

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!

This year went by so quickly! I cannot believe that I am writing the President's Welcome for the winter 2022 newsletter.

This year has been productive for the Board of Psychology board and staff! Our board meetings have been full of stakeholders, students, and licensees who have asked great questions and provided insightful feedback. We appreciate all the involvement and interest in the field of psychology.

The Board has received comments at board meetings regarding concerns about response time frames for paperwork submitted to the Board. We have been very transparent acknowledging that the Board is significantly understaffed, which decreases the speed of reviewing submitted paperwork. We are in the process of adding three employees to the licensing staff, which will help ease the backlog for our applicants.

The Licensing Unit was proactive in implementing changes to help improve response times. As a result, time frames have decreased from 12 weeks to 8–10 weeks. I know it sounds like a small improvement, but with the number of requests that the Board receives, the decrease in time for our licensees is tremendous. Thank you for your patience while we onboard more employees in the next several months, which will help decrease our waiting time frames even more!

What is happening in 2023?

The new Continuing Professional Development (CPD) regulations become effective on January 1, 2023. The CPD model consists of 15 continuing professional development activities under four different categories. Thirty-six hours of continuing education is still required for license renewal. If you have not done so already, please consult the advisory on the new regulations by visiting www.psychology.ca.gov/laws_regs/cpd_reg_advisory.shtml.

I hope everyone indulges in self-care, kindness, and patience during this holiday season! Happy holidays and I will “see” everyone in the New Year!

Lea

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Pressure and Preparation

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



In the last newsletter, we explored nature as a healing balm that helps to soothe and regulate the nervous system. As the world continues to bring us uncertainty and unpredictability, I have found that steeping my heart and mind in the kinds of nourishing practices

that incorporate nature are exactly what I need to find just enough respite, ease, and spaciousness to help me find my footing again.

Recently, I stumbled upon a deck of meditation cards entitled “Nature Meditations Deck: Simple Mindfulness Practices Inspired by the Natural World,” created by Kenya Jackson-Saulters, co-founder of the Outdoor Journal Tour and We Hike to Heal. The cards are divided into four sections: “Nature Meditations,” “Walking Thoughts,” “Messages from the Earth,” and “Strengthening Affirmations.” One card from the “Messages from the Earth” section caught my attention early on, and I have been reflecting on it for several weeks now. It reads:

“Pressure and Preparation:

It can take more than a million years for a diamond to form. Made from carbon deposits found deep within the earth, diamonds only materialize after millions of years of intense pressure. The process is long, but the result is precious. Today, know that in life each of us will have moments of pressure and preparation. Understand that sometimes those moments are necessary to give birth to something greater. Then contemplate a past or present experience where an unpleasant situation transformed you over time. What did this experience teach you?”

Reading this reflection made me pause to consider the immense pressure we’ve all been under since the onset of the pandemic, and how painful, challenging, and unsettling this experience has been for us all—whether personally, professionally, or both. And, while it’s important to figure out ways of coping with the distress, it is equally important to investigate the “precious” gems that have come from this period of pressure.

Poet and essayist Jane Hirschfield says, “Suffering leads us to beauty the way thirst leads us to water.” What has been the beauty that your suffering has uncovered during this time? Perhaps it might be helpful to imagine your heart as the carbon from the meditation, sustaining the weight from the stressors of the last few years. Although the tension has been immense and incredibly uncomfortable, this has also been a time to lean into transformation and change. As author Arundhati Roy writes, “Historically, pandemics have forced humans to break with the past and imagine their world anew. This one is no different. It is a portal, a gateway between one world and the next.” So, how will the transformation of your heart make itself known during these times? As the saying goes, “Shi(f)t happens.” How is your heart responding to it? Is it worse or weary from the wear, or is it more resilient than you had anticipated? What qualities of the heart are being formed or strengthened amid the darkness?

Perhaps you have a bit more gratitude for the ordinary, mundane parts of everyday life that you may have previously overlooked. Perhaps you’ve tapped into a degree of strength you didn’t know you possessed. Perhaps you’ve learned to be both tough and tender. Perhaps you’ve increased your capacity to care for yourself, extend yourself grace, or offer yourself kindness and compassion. Perhaps you decided to pursue a passion that has been dormant in your spirit for far too long. Perhaps you’ve strengthened ties with your family or community. Conversely, maybe you’ve been able to walk away from something that no longer serves your well-being. Whatever it is that comes up for you, take a moment to have gratitude for the gift that was birthed (or is still being developed) during this season.

