

# Journal

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

## IN THIS ISSUE:

President's Message .....	1
Cultivate: A Practice of Growing Your Garden .....	2
Loan Repayment and Scholarship Programs from HCAI .....	4
Health Professions Education Foundation Recipient Profile .....	5
Board of Psychology Expert Reviewer Program .....	6
News You Can Use from the Association of State and Provincial Psychology Boards .....	7
Understanding the Audit Process in Post-Continuing Professional Development Times .....	8
Disciplinary Actions .....	11
Legislative Update .....	12
Regulatory Update .....	13
Board Members .....	16
2023 Meeting Calendar .....	16

## President's Message



*Lea Tate, Psy.D., President, Board of Psychology*

Hello, colleagues!

I can't believe 2023 is going by so quickly.

I hope that everyone has reviewed the new continuing professional development (CPD) requirements. The Board hosted two webinars to address questions and concerns. We have listed our FAQs on the [website](#). The Board will host another webinar in early 2024 to address additional questions about CPD implementation and documenting hours. Please keep the questions coming about the new CPD requirements! We are happy to answer them.

The Board of Psychology Strategic Planning Meeting will occur this December. We are looking forward to this special meeting that only occurs every five years. It is an opportunity to highlight what the Board has accomplished during the past five years and what we need to focus on for the next five years. It gives us a special occasion to see if we accomplished our last strategic plan goals and create new objectives while continuing to honor the mission of the Board. In anticipation of this new plan, you might hear from Board staff who will be soliciting information to help us identify our strengths, weaknesses, opportunities, and regulatory threats. Your feedback is essential to our work in the years to come.

Before I sign off, I wanted to share that Ana Rescate and I were reappointed to the Board of Psychology on May 26, 2023. Ms. Rescate and I are honored to continue serving the Board. Our terms expire June 1, 2026, so you will see us for a few more years.

As our schedules continue to get more impacted, please take time to appreciate your family, friends, and loved ones!

Warm regards,

Lea Tate

[www.psychology.ca.gov](http://www.psychology.ca.gov)



[www.facebook.com/BoardofPsychology](https://www.facebook.com/BoardofPsychology)



[twitter.com/BDofPsychology](https://twitter.com/BDofPsychology)  
Twitter handle: @BDofPsychology



To verify a license: [www.breeze.ca.gov](http://www.breeze.ca.gov)

To update address of record or email address: [www.breeze.ca.gov](http://www.breeze.ca.gov)

Contact us: [bopmail@dca.ca.gov](mailto:bopmail@dca.ca.gov)

Sign up for our email list:  
[www.psychology.ca.gov](http://www.psychology.ca.gov)





## Cultivate: A Practice of Growing Your Garden

By Shacunda Rodgers, Ph.D., Vice President, Board of Psychology



In addition to my work as a psychologist in private practice, I am the founder and executive director of a small start-up nonprofit. Having received 501(c)(3) status in April 2020—just after the emergency stay-at-home orders were implemented due to the pandemic—there was literally nothing we could offer in

the way of service delivery, especially being so new to the community. After several years of working behind the scenes, we were able to launch in the community in April 2023 and are excited to see how things unfold from here.

During this time of behind-the-scenes work, at the start of this year, I had the good fortune to participate in a five-month inaugural program for Black, Indigenous, and people of color (BIPOC) nonprofit leaders, entitled “Cultivate.” The Cultivate program was designed to address the nationwide fundraising disparities reflecting that fundraisers and organizations led by people of color tend to raise less and receive less funding than our white counterparts. As a result of these trends, the Sacramento Region Community Foundation partnered with a nonprofit fundraising expert, Marisa DeSalles, to push back against these national trends.

DeSalles, who has a love for gardening, says, “Gardening is a lot like fundraising. Even with consistent efforts, your results are never guaranteed. But with the right

inputs and careful work, and a little luck, you can reap a harvest that sustains your mission.” And, with this, the Cultivate program was born, a beautiful program that held our cohort of 27 BIPOC leaders. Cultivate became the safe space where we could explore the challenges of fundraising, where we could learn from one another, share resources, brainstorm together, network with one another, provide each other with support, ask all the questions we might be afraid to ask in larger spaces, and absorb wisdom from our expert founder and facilitator, Marisa DeSalles. This five-month period allowed us to grapple with the inequities in fundraising while also learning strategies for how we could do our parts to close this gap in the Sacramento area. Not only was the experience informational, but it was also truly life-giving.

