

Journal

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

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President's Message



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

Greetings!

I hope that everyone is enjoying the spring weather! The new season has also brought some changes to the Board of Psychology.

The Board of Psychology continues to be very busy with hiring new staff, keeping up with waivers, and adjusting to recent public meeting changes. The Department of Consumer Affairs shifted from online meetings to online and in-person meetings with publicly noticed locations as of April 1, 2022. This is a significant change from our meetings that were held during the height of the pandemic. While our next two meetings will be held online for cost-savings purposes, we are hopeful that our meeting in November will be in person.

The Board of Psychology is anticipating that there will be a wind-down of the waivers with the expectation of the state-declared emergency designation being lifted. If you would like to check the status of the current waivers, please check www.psychology.ca.gov/applicants/covid_19.shtml. As a reminder, the Board of Psychology posts and communicates updates to all waivers as changes are made.

I am excited to announce that the Board of Psychology Enforcement Program is currently recruiting qualified psychologists to review case materials, prepare written opinions, and testify at administrative hearings. These experts assist the Board of Psychology with making decisions regarding enforcement cases. The Enforcement Program is going to be holding a psychologist expert training in spring 2022. If you are interested in being a psychological expert, please go to www.psychology.ca.gov/forms_pubs/expertrev_app.pdf. We would love to hear from you!

The Board of Psychology continues to protect consumers of psychological services by licensing psychologists, regulating the practice of psychology, and supporting the evolution of the profession. While the past few years have been challenging for the mental health profession, our nine-member board continues to be committed to serving the public and improving the practice of psychology. We know that there are inevitable changes coming our way in the next several months and we are ready to respond. As always, the Board looks forward to hearing from stakeholders at our future meetings.

Lea

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Mindfulness and Money Matters

By Shacunda Rodgers, Ph.D., Board Member, Board of Psychology



Greetings, all. I am attempting to write this newsletter's wellness column wearing several different hats: mindfulness enthusiast, board member, chair of the Ad Hoc Budget Committee, and a regular human being who tries to be guided by the principles of compassion for myself

and others. So, please hang with me as I investigate, explore, and write about a notoriously difficult topic: finances. Rather than writing two separate articles—one on budgetary matters and another on wellness—my goal here is to see if we might approach this conversation, condensed into one article, with mindful awareness and compassionate understanding.

As has been discussed in the last several board meetings, the Board is facing a budget structural deficit, with expenditures outpacing revenue streams. To ensure the Board's financial solvency, a number of steps have been taken to better understand the nature of the Board's fund condition and how we might remedy this problem. Before discussing possible solutions, it is important to give the broader context for where we, as a Board, now find ourselves, and the implications for licensees. Please see the following facts about the Board's financial situation and actions taken to date:

- The Board of Psychology within the Department of Consumer Affairs (DCA) exists to protect consumers and promote quality services provided by licensed psychologists and registered psychological associates.
- The Board's operations include processing and issuing licenses and renewals, investigating complaints, drafting and promulgating regulations, sponsoring/advocating for legislation, developing policies to best implement laws, as well as providing resources to consumers.
- The Board's primary source of revenues are fees charged for each of the various licenses. The Board does not receive funding from California's General Fund (taxpayer dollars), which is used to fund and support numerous programs and agencies throughout the state. Thus, the Board is fully self-supported

through its "special fund," and it is vital that the fees charged to licensees and applicants fully cover the costs of administering the program.

- The Board is currently facing a structural budget deficit, with expenditures outpacing revenue streams. The Board has not increased its initial application or renewal fees since 1992 and, as operating costs have increased, it has resulted in the structural imbalance.
- Board staff have undertaken the task of analyzing the fiscal health of the Board in the form of a fee analysis. Specifically, staff have worked with DCA budget experts to closely examine data, create formulas, and propose options for increasing fees imposed on licensees and registrants.
- The Board considered an independent fee analysis but ultimately decided that the high cost and lengthy amount of time it would take to complete was not warranted.
- The scope of this fee analysis included the following objectives:
 - » Calculate full cost of licenses and renewals.
 - » Determine a fair and equitable method of allocating non-fee expenses, such as enforcement, to the licenses and registrations issued.
 - » Develop revenue projections for five years to establish fees.
 - » Review performance of core business processes.
- Board staff presented the fee analysis and proposed fee changes to the Ad Hoc Budget Committee. The proposed change was also presented at a Stakeholder Meeting on February 25, 2022.
- Following the Stakeholder Meeting, during which the public provided input, the Ad Hoc Budget Committee reviewed this information, and subsequently made a recommendation to increase fees. During the April Board meeting, the Board approved this recommendation. The next step is to seek an author for a legislative change to the fees.