If the jury is still out on what the positive outcomes are from these challenging times, consider asking these questions that mindfulness teacher and social-justice advocate Konda Mason suggests, “How might this experience point the way forward to what’s best for me? How might this situation awaken my heart and mind?” When we awaken to life as it is (not how we would prefer it to be), we can see more clearly and remember that the

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sun is still shining, even if obscured by the clouds. We can let the practice of mindfulness be the act of polishing the soot and ash off the raw diamond until the radiance of our true nature and basic goodness begins to shine through. Mindfulness can help us find our way home to our hearts even in the darkest of nights and the most uncertain of circumstances. It can be a lantern that helps illuminate our path during a time that has largely felt like we are feeling our way around in the dark. It has been a cavernous landscape for sure, and we need all the assistance and support we can get.

Another phrase I like to employ during difficult times comes from meditation teacher Ruth King: “May suffering be a kind teacher.” In moments of overwhelm, it can be a good idea to ask of your circumstance, “What have you come to teach me?” rather than trying to push the experience of discomfort away. By leaning into what’s painful while also holding yourself with deep compassion, it creates the conditions to have an awakened heart during the process, which is what allows suffering to be a kind teacher. An awakened heart and mind can trust that whatever might be happening to you might also be happening for you—even if you can’t see it right now. Remember, it takes diamonds over a million years to form. Patience is a virtue in this season, and, when combined with compassion, curiosity, and deep care, they all help to offset the pain of emotional compression. They also lead us to the deep well of wisdom that resides within our heart’s center.

In closing, I’ll leave you with a few words from British meditation teacher Jeff Foster, author of *You Were Never Broken: Poems to Save Your Life*. He writes:

You Are Always Held:

When thoughts and sensations feel unbearable.
When you cannot hold yourself up.
When hope dies.
Notice, you are held.

By the Earth.
By the hills and mountains, rivers and oceans.
By the vastness of Space.
By a loving, soft Presence,
closer than breathing,
nearer than the dearest lover.

Even when you cannot bear it.
Even when you reach your limits.
Even when your strength fails
and you cannot find surrender.
The Earth has surrendered to you.

You are already held.
In the loving arms
of the Present.

Sweetheart,
even when it’s unbearable,
you are already being borne.

May the pressure and preparation we are experiencing lead us to the precious gift of presence, and the promise of something greater.

May this time also serve as a portal to a kinder, more gentle way of being—with ourselves and with one another.

May we all discover and uncover the radiant gem that resides within each one of us.





Funding Opportunities Available for Psychology Licensees

The [Department of Health Care Access and Information](#) (HCAI) is excited to announce funding opportunities for licensed psychologists, registered psychological associates, and waived psychologists.

The **Licensed Mental Health Services Provider Education Program (LMH)** loan repayment program was established in 2007 to increase the supply of mental health professionals practicing in mental health professional shortage areas and facilities. Eligible professions include licensed psychologists, registered psychological associates, and waived psychologists. The maximum LMH award amount is \$30,000. Applicants may be awarded up to three times, for up to \$30,000 each time.

Grantees must commit to providing a 24-month service obligation at a qualifying facility in either an eligible facility type and/or geographic area where they will need to provide 32 hours or more per week of direct client care.

Eligible Practice Sites:

- Children's hospitals.
- Correctional facilities.
- County-operated health facilities.
- Health Professional Shortage Area—Mental Health (HPSA-MH).
- Publicly funded mental health facilities.
- Public mental health facilities.
- Public school facilities.
- Nonprofit mental health facilities contracted with county entities to provide mental health services.
- State-operated health facilities.
- Substance-use facilities.



The Allied Healthcare Loan Repayment Program (AHLRP) for the County Medical Services Program (CMSP) loan repayment program focuses on increasing the number of appropriately trained allied health care professionals and encourages those professionals to provide direct patient care in a CMSP-designated county at any number of CMSP-contracted provider sites in underserved areas and communities throughout California. Eligible professions include licensed psychologists. The maximum award is \$16,000 in exchange for a 12-month service obligation practicing and providing direct patient care at one of the [CMSP-contracted provider sites](#) in any of the 35 CMSP-designated counties. Applicants may be awarded up to three times.