I have been thinking a lot about the word cultivate during my time participating in the program, and, of course, from a mindfulness and meditation perspective. After all, the practices of mindfulness and meditation are about cultivating the capacity to be with what is in the present moment, not how we wish it were, and to do so with the qualities of nonjudgment and compassion. Also, like gardening, mindfulness is about practicing with consistency and repetition. Just as one has to tend to their garden regularly to ensure its viability, we must also tend to the gardens of our minds and hearts with regularity and care, uprooting any metaphorical weeds that may be hindering our growth.

(continued on page 3)





(continued from page 2)

If you pause for a moment and imagine the practice of cultivating a garden in your own heart and mind, what would you say is growing there? Is it lush and abundant, enough to sustain you and/or others, needing a bit more support, or barely hanging on? Can you be with the answer without judging it as good or bad? What's the quality of the soil? What are the thoughts and emotions you are using to water your garden? What has taken root there? What's flourishing and thriving? What is overgrown, like kudzu, and needs trimming back? Conversely, what has wilted and died, but still takes up space? What is it that no longer serves you? Are you willing to roll up your sleeves and do the work of tending to your interior garden with gentle care?

Another element of gardening and cultivating is the recognition and appreciation of interconnectedness. In "The True Nature of a Flower," meditation teacher Valerie Brown says:

*"From the pandemic, we've learned in a new and deeper way the truth of interconnectedness. What happens to me affects you, and what happens to you affects me.... Interconnectedness can be seen in a garden. A flower doesn't grow in isolation. It's permeated by nonflower elements, such as sunlight, soil, water, and air. It cannot exist without these nonflower elements.... When you really look at a flower, you begin to see this interconnectedness of the roots stabilizing the soil, the nectar providing food for butterflies and insects, and seed heads offering nourishment for birds."*

What are the roots that are keeping you grounded these days? Do you have practices that keep you anchored to the Earth beneath you? The garden—and nature, more broadly—can be a beautiful metaphor for life, and an invitation to return to the practice of mindfulness. As the flower is sustained by nonflower elements, it is important for us to look at what provides sustenance for us, examining the extent to which these elements support our well-being and highest good. If not, how might we shift in order to take in the proper nutrients (real and metaphorical) to be our healthiest, both physically and emotionally? As psychologists, we are often pouring into other people to ensure their optimal functioning, so it is important to make sure that our own gardens are abundant enough to offer something to others while still having enough to sustain ourselves.

Speaking of sustenance, what is the specific kind of nourishment (for yourself and/or others) that your garden provides? Often, I find myself trying to cultivate patience, kindness, compassion, and joy, with the hopes that these qualities will be received by all those whom I encounter. It feels like an antidote to the constant stream of chaos and disruption we often face in the world around us.

Reflecting on cultivation and gardening has truly reminded me of how interconnected we all are, that none of us is separate, although that's what the world would have us believe. Just as a garden has a variety of plants, flowers, shrubs, fruits, vegetables, and herbs, they all come together to create something beautiful to behold, each glorious in its own right, but far more magnificent when taken in together. As this relates to my Cultivate program, it offered many things, including connection, cohesion, and community. It offered a sense of belonging where I could flourish and grow. Where are your gardens of community and interconnectedness? What spaces contribute to your sense of belonging to something bigger and greater than yourself?

In closing, I'll share a passage from Cheryl Wilfong, author of *The Meditative Gardener: Cultivating Mindfulness of Body, Feelings, and Mind*. She says:

*"The garden is an excellent sanctuary in which to wake up from the delusion we all live in. We cultivate the conditions for awakening simply by stepping into the backyard and whatever garden we may have there. Finding the energy to garden or to meditate, we concentrate on the task at hand, even if we're just sitting on a garden bench. We immerse ourselves in the joy the garden brings us. Mindful of body, feelings, mind, and nature, we walk step-by-step toward the joyful, calm, and kind mind that feels at home in the garden and the world."*

May the practice of cultivation, in whatever form it takes, be of continuous benefit for your own mind and heart, and may it also provide nourishment, sustenance, and beauty for others.

Until next time, dear colleagues, be well.





## Loan Repayment and Scholarship Programs from HCAI

*Michael Andrijich, MPA, Program Manager, Office of Health Workforce Development,  
Department of Health Care Access and Information (HCAI)*

The Department of Health Care Access and Information (HCAI) administers programs that improve access to health care in underserved areas of California. The programs support students and graduates with scholarships, loan repayment, and educational training programs that show a commitment to increasing the number of health care providers serving the underserved. The scholarship and loan repayment awards are issued to students and professionals in return for a one-, two-, or three-year service commitment to work in underserved communities throughout California.