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Now, that is a lot to take in. Perhaps take a moment or two to let the entirety of this situation sink in. We understand that the idea of a fee increase—especially as we are still making our way through the uncertainties of this pandemic—may feel like more hardship on top of so many other difficulties (like inflation, job insecurity, food insecurity, housing insecurity, and larger systemic inequities), and this concern is both legitimate and valid.

There might be a range of thoughts and emotions tied to what “a recommendation to increase fees” means for each of you. In this moment, however, I invite you to drop out of the narrative and/or emotional reaction you might be having, and drop into the felt sense of what your physical sensations are in this present moment. Shifting from our head where our thoughts and narratives reside, shifting away from our emotional reactions, and focusing on the body instead can give us a bit of space, and a small clearing to step away from how we’re interpreting the information and to be with our experience as it manifests in the present moment instead.

So, in this moment, how does the body feel, and what is happening in the body right now? Tense and constricted, settled and at ease, or somewhere in between? Do you notice any areas of tightness and holding in response to what you read? Perhaps doing a gentle body scan to see what’s present can give you real-time information about what needs your attention and care. It is in the tending and befriending our experience that can help to keep us grounded and centered internally, even when so much may be shifting around us externally. Focusing our attention on caring for ourselves also creates a sense of spaciousness so that we are not as bound by how we’re making sense of what we’re feeling. Rather, we can focus on what we’re feeling and where we’re feeling something in our bodies, and focus our efforts of care there.

A noting practice can also be helpful in identifying our present moment experience without over-identifying with it. This practice acknowledges what is without becoming what is. For example, quietly saying to yourself, “_____ is present,” filling in the blank with whatever is most salient right now. For instance, you might say, “Frustration is present,” “Overwhelm is present,” “Stomach tightening is present,” or “Curiosity is present.” No matter the experience, it is all valid, it all gets to be here, and it all deserves space and room to breathe.

My hope is that, with this bit of spaciousness, we can also employ the three components of Mindful Self-Compassion as we make our way through these discussions about our financial condition. The three core principles of Mindful Self-Compassion are mindfulness, self-kindness, and common humanity. With mindfulness, we allow ourselves to turn toward our experience instead of turning away from it or allowing the narrative we have about our experience to take us over. With self-kindness, we offer ourselves a loving dose of tenderness, grace, and care, acknowledging the difficulty, and responding to what’s painful with gentle and compassionate understanding. Lastly, the component of common humanity is the ability to see ourselves in the broader context of all humanity, recognizing that we all suffer. And, for licensees, perhaps knowing that our fellow colleagues throughout the state are all experiencing the impact of this change may help us feel a sense of connectedness as we navigate this changing landscape together.

By joining together, we know we are alleviating the financial insolvency the Board is facing. And, although our financial obligation will be increasing, we can be assured that our sacrifice will continue to ensure that the Board can fulfill its duties, which will allow our glorious profession to continue operating in this state. As I close out this article, I’m sending you all the following wishes for well-being in the midst of difficulty:

May you care for yourselves as you contemplate the changes ahead.

May we care for one another as we all anticipate this fee increase on the horizon.

May we take the necessary steps to ensure the solvency of the Board.

May we all be held in compassion along the way.

May we see these circumstances through the lens of patience and understanding.

May our hearts be at peace with how it is in this present moment.