For further information and questions, contact HWDD-LRP@hcai.ca.gov and [subscribe](#) to HCAI's mailing list.



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



My name is Dr. Lindsey Ayala and I am a licensed clinical psychologist in California. I was awarded the Licensed Mental Health Services Provider Education Grant in 2021 and am currently working toward fulfilling the requirements so I can receive the grant. When I was initially awarded the grant

last year, I was working as a child and family therapist for the Monterey County Health Department in Salinas. In early 2021, I transitioned to my current employer, Clarity Counseling, in Davis.

I have worked as a therapist with young children, youths, families, and adults. From a young age—around high school—I was intrigued by the minds and experiences of others and enjoyed creating meaningful relationships. Throughout my years of higher learning, I continued to learn about psychology,

the intricacies of family dynamics, childhood trauma, social injustice, and equitable health care. I have worked with individuals across the life span dealing with childhood trauma, anxiety, depression, post-traumatic stress, grief, and developmental diagnoses. Through an understanding of my own past and family dynamics, as well as through the ways I have learned from the clients and families I serve, I stand firm in the belief that individuals are more than the sum of their experiences and can grow through attuned and supportive relationships.

This award affords me the opportunity to be able to work in the practices that support underserved individuals, while allowing me to continue to pay back my student loan in a reasonable span of time. I am very grateful for the opportunity to receive this grant so I can continue to show up and create space for clients to share their narratives and experience support that can facilitate growth and change.

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

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

InFocus

In the spring 2022 edition of the *Journal*, this column introduced you all to the Centre for Data and Analysis on Psychology Licensure, funded by the Health Resources and Services Administration (HRSA) of the U.S. Department of Health and Human Services to support psychology licensing boards in making informed decisions through consistent data gathering, analysis, and reporting. InFocus is an annual publication from the Centre that details for all the licensing boards in the U.S. and Canada information about numbers of licensees, license types, requirements for licensure, licensure fees, required supervised experience for licensure, and many other details important for people to know if they are thinking about getting licensed in any jurisdiction.

Information can be viewed as a Spotlight comparison of all jurisdictions on certain topics, as a “Snapshot” comparing jurisdictions, or as a “Focus” on a particular topic such as the Psychology Interjurisdictional Compact (PSYPACT), the Examination for Professional Practice in Psychology (EPPP), or the Disciplinary Data System (DDS). Included as part of InFocus are the Consumer Information Disclosures required by the U.S. Department of Education for all accredited doctoral programs in psychology. This requirement ensures that potential graduate students know whether schools they are considering meet the requirements for licensure in any state.

The link to InFocus is www.asppbcentre.org. Please take the time to visit the website and see California’s information as well as information for neighboring states, the entire country, and Canada.



Licensing Time Frames Update: Short-Term/Long-Term Solutions

By Stephanie Cheung, Licensing Manager

As winter approaches, we would like to provide an update on our licensing application time frames.

In the beginning of the year, the Board observed and reported lengthened processing times relating to initial registration or licensure applications. Board management and staff have been meeting regularly to brainstorm and establish plans to tackle the issue. At the August 2022 Board meeting, the Board was provided a snapshot of the current time frames and the short-term and long-term plan to address the lengthened times.

These steps include both long-term permanent and short-term temporary solutions. The status of these solutions is summarized here:

LONG-TERM PERMANENT SOLUTIONS	STATUS
1. Pathways to Licensure	
a. Statutory changes	Complete
b. Regulatory changes	Next up for drafting
2. Budget change proposal	Prepare for submission in spring 2023
3. Redirecting Office Technician (OT) position to the Licensing Unit	New OT to start in late October 2022
4. Evaluate and improve business processes	
a. Review and prepare for PaperLite transition	Scheduled for Q1 2023
b. BreEZe changes	Ongoing
SHORT TERM TEMPORARY SOLUTIONS	STATUS
1. Additional temporary help	
a. Retired Annuitant	Ongoing since April 2022
b. Additional Retired Annuitant (RA)	Additional RA to start in mid-October 2022
c. Special Projects Coordinator	Ongoing since May 2022

By putting these long-term and short-term solutions in place, the Board aims for positive impacts through shortening the processing time frames compared to the beginning of the year. You may find the application processing time frames on the Board's [website](#) for details. This reference information is updated approximately every two weeks. We are hopeful to maintain these improved time frames as we continue to implement these solutions.