Here are funding opportunities offered by HCAI for professionals already working as a psychologist and/or students enrolled in an eligible program that will lead to a profession as a psychologist:

### LOAN REPAYMENT PROGRAMS

#### Allied Healthcare Loan Repayment Program (AHLRP)

- Eligible applicants may receive loan repayments of up to \$16,000 in exchange for a 12-month service obligation practicing and providing direct patient care at one of the County Medical Services Program (CMSP)-contracted provider sites in any of the 35 CMSP-designated counties. AHLRP applicants must be currently licensed/certified and practicing in an eligible discipline, which includes psychologists.
- Application cycle opened May 8, 2023 and closed July 31, 2023 at 3 p.m.

#### Licensed Mental Health Services Provider Education Program (LMHSPEP)

- Eligible applicants may receive loan repayments of up to \$30,000 in exchange for a 24-month service obligation practicing and providing direct

client care in a qualified facility. Licensed mental health applicants must be currently licensed and/or certified in an eligible discipline, which includes both licensed and waived psychologists.

- Application cycle opened May 1, 2023 and closed July 31, 2023 at 3 p.m.

#### State Loan Repayment Program (SLRP)

- The State Loan Repayment Program (SLRP) provides loan repayment assistance to health care professionals who provide health care services in federally designated California Health Professional Shortage Areas (HPSA). Eligible applicants may receive up to \$50,000 in exchange for a two-year full-time service obligation, and \$25,000 for a two-year half-time service obligation. Eligible disciplines include health service psychologist.
- Application cycle opened July 17, 2023 at 3 p.m. and will close September 15, 2023 at 3 p.m.

### SCHOLARSHIP PROGRAMS

#### Behavioral Health Scholarship Program (BHSP)

- BHSP provides scholarships to behavioral health students seeking education or training to become behavioral health practitioners through a certificate associate, bachelor, master, and/or doctoral degree program in exchange for a 12-month service obligation and providing direct patient care in an underserved community, eligible applicants may receive up to \$25,000. Eligible disciplines include licensed clinical psychologists and assistant psychologists.
- Application cycle opened May 15, 2023 and closed August 15, 2023 at 3 p.m.

(continued on page 5)



(CONTINUED FROM PAGE 4)

### **Golden State Social Opportunities Program (GSSOP)**

- GSSOP aims to increase the number of licensed behavioral health professionals providing direct care in California. This scholarship gives priority to those who have experienced foster care and/or homelessness, as well as Community-Based Organization employees. In exchange for a 24-month service obligation practicing and

providing direct patient care in a community-based organization, eligible applicants may receive up to \$25,000 per year for a total of up to \$50,000. Eligible disciplines include licensed clinical psychology (Ph.D. or Psy.D.).

- Application cycle opened May 15, 2023 and closed August 15, 2023 at 3 p.m.

For more information, including upcoming application cycles for these programs, visit <https://hcai.ca.gov>.

## **Health Professions Education Foundation Recipient Profile**



My name is Vanessa C. Perez, Ph.D. I am a first-generation, Mexican American, bilingual clinical psychologist working as a provider of services as well as the clinical director of behavioral health for Health Service Alliance (HSA)—a Federally Qualified Health Center

look-alike—in San Bernardino County. I was awarded \$30,000 in loan repayment in 2023, as well as \$15,000 in 2020 from the Licensed Mental Health Services Provider Education Program operated under the Department of Health Care Access and Information.

While I have always had a passion for helping others, I have flourished in the field of psychology and have found my calling working in health care. My current position allows me to work with patients struggling in the crosswalk between the medical and mental health issues, as they struggle with and how those issues intersect and compound one another. I was involved in a car accident at 19 years old that caused a spinal cord injury and left me wheelchair bound. It was that experience and the resulting recovery journey that motivated me to pursue this career. Currently, I provide therapeutic services to patients

at the HSA's community clinic as well as at Robert H. Ballard Rehabilitation Hospital, an intensive inpatient facility that treats patients with recent injuries and illness requiring the interventions of occupational, physical, and speech therapists in order to recover. I have heard over and over from the patients who I work with that working with a psychologist who truly understands what it like to have gone through a recovery journey similar to their own makes it that much easier to process, that much easier to focus, that much easier to self-motivate, and that much easier to self-regulate while they recover.

