the text of the bill, click here: [Bill Text - AB-107 Licensure: veterans and military spouses. \(ca.gov\)](#)

SB 731 (DURAZO)—Criminal records: relief

This bill would, among other things, amend section 11105 of the Penal Code which would prohibit the Board from receiving conviction information for applicants to the Board if their conviction was granted relief pursuant to sections 1203.4, 1203.4(a), 1203.41, 1203.42, or 1203.49 of the Penal Code, so long as a period of two years has elapsed since the date the relief was granted and the applicant was not convicted of a new criminal offense.

Board Position: Oppose

To view the text of the bill, click here: [Bill Text - SB-731 Criminal records: relief. \(ca.gov\)](#)

SB 772 (OCHOA, BOGH)—Professions and vocations: citations: minor violations

This bill would prohibit the assessment of an administrative fine for a minor violation and would specify that a violation be considered minor if it meets specified conditions, including that the violation did not pose a serious health or safety threat and there is no evidence that the violation was willful.

Board Position: Oppose unless amended

This is a two-year bill.

To view the text of the bill, click here: [Bill Text - SB-772 Professions and vocations: citations: minor violations.](#)

SB 801 (ARCHULETA)—Healing arts: Board of Behavioral Sciences: Board of Psychology: licensees

Board Position: Support

This bill incorporates requested amendments made by the Board and extends the sunset date for the Board to January 1, 2026.

To view the text of the bill, click here: [Bill Text - SB-801 Healing arts: Board of Behavioral Sciences: Board of Psychology: licensees. \(ca.gov\)](#)

Board Members

Seyron Foo (President)
 Lea Tate, Psy.D. (Vice President)
 Sheryll Casuga, Psy.D.
 Marisela Cervantes, Ed.D.
 Julie Nystrom
 Stephen Phillips, J.D., Psy.D.
 Ana Rescate
 Shacunda Rodgers, Ph.D.
 Mary Harb Sheets, Ph.D.

2021 Meeting Calendar

BOARD

August 27	Webex
November 18-19	Sacramento

OUTREACH AND COMMUNICATIONS COMMITTEE

September 23	Webex
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EPPP PART 2 ADHOC COMMITTEE

October 22	Webex
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