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:

July 1, 2022, to September 30, 2022

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

Disciplinary Actions:

July 1, 2022, to September 30, 2022

SURRENDER

Diana Pickett, Ph.D.

Psychologist License No. PSY 24337, La Jolla

Respondent Dr. Pickett stipulated to the surrender of Psychologist License No. 24337 after the Board filed an Accusation alleging gross negligence, repeated acts of negligence, and violations of the rules of professional conduct after Respondent administered tests to assess a patient’s memory and competence, encouraged the patient to practice medicine knowing the patient had cognitive difficulties, tried to facilitate a romantic relationship by introducing the patient to a former patient, breached patient confidentiality by not getting proper authorization to allow for a patient’s caregivers to participate in sessions, thereby breaching patient confidentiality, disclosed confidential information about the patient

to a former patient, misrepresented himself as a physician and surgeon, provided billing records to the patient’s insurance company that contained multiple inaccuracies, abruptly terminated treatment, failed to formulate a plan to terminate and/or transfer care to another provider, and failed to provide referrals upon termination. The Decision and Order took effect July 2, 2022.

Robert R. Kraszewski, Ph.D.

Psychologist License No. PSY 14044, Fullerton

Respondent Dr. Kraszewski stipulated to the surrender of Psychologist License No. 14044 after the Board filed an Accusation alleging sexual exploitation, sexual abuse or misconduct, gross negligence, breach of patient confidentiality, violations of the standards of ethical conduct, and unprofessional conduct after Respondent engaged in a sexual relationship with a patient, took a trip with the patient, discussed other patients with the patient, provided the patient with another patient’s lab results, provided the patient with other patients’ medications, and threatened to send a nude photograph of the patient to the patient’s children and other contacts after the patient indicated that they were going to report Respondent to the Board. The Decision and Order took effect July 6, 2022.



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Mark E. Cooper, Ph.D.

Psychologist License No. PSY 14723, Solana Beach

Respondent Dr. Cooper stipulated to the surrender of Psychologist License No. 14723 after the Board filed an Accusation alleging multiple criminal convictions relating to driving under the influence of alcohol, use of alcoholic beverages to an extent or in a manner dangerous to Respondent, any other person, or the public, general unprofessional conduct, and violations of one or more provisions of the Psychology Licensing Act or regulations duly adopted thereunder. The Decision and Order took effect July 30, 2022.

Ada Tal, Psy.D.

Psychologist License No. PSY 4986, Jerusalem, Israel

Respondent Dr. Tal stipulated to the surrender of Psychologist License No. 4986 after the Board filed an Accusation alleging failure to comply with regulations and dishonest acts after Respondent failed to provide adequate documentation of completion of required continuing education upon the Board's request. The Decision and Order took effect August 14, 2022.

Ruth Susskind-Schneider, Ph.D.

Psychologist License No. PSY 7375, Los Angeles

Respondent Dr. Susskind-Schneider stipulated to the surrender of Psychologist License No. 7375 after the Board filed an Accusation alleging failure to comply with regulations and general unprofessional conduct after Respondent failed to provide adequate documentation of completion of required continuing education upon the Board's request. The Decision and Order took effect August 17, 2022.

PROBATION

David Jay Monkmarsh, Ph.D.

Psychologist License No. PSY 8040, Orange

Respondent Dr. Monkmarsh stipulated to placing Psychologist License No. 8040 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 Accusation alleging Respondent engaged in unprofessional conduct by failing to obtain informed consent for therapy and maintain adequate client records. The Decision and Order took effect August 14, 2022.

Stephen L Salter, Psy.D.

Psychologist License No. PSY 24716, Tarzana

Respondent Dr. Salter stipulated to placing Psychologist License No. 24716 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 Accusation alleging failure to verify continuing education and unprofessional conduct for failing to provide adequate documentation of completion of required continuing education upon the Board's request. The Decision and Order took effect August 19, 2022.



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PUBLIC REPROVAL

Roberto Zarate, Ph.D.