Given that I am the first in my family to complete a higher education, I have had to move through the educational system on my own. However, it has always been important to me to serve communities similar to those that I grew up in, which—while meaningful and purposeful—does make it more difficult to pay off the debt I have incurred along the way. This award has allowed me to serve the populations that I love working with, the Spanish-speaking, the underprivileged, and underserved, while still reducing my own debts and achieving my own goals. I am truly appreciative of the assistance and support provided by the Licensed Mental Health Services Provider Education Program.



## Board of Psychology Expert Reviewer Program

Do you have an interest in serving your profession as one of the Board of Psychology's subject matter experts? Would you enjoy reviewing case materials and providing your written opinion?

The Board's Enforcement Program is actively seeking qualified psychologists to join as expert reviewers. Remuneration for this role ranges from \$150 to \$200 per hour, along with reimbursement for expenses incurred during the services provided. Moreover, participating as an expert for the Enforcement Program grants you the opportunity to earn up to 12 hours of continuing professional development (CPD) credit. For more information regarding CPD credit, please visit the Board's website.

Applications are being accepted from psychologists with expertise in all fields of practice; however, we have immediate need for those with expertise in these fields:

- Child custody.
- Disability/insurance evaluations.
- Veteran Affairs evaluations.
- Forensic.
- Neuropsychological evaluations.
- Psychological evaluations.
- Supervised professional experience.
- Workers' compensation evaluations.

If you are interested in applying, you must meet the following requirements:

- Possess a current California psychology license in good standing.
- Have an active practice, defined as at least 80 hours per month in direct patient care, clinical activity, psychometric testing, supervision, and/or teaching.

- Have three or more years of experience and expertise in specific areas of practice.
- Have no prior or current charges or disciplinary actions related to any healing arts license, registration, certificate, or credential to practice psychology or any other profession or occupation in any state in the United States or foreign country.
- Have no criminal convictions substantially related to the practice of psychology, including any that were expunged or dismissed.

If you meet the requirements and are interested in becoming an expert reviewer, please send the following documentation to the Board at the address below:

- A cover letter describing your current practice, work setting, forensic experience, and why you are interested in serving as an expert reviewer.
- A completed Expert Reviewer Application, available on the Board's [website](#).
- A current curriculum vitae.

**Board of Psychology**  
Enforcement Program  
1625 North Market Blvd., Suite N-215  
Sacramento, CA 95834  
(916) 574-7720





## News You Can Use from the Association of State and Provincial Psychology Boards

### Potential Regulatory Implications of Licensing Masters (PRI-LM) Task Force

By Jacqueline Horn, Ph.D., ASPPB Director of Educational Affairs

As many readers may know, the American Psychological Association (APA) has decided to accredit master's programs in health service psychology. This decision comes at exactly the same time as many states are being asked by their legislatures to do what they can to meet the increasing demand for mental health services, especially as a result of the COVID-19 pandemic. Legislatures are also putting increasing pressure on licensing boards to lower standards for licensure so that more people can become licensed. The California Board of Psychology is not alone in licensing only doctoral-level psychologists—in fact, all but two states license psychologists at the doctoral level only. Seventeen states, however, license psychology practitioners at the master's level with various titles, scopes of practice, and requirements to be supervised.

The Association of State and Provincial Psychology Boards (ASPPB) was asked to develop guidelines that might help states considering psychology licensure at the master's level to develop regulations that would ensure public protection and that would differentiate master's licensees in psychology from other master's-level licensees.

In response to those requests, ASPPB developed the PRI-LM Task Force, which has been meeting for the past year to develop guidelines for states considering licensure at the master's level for people who have been trained in health service psychology programs and who plan to practice at the master's level. We've looked at necessary training, title, and scope of practice for master's-level licensees as we've considered how to address demands to increase the psychology workforce in the U.S.

The task force has almost completed its work and should be finished by the end of the year. The principles that have guided the task force have been to create a pathway for licensure for master's-level practitioners who have been trained in psychology programs, who will be competent to practice independently, and who are good consumers of research able to conduct both therapy and certain assessments because of that scientific underpinning in psychology. Once the task force has developed its recommendations and they have been approved, the guidelines will be made available to everyone.







## Understanding the Audit Process in Post-Continuing Professional Development Times

By Liezel McCockran, Continuing Education/Continuing Professional Development and Renewals Coordinator

Continuing professional development (CPD) plays a vital role in ensuring professionals stay updated and maintain their competence in their respective fields. In the field of psychology, California licensees are subject to random audits to verify their completion of the required 36 hours of traditional continuing education (CE) or CPD for renewal of their license. This article aims to provide information regarding audits of CE hours, including CPD and traditional CE options, and the audit process.