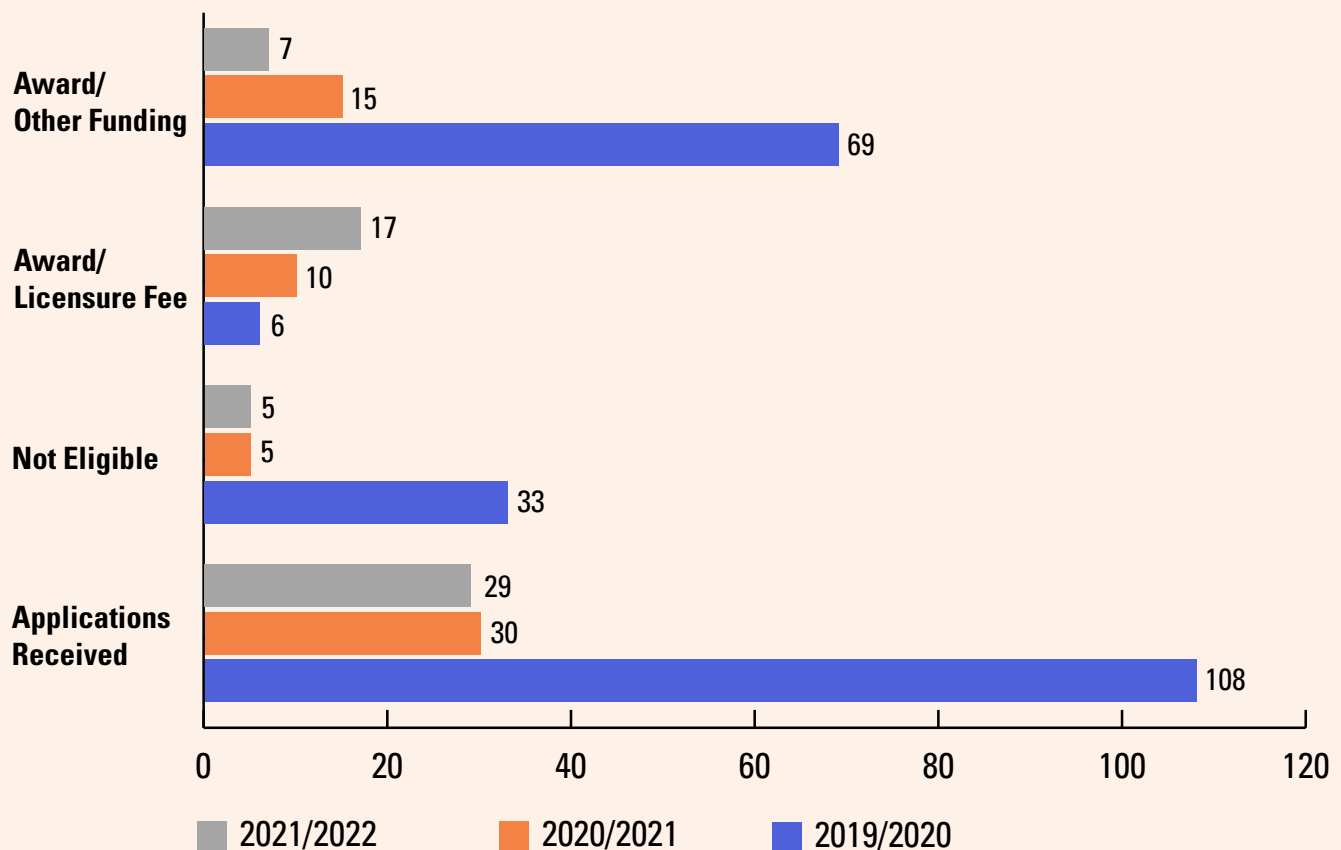
The Licensed Mental Health Services Provider Education Program

By Michelle Crouch, Program Officer, Healthcare Workforce Development Division,
Department of Health Care Access and Information

The Licensed Mental Health Services Provider Education Program (LMH) was established in 2007 and is funded through a \$20 surcharge for renewal and licensure fees of psychologists, marriage and family therapists, and licensed clinical social workers in California, as well as from special funding. Board of Psychology collects \$20 from each licensure renewal and those funds are placed in the Mental Health Professional Education Fund and used to make awards to psychologists. The Department of Health Care Access and Information (HCAI)

administers an annual application cycle. Applications are reviewed and those found eligible are then scored by a selection committee. Over the last three years, the LMH program has been able to award everyone who met the required scoring criteria. Below, you will find a chart that shows the number of applications we received from psychologists, the number not eligible, the number awarded through licensure fees, and those awarded through additional funding for each of the last three cycles.

LMH Psychologists





Tips for a Smooth Registration/License Application

By Stephanie Cheung, Licensing Manager

The Board reviews and processes applications based on a first-come, first-served basis. This means all applications and supporting materials are reviewed according to the date they are received.

When an application is missing any necessary information or documents, (e.g., missing responses about how and when periodic feedback and assessment is provided to the trainee as part of a supervision agreement, insufficient supervised professional experience, no responses to application questions, missing signatures, etc.), the application is deemed “deficient.” The Board will provide applicants with the opportunity to submit the missing documentation, and it will process the deficient applications based on the dates those missing documents are received. This may mean that missing documents or information will delay an application. In fact, deficient applications are often the cause for processing delays, but these can be avoided by knowing the governing law and regulations as well as following application instructions.