Psychologist License No. PSY 26446, La Cañada Flintridge

Respondent Dr. Zarate stipulated to the issuance of a public letter of reproof against Psychologist License No. 26446, with cost recovery and coursework terms, after the Board filed an Accusation alleging Respondent's communications with a minor patient's mother caused her to believe that Respondent had concluded that the patient was not on the Autism Spectrum Disorder scale and did not have autism based upon his clinical observations of the patient without conducting a formal assessment of such disorder. The Decision and Order took effect August 31, 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 published in the Office of Administrative Law 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 will review this package at the November 2022 Board meeting for possible adoption.

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.

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 is waiting to submit the package until the Sunset Psychological Associate regulatory package is farther through the regulatory process. When ready, 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: On June 29, 2022, OAL approved the Continuing Professional Development (CPD) regulatory package and filed the changes with the Secretary of State's Office, to be effective January 1, 2023. Licensees that renew between January 1, 2023 and December 31, 2023 can use either the old method of 36 hours of traditional continuing education (CE) or the new CPD model.

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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 Section 1395.2—Disciplinary Guidelines and Uniform Standards Related to Substance-Abusing Licensees

Status: Drafting Phase. This phase follows Board approval of the proposed text and includes preparation of the documents required for the regulatory package and the necessary reviews.

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 follows Board approval of the proposed text and includes preparation of the documents required for the regulatory package and the necessary reviews.

This regulatory package does the following:

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

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 follows Board approval of the proposed text and includes preparation of the documents required for the regulatory package and the necessary reviews.

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 sponsored SB 401. This bill adds 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 gives an administrative law judge the statutory authority in a proposed decision to include an order of revocation.

The bill also adds clear definitions for 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 was signed by the governor on September 13, 2022 and becomes effective January 1, 2023.

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 requires 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 the Board applauds these efforts.

This bill was signed by the governor on September 25, 2022 and becomes effective January 1, 2023.

Board Position: Support

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

AB 1662 (Gipson)—Licensing Boards: Disqualification from Licensure: Criminal Conviction

This bill would authorize a prospective applicant that has been convicted of a crime to submit to any board or bureau a request for a preapplication determination that includes information provided by the prospective applicant regarding their criminal conviction. Upon receiving a preapplication determination request, this bill would require the Board to determine if the prospective applicant would be disqualified from licensure by the Board based on the information submitted with the request and deliver that determination to the prospective applicant.

This bill is in the Senate Appropriations Committee and will not move forward this year.

Board Position: Oppose

To view the text of the bill, click here: [AB 1662 Licensing Boards: Disqualification from Licensure: Criminal Conviction](#).

AB 1733 (Quirk)—State Bodies: Open Meetings

This bill would change the requirements for open meetings for state bodies, specifically by allowing for use of teleconference in closed sessions; requiring the state body to provide a means by

which the public may remotely hear, or hear and observe, the meeting and may remotely address the state body via two-way audiovisual platform or two-way telephonic service; requiring information to be provided in any notice to the public indicating how the public can access the meeting remotely; removing existing provisions of the act that require each teleconference location to be identified in the notice and agenda and accessible to the public.

It would also require a state body to provide members of the public a physical location to hear, observe, and address the state body, authorize the members of a state body to participate in a meeting remotely or at a designated physical meeting location, and specify that physical presence at any physical meeting location is not necessary for the member to be deemed present at the meeting. The bill would take effect immediately due to an urgency clause.

This bill is in the Assembly Governmental Organization Committee and did not move forward this year.

However, SB 189 (Committee on Budget and Fiscal Review) was signed into law and took effect immediately. SB 189 allows boards and other state bodies to hold meetings entirely by teleconference. It also allows members of the body to participate from locations that are not disclosed and not accessible to the public. These provisions will remain in place until July 1, 2023.

Board Position: Support if Amended

To view the text of the bill, click here: [AB 1733 State Bodies: Open Meetings](#).

To view the text of SB 189, click here: [SB 189 State Government](#).

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

The Bringing Health Care into Communities Act, AB 2123, would increase the number of medical professionals in federally designated California Health Professional Shortage Areas by offering five

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years of housing grants for mortgage payments for a permanent residence to the health professionals who practice and live in these areas. The housing grants would be provided by the California Housing Finance Agency. This bill would be operative upon an appropriation from the Legislature.