### Audit Process

California licensees may be randomly selected for a CE/CPD audit by the Board. The purpose of the audit is to ensure compliance with the California Code of Regulations sections [1397.61\(e\)](#) or [1397.61.1](#). Licensees selected for an audit are required to submit documentation verifying completion of 36 hours of CE/CPD for their renewal within 60 days via email to [BOPCE@dca.ca.gov](mailto:BOPCE@dca.ca.gov). Failure to submit the requested documentation on time may lead to penalties, such as citations, fines, or formal disciplinary actions.

The audit process is as follows:

1. When selected for a CE audit, you are notified with a letter mailed to your address of record. Pursuant to [California Code of Regulations section 1380.5](#), it is your legal obligation to maintain an up-to-date address and email. You may update your contact information online using BreEZe: [www.breeze.ca.gov](http://www.breeze.ca.gov). For information on how to log on to BreEZe, visit the Board of Psychology's [website](#).
  - a. The Board grants you 60 days from the date of the letter to submit the documents via mail, email, or fax.
2. CE/CPD documents are reviewed in the order they are received. Tip: *If you send your certificates via certified mail and wish to have a staff member at the Board sign for it, send it via FedEx or UPS. Certified mail via U.S. Postal Service will not be signed by Board staff.*

3. If you are found to be in compliance with the CE/CPD requirements, you are notified via mail and email.
4. If you do not submit all 36 hours, or submit incomplete information, you are notified via mail and email.

### CPD and Traditional CE

Licensees renewing in 2023 have the choice of renewing using either traditional CE or CPD. Continuing professional development is a new model that allows for more flexibility in meeting the CE requirements. Licensees can opt for traditional continuing education, which involves a didactic approach to earning CEs.

For CPD, licensees must accrue hours from at least two of the four CPD activity categories. These categories include:

1. **CPD Learning Category #1—Professional Activity:**
  - Peer consultation.
  - Practice outcome monitoring.
  - Professional services.
  - Conference/convention attendance.
  - Examination functions.
  - Expert review/consultation.
  - Attendance at a California Board of Psychology meeting.
2. **CPD Learning Category #2—Academic:**
  - Academic coursework.
  - Academic/sponsor-approved CE instruction.
  - Supervision.
  - Publications.
  - Self-directed learning.

(continued on page 9)





**3. CPD Learning Category #3—Sponsored Continuing Education:**

- Approved structured, sequenced learning activities provided by approved entities such as the American Psychological Association (APA) or California Psychological Association (CPA).

**4. CPD Learning Activity #4—Board Certification:**

- American Board of Professional Psychology (ABPP) Board Certification.
- "Senior Option" ABPP Board Certification.

The 36 CPD hours must include a minimum of four hours of training in laws and ethics, as well as a minimum of four hours of training in cultural diversity and/or social justice. These requirements can be fulfilled through any combination of CPD activities.

For license renewal through traditional CE, a total of 36 hours is required over a two-year period. Of these hours, a minimum of 25% (nine hours) must be "live." The Board recognizes and accepts courses provided by approved entities such as APA and CPA. There is no specific hour requirement or certificate for laws and ethics under traditional continuing education. Licensees must self-certify that they have kept abreast of changes to laws and ethics, and the method of obtaining this information can vary.

**Retention of Records**

Licensees are required to retain their CE records for a minimum of four years. The Board conducts random audits and may request proof of completion from the selected licensees. It is crucial to keep proper documentation and maintain records to ensure compliance.

Audits of CE hours are conducted to ensure that licensees in the field of psychology in California meet the required CE or CPD requirements when accruing the 36 hours for renewal. Licensees have the option to choose between traditional CE and CPD, with specific categories and activities that contribute to the overall hours. Licensees must carefully review the requirements for both traditional CE and CPD. Maintaining accurate records of completed activities, being prepared for potential audits, and submitting documentation within 60 days are crucial to a successful CE/CPD Audit.

For more information regarding continuing education, visit the Board's [website](#). If you have questions, contact the Board by email at [BOPCE@dca.ca.gov](mailto:BOPCE@dca.ca.gov).