KNOW THE LAWS AND REGULATIONS

Whether applying to accrue the necessary supervised professional experience toward licensure, for eligibility to take the licensure examinations for a psychologist license, or for a psychological associate registration, it is always best to learn about the governing laws and regulations. The laws and regulations specify the requirements for a registration and license, such as education, supervised professional experience, qualifications, and responsibilities of a primary supervisor. Learning these laws not only helps applicants understand the requirements, but also helps with getting a head start in preparing for the law and ethics exam.

The Board provides electronic access to the laws and regulations book that governs the profession of psychology at no charge on its website: www.psychology.ca.gov/laws_regs/2022lawsregs.pdf. The following sections are some good starting places:

- Psychological associate registration requirements:
 - » Business and Professions Code (BPC) section 2913
 - » California Code of Regulations (CCR) Article 5.1 (sections 1391.1 et. seq.), sections 1387 and 1387.1
- Psychologist license requirements:
 - » BPC section 2914
 - » CCR sections 1387, 1387.1, and 1388

FOLLOW THE STEP-BY-STEP INSTRUCTIONS

A completed application paves the way for a smooth application process. The Board provides detailed information with several step-by-step application instructions on the Board’s website: www.psychology.ca.gov/applicants/instructions.shtml. Review these instructions and gather the necessary information prior to submitting your application to the Board. Additionally, here are some common strategies that can be applied to any application process:

- After filling out the application, review for completeness, and ensure all necessary signatures, initials, and dates are in place.
- Gather all necessary documents (e.g., verification of experience forms provided by the primary supervisor in a sealed envelope with their signature across the seal, completed supervision agreements, etc.); missing documents or documents not meeting regulatory requirements are often the cause of processing delays.
- Double-check if all application, fee, and supporting materials are gathered before mailing them in one package to the Board.
- Make copies of all application materials for your own records.
- Use a tracking service when mailing documents to the Board to ensure delivery.

Putting the above into practice will support a smooth application process.



News You Can Use From the Association of State and Provincial Psychology Boards (ASPPB) **Social Media Guidelines**

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

In October 2020, ASPPB published Guidelines for the Use of Social Media by Psychologists in Practice and by Psychology Regulatory Bodies. The appropriate use of social media can enhance psychology practice and benefit the public in multiple ways, but it is also clear that the potential exists for harm to occur when psychologists are not aware of their ethical responsibilities in delivering services via social media. The advent of COVID-19 resulted in an explosion of psychologists using social media platforms to deliver services and continue their professional endeavors, but that increased use has also led to psychology boards across the U.S. and Canada now beginning to see complaints having to do with social media use.

The ASPPB Guidelines were developed, in part, to provide guidance to psychologists when using social media, and to inform them about regulatory expectations for that use. They expand social media platforms beyond telepsychology only,

e.g., Guidelines for the Practice of Telepsychology (2012) developed by APA, ASPPB, and APAIT, and the Standards of Practice for Telehealth (2021) developed by the California Board of Psychology. Given that the mandate of psychology regulatory regulation is protection of the public, the ASPPB Guidelines reflect that purpose and that reality. When using social media, we psychologists must always consider our ethical and professional responsibilities and the context in which social media is being used, and then use our professional judgment accordingly.

The ASPPB Guidelines for the Use of Social Media can be accessed at www.asppb.net/page/SMGuidelines. Please take a moment to read them, save a copy of them, and refer to them when using any social media platforms in your role as psychologists. They include important information about confidentiality, informed consent, managing risk, multiple relationships, competence, professional conduct, security of information, and a section on things to consider in the personal use of social media. The Guidelines also include some examples of real cases involving the use of social media that we hope will be helpful.



Enforcement Experts Program

By Sandra Monterrubio, Enforcement Program Manager, Board of Psychology

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, providing your written opinion, and testifying at administrative hearings?

The Board of Psychology's Enforcement Program is currently recruiting qualified psychologists to serve as expert reviewers. You will be paid \$150-\$200 per hour, plus expenses, depending upon the services rendered.

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

- Child custody
- Disability/insurance evaluations
- Veterans Affairs evaluations
- Forensics
- 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 email the following documentation to BOPEenforcement@dca.ca.gov:

- 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, which can be found at www.psychology.ca.gov/forms_pubs/expertrev_app.pdf.
- A current curriculum vitae.