Board Position: Support if Amended

This bill is in the Assembly Housing and Community Development Committee and did not move forward this year.

To view the text of the bill, click here: [AB 2123 Bringing Health Care into Communities Act of 2023](#).

AB 2754 (Bauer Kahan)—Psychology: Supervision

This bill authorizes the supervision of an applicant for licensure as a psychologist and of a registered psychological associate, to be provided in “real time,” which is defined as through in-person or synchronous audiovisual means, in compliance with federal and state laws related to patient health confidentiality. This bill contained an urgency clause to have it take effect immediately.

Board Position: Support

This bill was signed by the governor on August 22, 2022 and took effect immediately.

To view the text of the bill, click here: [AB 2754 Psychology: Supervision](#).

SB 731 (Durazo)—Criminal Records: Relief

This bill, among other things, amends section 11105 of the Penal Code, which prohibits 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 was signed by the governor on September 29, 2022 and becomes effective January 1, 2023.

Board Position: Oppose

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

SB 1365 (Jones)—Licensing Boards: Procedures

This bill would require each entity within the Department of Consumer Affairs (DCA), including the Board, to publicly post on its website a list of criteria used to evaluate applicants with criminal convictions. It would require DCA to assist each board in developing an informal appeals process and disseminate materials to each board on assisting applicants with criminal convictions to gain employment, as specified.

Board Position: Oppose

This bill was held on the Senate Appropriations Suspense File, and will not be moving forward this year.

To view the text of the bill, click here: [SB 1365 Licensing Boards: Procedures](#).

SB 1428 (Archuleta)—Psychological Testing Technicians

This bill establishes a new registration within the Board of Psychology for psychological testing technicians. It authorizes an individual to provide psychological or neuropsychological test administration and scoring services if that individual qualifies to and is registered with the Board as a psychological testing technician, or if the individual is gaining the specified education and training requirements to become a registered psychological testing technician.

Board Position: Support

This bill was signed by the governor on September 27, 2022 and becomes operative January 1, 2024.

To view the text of the bill, click here: [SB 1428 Psychological Testing Technicians](#).

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Legislative Advisory: AB 2754 (Bauer-Kahan, Chapter 163, Statutes of 2022) Psychology: Supervision

[AB 2754 \(Bauer-Kahan, Chapter 163, Statutes of 2022\)](#) was signed by the governor on August 22, 2022 and took effect immediately. This bill amends Business and Professions Code sections [2913](#) and [2914](#) to authorize that the supervision of a registered psychological associate and of an applicant for licensure as a psychologist, respectively, be provided in real time, which is defined as through in-person or synchronous audiovisual means, in compliance with federal and state laws related to patient health confidentiality.

Executive Order [N-39-20](#) allowed the Department of Consumer Affairs and the Board of Psychology to temporarily waive requirements for face-to-face psychological supervision. This bill permanently authorizes the use of in-person or synchronous audiovisual means for the purposes of psychological supervision.

LEGISLATIVE ADVISORY: SB 401 (Pan), Psychology: unprofessional conduct: Disciplinary Action: Sexual Acts (Effective January 1, 2023)

[SB 401 \(Pan, Chapter 298 Statutes of 2022\)](#) was signed by the governor on September 13, 2022. This bill amends Business and Professions Code sections 2960 and 2960.1 to clearly define sexual abuse, sexual contact, and sexual misconduct—along with adding and defining sexual behavior—to the list of what is considered unprofessional conduct for licensed psychologists and registered psychological associates. This bill also clearly authorizes an administrative law judge to include an order of revocation in a proposed decision that finds a licensee or registrant has engaged in sexual abuse, sexual behavior, or sexual misconduct.

SB 401 establishes the following definitions as unprofessional conduct:

- “Sexual abuse” means the touching of an intimate part of a person by force or coercion.

- “Sexual behavior” means inappropriate physical contact or communication of a sexual nature with a client or a former client for the purpose of sexual arousal, gratification, exploitation, or abuse. “Sexual behavior” does not include the provision of appropriate therapeutic interventions relating to sexual issues.
- “Sexual contact” means the touching of an intimate part of a client or a former client.
- “Sexual misconduct” means inappropriate conduct or communication of a sexual nature that is substantially related to the qualifications, functions, or duties of a psychologist or registered psychological associate.