## 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, 2023, to June 30, 2023

### Michael G. Hofrath

*Unlicensed, Agoura Hills*

On May 18, 2023, the Board issued a citation containing an order of abatement and fine in the amount of \$2,500 to Michael Hofrath for engaging in the unlicensed practice of psychology when Respondent identified as a Research Psychologist, provided therapy in areas which are recognized as being part of the core areas treated by clinical psychologists, and claimed to have a Doctor of Philosophy (Ph.D.) when Respondent did not have such a degree.

### Elena Eustache

*Unlicensed, Beverly Hills*

On June 20, 2023, the Board issued a citation containing an order of abatement and fine in the amount of \$2,500 to Elena Eustache for engaging in the unlicensed practice of psychology when Respondent offered and provided couples counseling and cognitive behavioral therapy, both of which involve psychological methods and principles.

## Disciplinary Actions:

April 1, 2023, to June 30, 2023

### SURRENDER

#### Steven Swanson, Ph.D.

*Psychologist License No. PSY 13948, Fresno*

Respondent Dr. Swanson stipulated to the surrender of Psychologist License No. 13948 after the Board filed an Accusation alleging Respondent committed acts of gross negligence by failing to administer psychological testing in a manner that meets professional standardized measures, submitting clinical scores and conclusions not based on acceptable clinical practice, engaging in fraudulent billing practices by submitting service bills, attesting under penalty of perjury that he performed psychological testing that could not have been administered in a manner that meets professional standardized measures within the

allotted appointment time, resulting in receipt of payments for services that were inadequately and improperly rendered, failing to avoid patient harm, failing to maintain accurate billing records, and failing to adhere to DDS contract terms that required appointments for psychological evaluations last a minimum of 60 minutes. The Decision and Order took effect May 25, 2023.

#### Susan D. Duenke, Psy.D.

*Psychologist License No. PSY 15555, Murphys*

Respondent Dr. Duenke stipulated to the surrender of Psychologist License No. 15555 after the Board filed a Petition to Revoke Probation alleging Respondent failed to comply with the conditions of probation requiring a practice and billing monitor and the successful passage of the California Psychology Law and Ethics Examination (CPLEE), received notices relating to those violations, and ultimately failed to comply with a Citation and Fine and Order of Abatement related to the practice and billing monitor condition. The Decision and Order took effect June 22, 2023.

#### Lisa Lipton, Ph.D.

*Psychological Associate Registration No. PSB 94026573, Norwalk*

Respondent Dr. Lipton stipulated to the voluntary surrender of Registered Psychological Assistant Registration No. 94026573 following a March 3, 2022 decision by the Board that placed said registration on probation for three (3) years, and which allowed Respondent to request the voluntary surrender of said registration if Respondent ceased practicing or was otherwise unable to satisfy the terms and conditions of probation. The Decision and Order took effect June 23, 2023.

### PROBATION

#### Lauren Nicole Zanutto, Ph.D.

*Psychologist License No. PSY 30666, Fresno*

Respondent Dr. Zanutto stipulated to placing Psychologist License No. 30666 on probation for three (3) years, subject to its revocation if Respondent fails to comply with the terms and conditions of probation, after the Board filed an

(continued on page 12)





(CONTINUED FROM PAGE 11)

Accusation alleging Respondent engaged in the willful, unauthorized communication of information received in professional confidence and obtained from an inmate-patient's clinical record by disclosing privileged information in a social media post, and engaging in unprofessional conduct by accessing the patient's records after Respondent recognized the patient was no longer on Respondent's caseload, which was unnecessary and unauthorized. The Decision and Order took effect May 5, 2023.

### **PUBLIC REPROVAL**

#### **Sheila Denise Morris, Psy.D.**

Psychologist License No. PSY 18567, Lancaster

Respondent Dr. Morris stipulated to the issuance of a public letter of reproof against Psychologist License No. 18567, with educational review, coursework, ethics course, and cost recovery terms, after the Board filed a First Amended Accusation alleging Respondent engaged in gross negligence when Respondent prepared and submitted an unsolicited and retaliatory supplemental report in a dependency court case, which relayed a psychological diagnosis that was not based on sufficient supportive information. The Decision and Order took effect April 7, 2023.

#### **Stephan Jay Fleisher, Ed.D.**

Psychologist License No. PSY 5351, North Hills

Respondent Dr. Fleisher stipulated to the issuance of a public letter of reproof against Psychologist License No. 5351, with coursework, ethics course, and cost recovery terms, after the Board filed an Accusation alleging Respondent engaged in unprofessional conduct by negligently engaging in multiple relationships and creating a conflict of interest by assuming the role of parent advocate as well as a court-appointed treating therapist, and by falsely representing Respondent's academic degree as a Doctor of Philosophy (Ph.D.), rather than the earned degree of Doctor of Education (Ed.D.), in advertisements for services, public statements, on the internet, and on insurance billing forms. The Decision and Order took effect May 21, 2023.