Licensed Mental Health Services Provider Education Program (LMHSPEP) Recipient Profile



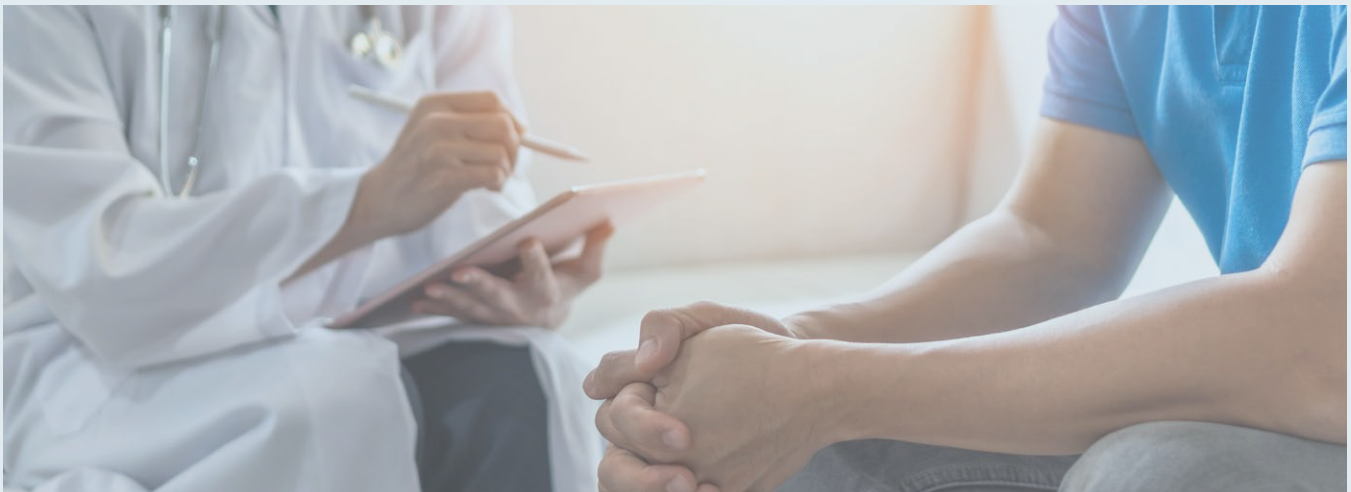
My name is Andy Ying, Psy.D., and I am a licensed psychologist. I am currently with a nonprofit community mental health agency named Pacific Clinics. I was awarded for the Licensed Mental Health Services Provider Education Program in 2019. The

area I am serving in is a local community populated with low-income and underprivileged Asian immigrants and their descendants. I'd like to give back to the community through serving as a mental health professional, due to my personal background. I was born and raised in a low-socioeconomic status (SES) family, and my brothers and I became first-generation college graduates. When I looked at the community with many mental health needs, my heart went to those people, and I always wanted to become a psychologist and give back to the community. Over the course of my graduate training, I came to understand there were misconceptions that community mental health clinics provide below-par services, and I wanted to prove otherwise. Hence, I decided to stay beyond after I obtained my license.

This award gave me a big boost in the journey of becoming a health care professional. Knowing local funding helps graduates and early-career health

professionals with one of their main financial challenges, student loans, I feel content to continue to serve my clients. In other words, I can concentrate my focus on client works, and I don't have to look around for a job with higher salary to pay my student loans.

The award came to me at a right time, as it was right before the global pandemic started two years ago. The pandemic and the subsequent nationwide crises had brought a lot of challenging times to the Asian community. In particular, the safer-at-home order triggered hopelessness and fear among Asian immigrants and their families. Many of them perceived additional external stress stemming from misunderstanding and miscommunication from other communities, and stigmatization continued to grow. Because of this award, I feel fortunate to walk with my clients during this extreme, difficult time and help manage care and well-being. Although the pandemic is not over yet, I already see many of my clients able to build resiliency, and they are more hopeful for the future. My family and I are absolutely blessed by this award as it brings us some room to walk with this underserved population for an extra mile. I feel thankful for the award and look forward to seeing more health care professionals benefit from it, so their passion and mission with people who are underprivileged can also be sustained.





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:

January 1, 2022, to March 31, 2022

The Board did not issue any administrative citations for unlicensed practice during this period.