## **Legislative Update**

### **Active Board Positions**

#### **AB 282 (Aguilar-Curry) Psychologist: Licensure**

This bill would revise section 2914 of the Business and Professions Code (BPC) by adding language to allow applicants seeking licensure to be eligible to take the required licensure exams, which include the Examination for Professional Practice in Psychology (EPPP) and the California Psychology Law and Ethics Examination (CPLEE), at any time after all academic coursework required for a qualifying doctoral degree is completed. In addition, the bill would require the Board of Psychology to revise CCR sections 1388 and CCR 1388(c) to remove the requirements of completing the qualified supervised professional experience (SPE) hours to be eligible to take the licensure exams.

**Location:** Senate Business, Professions and Economic Development Committee

**Board Position:** Oppose Unless Amended

To view the text of the bill, click here:

[AB 282 Psychologist: Licensure](#)

#### **AB 883 (Mathis) Business License: U.S. Department of Defense Skillbridge Program**

This bill would require boards under the California Department of Consumer Affairs expedite the initial licensure process for an applicant who supplies satisfactory evidence to the Board, that the applicant is enrolled in the U.S Department of Defense SkillBridge program.

**Location:** Senate Committee on Military and Veterans Affairs

**Board Position:** Support

To view the text of the bill, click here:

[AB 883 Business License U.S Department of Defense Skillbridge Program](#)

(continued on page 13)



(CONTINUED FROM PAGE 12)

**AB 996 (Low) Department of Consumer Affairs: continuing education: conflict-of-interest policy**

This bill would require boards under the California Department of Consumer Affairs develop and maintain a conflict-of-interest policy that would discourage the qualification of any continuing education course if the provider of that course has an economic interest in a commercial product or enterprise directly or indirectly promoted in that course.

**Location:** Senate Appropriations Committee

**Board Position:** Oppose

To view the text of the bill, click here:

[AB 996 DCA conflict-of-interest](#)

**SB 815 (Roth) Healing Arts**

This bill would make various changes to the Medical Board of California (MBC) by the Legislature through the sunset process. Section 10 of the bill would transfer the registration, regulations, and enforcement of research psychoanalysts from the MBC to the Board of Psychology. The bill would transfer funds collected from the licensing and regulation of research psychoanalysts to the Board.

**Location:** Assembly Business and Professions Committee

**Board Position:** Support

To view the text of the bill, click here:

[SB 815 Healing Arts](#)

**SB 816 (Roth) Professions and vocations**

This bill would make various changes by the Legislature through the sunset process. This bill amends Business and Professions Code section 2987 to include the Board's proposed fee increases related to licensure, registrations, and renewals.

**Location:** Assembly Business and Professions Committee

**Board Position:** Support

To view the text of the bill, click here:

[SB 816 Professions and vocations](#)

**SB 887 Consumer Affairs**

This bill included the language that would streamline the application process to allow verification following review of a transcript that clearly indicated in the course title that the specified coursework had been completed. Additionally, this bill would allow the department chair to act as an additional entity who could provide written certification for convenience for applicants, in cases where the course title did not adequately indicate the coursework completed.

**Location:** Assembly Business and Professions Committee

**Board Position:** Support

To view the text of the bill, click here:

[SB 887 Consumer Affairs](#)

## Regulatory Update

**Section 100 Change**

Updated 1397.37 (Shares—Ownership and Transfer) and 1397.39 (Corporate Activities) for grammar and punctuation, approved and effective January 19, 2023.

**Title 16, CCR sections 1391.1, 1391.2, 1391.5, 1391.6, 1391.8, 1391.10, 1391.11, 1391.12, 1392.1—Psychological Associates**

**Status:** This package was published in the Office of Administrative Law (OAL) Notice Register on June 17, 2022, which began the 45-day comment period. This comment period ended on August 2, 2022. On September 14, 2022, the Board noticed this package for a 15-day comment period due a change in the underlying data. This comment period ended on September 30, 2022. The Board reviewed and approved this package at the November 2022 Board meeting. This package was filed with OAL on December 12, 2022. Based on feedback from OAL, the package was withdrawn from OAL on January 25, 2023 to modify the forms. The modified text and modified forms were presented at the February 2–3, 2023 meeting for Board approval before a modified

(continued on page 14)



(CONTINUED FROM PAGE 13)

text comment period begins. On February 3, 2023, the Board approved the modified text and a 15-day public comment period from February 9 to February 27, 2023 was opened. This comment period ended on February 27, 2023. On March 3, 2023, the package was resubmitted to OAL. On April 7, 2023, OAL completed the initial review and identified the form 400, Final Statement of Reasons, and the Updated Information Digest required further amendments. The Board addressed the requested amendments and sent the items back to OAL for review. On April 17, 2023, OAL approved the regulation package, which became effective on July 1, 2023.

This regulatory package does the following:

Conforms the California Code of Regulations to statutory changes made in SB 1193 (Hill, Chapter 484, Statutes of 2016) and SB 801 (Archuleta, Chapter 647, Statutes of 2021). SB 801, effective January 1, 2022, removed the title “psychological assistant” and replaced it with “registered psychological associate.” SB 1193 created a single registration with the Board of Psychology, independent from supervisor(s) or employer(s). This regulatory package updates this process and clarifies the existing statutory psychological associate registration fee.

**Title 16, CCR sections 1391.13 and 1391.14—Inactive Psychological Associate Registration and Reactivating a Psychological Associate Registration**

**Status:** This package is in the Initial Review Stage. Staff received feedback from legal counsel on September 17, 2019 and have incorporated the recommended changes. Upon approval by Board legal counsel, the package was submitted for the Initial Departmental Review which involves reviews by DCA Legal Affairs Division, DCA Budget Office, DCA’s Division of Legislative Affairs, DCA chief counsel, DCA director, and the Business, Consumer Services and Housing Agency. The proposed regulatory language was presented at the May 19, 2023 Board meeting. On May 19, 2023, the proposed regulatory language was accepted by the Board members, and the regulatory package will continue in the rule-making process.

This regulatory package does the following:

Allows a psychological associate to request that the Board place their active registration in an inactive status. In addition, the proposed regulations would allow the Board to place the registration in an inactive status when the registrant has no primary supervisor. While the registration is in an inactive status, it will stop the time counting towards the cumulative total of six years registration limitation. The Board is also proposing the adoption of the process for reactivating an inactive psychological associate registration.

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

**Status:** Drafting Phase. This phase includes preparation of the regulatory text and collaborative reviews by Board staff and legal counsel. The regulatory language will be presented at the August 18, 2023 Board meeting.

This regulatory package does the following:

Updates the Board’s disciplinary guidelines including conforming changes pursuant to AB 2138, conviction and substantial relationship criteria, and the Department’s Uniform Standards for Substance Abusing Licensees.

**Title 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**

**Status:** Drafting Phase. This phase includes preparation of the regulatory package and collaborative reviews by Board staff and legal counsel.

This regulatory package does the following:

Streamlines the licensing process and removes unnecessary barriers for applicants and the supervisors who support their training.

(continued on page 15)





(CONTINUED FROM PAGE 14)

**Title 16, CCR sections 1380.6, 1393, 1396, 1396.1, 1396.2, 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**

**Status:** Drafting Phase. This phase includes preparation of the regulatory package and collaborative reviews by Board staff and legal counsel.

This regulatory package does the following:

This regulatory package would update the Board's enforcement provisions.

**Title 16, CCR sections 1397.35–1397.40—Corporations**

**Status:** Drafting Phase. This phase includes preparation of the regulatory package and collaborative reviews by Board staff and legal counsel.

This regulatory package does the following:

This regulatory package would update the Board's requirements for professional corporation's provisions.

**Title 16, CCR sections 1381, 1387.10, 1388, 1388.6, 1389, and 1389.1—EPPP-2**

**Status:** Drafting Phase. This phase includes preparation of the regulatory package and collaborative reviews by Board staff and legal counsel. On May 19, 2023, the Board approved the statutory and regulatory changes that would implement the Examination for Professional Practice in Psychology (EPPP) Part 2 Skills Exam, effective January 1, 2026.

This regulatory package does the following:

This regulatory package updates the statutory and regulatory sections needed to implement the EPPP-2.





## Board Members

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

## 2023 Meeting Calendar

### BOARD MEETINGS

August 18, 2023  
 November 2-3, 2023

### STRATEGIC PLANNING

December 7-8, 2023

### COMMITTEES

**Outreach and Communications Committee**  
 September 22, 2023