Disciplinary Actions:

January 1, 2022, to March 31, 2022

REVOCATION

Molly Malone, Psy.D.

Psychologist License No. PSY 26735, Vacaville

The Board revoked Dr. Malone’s license after finding that she engaged in sexual misconduct substantially related to the qualifications, functions, or duties of a psychologist, committed gross negligence and unprofessional conduct, violated regulations adopted under the Psychology Practice Act by knowingly engaging in activity in which her personal problems or personality issues resulted in inferior professional services or harm to a patient or client, and violated the Ethical Principles and Code of Conduct. The Decision and Order took effect January 14, 2022.

Aliyeh Kohbod, Ph.D.

Psychologist License No. PSY 19850, Berkeley

The Board first suspended Dr. Kohbod’s license by filing an Interim Suspension Order then revoked the license by default decision after Dr. Kohbod failed to file a notice of defense in response to the Board’s Accusation, which alleged she suffers from significant cognitive deficits and impairments that affect her ability to practice psychology competently and safely. The Default Decision took effect March 11, 2022.

SURRENDER

Heather N. Gent

Registered Psychological Assistant Registration No. PSB 94024188, San Ramon

Ms. Gent stipulated to the surrender of her registration after the Board filed an Accusation, which alleged she engaged in gross negligence when she entered into a sexual relationship with a patient within months of termination of therapy related to sex offenses and acted in a manner that was not designed to avoid or minimize foreseeable harm to a patient. The Decision and Order took effect February 12, 2022.



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Isaac Carreon

Registered Psychological Assistant Registration
No. PSB 94021734, Riverside

Mr. Carreon stipulated to the surrender of his registration after the Board filed an Accusation, which alleged he engaged in sexual misconduct with a patient, impersonated another licensee when submitting Annual Update and Medical Certification for Disability Exceptions forms, provided false information and/or withheld material information in multiple Board required forms, as well as multiple immigration forms and reports filed on behalf of patients, attempted to prevent a patient from filing a sexual misconduct complaint, failed to disclose discipline imposed on his Marriage and Family Therapist (MFT) license by the Board of Behavioral Sciences (BBS), willfully withheld material information from the Board of Psychology in his explanation of a criminal conviction, willfully made false, fraudulent, and/or deceptive statements and/or willfully withheld material facts in applying for and/or renewing his registration, fraudulently misrepresented his license status by holding himself out to be an expert in immigration psychology performing psychological examinations and assessments and filing multiple immigration forms and reports filed on behalf of patients, used the term “psychological” in the name of his MFT practice, engaged in the unlicensed practice of psychology by administering various psychological testing and assessments without possessing a valid registration or license, committed multiple dishonest, corrupt, and/or fraudulent acts, and consumed alcohol in a manner dangerous to himself and the public. He was also convicted of driving in willful or wanton disregard for the safety of persons or property after having consumed alcohol or a drug. The Decision and Order took effect January 22, 2022.

Bradley Manning, Ph.D.

Psychologist License No. PSY 20180, Los Altos

Dr. Manning stipulated to the surrender of his license after the Board filed a Petition to Revoke, which alleged he failed to comply with conditions of probation requiring he abstain from drugs and alcohol, pay to the Board its costs of investigation and enforcement, submit quarterly declarations under penalty of perjury on forms provided by the Board, enroll in an alcohol treatment program, begin and continue attendance at a support/recovery group, undergo a physical examination by a physician and surgeon within 90 days of the effective date of the decision, select a psychotherapist for approval by the Board and begin psychotherapy within 90 days of the effective date of the decision, take and pass the California Law and Ethics Examination within 90 days of the effective date of the Decision, submit to the Board for prior approval a course in law and ethics within 90 days of the effective date of the Decision, and upon reasonable notice, report to the Board’s probation monitor. The Decision and Order took effect January 13, 2022.



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PROBATION

Heather L. Hobson, Psy.D.

Psychologist License No. PSY 28278, Vacaville

Dr. Hobson stipulated to placing her license on probation for five (5) years, subject to its revocation if she fails to comply with the terms and conditions of probation, after the Board filed an Accusation, which alleged she engaged in gross negligence when she engaged in multiple relationships and a conflict of interest/exploitative relationship by forming a personal and business relationship with a patient. The Decision and Order took effect January 13, 2022.

Patti L. Johnson, Psy.D.

Psychologist License No. PSY 23520, Sherman Oaks

The Board placed Dr. Johnson's license on probation for three (3) years, subject to its revocation if she fails to comply with the terms and conditions of probation, after the Board filed an Accusation, which alleged she engaged in gross negligence when she failed to take reasonable steps to avoid or minimize harming her patients and when she failed to obtain informed consent, engaged in repeated negligent acts when she repeatedly crossed professional boundaries between therapist and patient and exploited her patient, violated patient confidentiality, violated the rules of professional conduct, and engaged in general unprofessional conduct. The Decision and Order took effect February 18, 2022.

PUBLIC REPROVAL

Jocelyn Francisco, Ph.D.

Psychologist License No. PSY 22249, San Diego

Dr. Francisco stipulated to the issuance of a public letter of reproof against her license, with an educational review, ethics course, cost recovery, and coursework terms, after the Board filed an Accusation, which alleged she aided and abetted the unlawful practice of psychology by permitting her psychological assistant to provide psychological care and treatment to patients even though the Board had cancelled the psychological assistant's registration following expiration. The Decision and Order took effect February 23, 2022.

Regulatory Update

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

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

Status: This package was provided to the Department of Consumer Affairs (DCA) on November 12, 2019, and is now in the Initial Departmental Review Stage. This stage involves a review by DCA's legal, budget, and executive offices, and the state's Business, Consumer Services and Housing Agency. Upon approval by DCA and Agency, staff will notice this package for a 45-day comment period and subsequent hearing.

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, 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.

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**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. Staff is waiting to submit the package back to Board counsel until the Sunset Psychological Associate regulatory package is farther through the regulatory process. Upon approval by Board legal counsel, the package will be 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.

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 Sections 1381.9, 1397.60, 1397.61,
1397.62, 1397.67—Continuing Professional
Development**

Status: This package was submitted to the Office of Administrative Law (OAL) for their final review on 10/1/2021. After consultation with OAL, the Board noticed the second modified regulation text for a 15-day comment period on April 4, 2022, with the comment period ending on April 19. The Board reviewed comments and adopted the proposed changes.

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: This package was published in the OAL notice register with the comment period ending on November 30, 2021 and hearing on December 1, 2021. The Board adopted the package on February 18, 2022, and the package was recently approved by Agency. It will be submitted to OAL after the Fee package is approved.

This regulatory package does the following:

This proposal would allow a licensee to apply to have their license placed in a “retired” status.

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Title 16 CCR Section 1392—Psychologist Fees—California Psychology Law and Ethics Examination (CPLEE) and Initial License and Biennial Renewal Fee for a Psychologist

Status: Submitted to OAL on December 7, 2021 (Z-2021-1207-01) for publication on December 17, 2021. The comment period for this rulemaking file ended on January 31, 2022. The public hearing took place on February 17, 2022, with no public comment. The Board adopted the package on February 18, 2022, and the package is now with OAL.

This regulatory package does the following:

Raises the fees for the California Psychology Law and Ethics Examination to cover the Board's costs to create and administer the exam and raises initial and renewal fees to the statutory provisions.

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.

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.



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Title 16 CCR sections 1380.6, 1393, 1396, 1396.1, 1396.2, 1396.3, 1396.4, 1396.5, 1397, 1397.1, 1397.2, 1397.35, 1397.37, 1397.39, 1397.50, 1397.51, 1397.52, 1397.53, 1397.54, 1397.55—Enforcement Provisions

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.

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

The Board of Psychology is sponsoring SB 401. 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 and would give the ALJ the statutory authority to include an order of revocation in a proposed decision for such behavior.

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 in the Assembly Rules Committee.

To view the text of the bill, click here:

[**SB 401 Psychology: unprofessional conduct: disciplinary action: sexual acts.**](#)



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ACTIVE BOARD POSITIONS

AB 32 (Aguiar-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.

This bill is in Senate Health Committee.

Board Position: Support

To view the text of the bill, click here:
[AB 32 Telehealth.](#)

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 dismissed (expunged) 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.

This bill is on the Assembly Floor Inactive File.

Board Position: Oppose

To view the text of the bill, click here:
[SB 731 Criminal records: relief.](#)





Board Members

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

2022 Meeting Calendar

BOARD MEETINGS

August 19, 2022
 November 17-18, 2022

COMMITTEES

Legislative and Regulatory Affairs Committee

June 10, 2022

Licensure Committee

July 22, 2022

Outreach and Communications Committee

September 23, 2022