This change in the law now clarifies the Board’s ability to allege conduct as sexually related unprofessional conduct where it previously could not. Examples include kissing a client in a romantic or sexual fashion; touching or exposing oneself inappropriately; sending flirtatious, sexually suggestive, or sexually explicit text messages or emails to a client; sending photos to a client that include nudity, genitalia, or sexually suggestive poses; or buying romantic/sexual gifts for a client.

When discussions related to sexual issues are a part of appropriate and documented therapeutic interventions, these communications would not be considered sexual behavior.

LEGISLATIVE ADVISORY: SB 1428 (Archuleta), Psychological Testing Technicians (Effective January 1, 2024)

[SB 1428 \(Archuleta, Chapter 622, Statutes of 2022\)](#) was signed by the governor on September 27, 2022. This bill adds Article 10 to the Psychology Licensing Law, commencing with Business and Professions Code (BPC) section 2999.100 to create a new registration within the Board for psychological testing technicians.

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This bill authorizes an individual to administer and score objective psychological or neuropsychological tests, as well as observe and describe the clients' test behavior and test responses, if that individual is registered with the Board as a psychological testing technician, or if the individual is gaining the specified education and training requirements to register as a psychological testing technician. A psychological testing technician shall not select tests or versions of tests, interpret test results, write test reports, or provide test feedback to clients.

To register as a psychological testing technician, an individual must meet the following requirements:

- Have a bachelor or graduate degree from, or be currently enrolled in a graduate degree program at, a regionally accredited institution in:
 - » Psychology, or
 - » Education specializing in educational psychology, counseling psychology, or school psychology.
- Complete a minimum of 80 hours of education and training, including:
 - » At least 40 hours of administering and scoring tests in the presence of a licensed psychologist.
 - » At least 20 hours of direct observation, including at least 10 hours of direct observation of a licensed psychologist administering and scoring tests, and at least 10 hours of direct observation of either a licensed psychologist or registered psychological testing technician administering and scoring tests.
 - At least 20 hours of education on topics including law and ethics, confidentiality, and best practices for test administration and scoring. Such education may be obtained by participating in individual or group instruction provided by a licensed psychologist, engaging in independent learning, completion of graduate-level coursework, or taking continuing education.
- Pay a \$75 fee for initial registration.
- Provide the Board with Live Scan electronic fingerprint image scans for a state- and federal-level criminal offender record information search conducted through the Department of Justice.

All psychological testing technicians must work under the direct supervision of a licensed psychologist. The supervisor must be:

- Employed by the same work setting as the psychological testing technician.
- Available in-person, by telephone or by other appropriate technology.
- Responsible for the ensuring that the extent, kind, and quality of the services that the psychological testing technician provides are consistent with the psychological testing technician's training and experience, monitoring the psychological testing technician is in compliance with laws and regulations, and informing the client that a psychological testing technician will be rendering services.

To annually renew as a psychological testing technician, a registrant must do the following:

- Provide the registrant's name, registration number, and contact information.
- Provide the supervisor's name, license number, and contact information.
- Disclose whether the registrant has been convicted of any violation of the law in this or any other state, the United States or its territories, military court, or other country.
- Disclose whether the registrant has had a license or registration disciplined by a governmental agency or other disciplinary body, since the issuance or previous renewal of their registration. Discipline includes, but is not limited to, suspension, revocation, voluntary surrender, probation, reprimand, or any other restriction on a license or registration held.

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- Attest under penalty of perjury that the information provided on the application is true and correct.
- Pay a \$75 fee for annual renewal.

To add or change supervisors, a registered psychological testing technician must do the following:

- Provide the Board the registrant's name, registration number, and contact information.
- Provide the Board the new or additional supervisor's name, license number, and contact information.
- Provide the Board the current supervisor's name, license number, and contact information.
- Attest under penalty of perjury that the information provided on the application is true and correct.
- Pay a \$25 fee.

Eligible applicants can apply for registration beginning January 1, 2024, through BreEZe.

Legislative Advisory: AB 32 (Aguiar-Curry, Chapter 515, Statutes of 2022)—Telehealth

[AB 32 \(Aguiar-Curry, Chapter 515 Statutes of 2022\)—Telehealth](#) was signed by the governor on September 25, 2022 and becomes effective January 1, 2023.

This bill amends Welfare and Institutions Code (WIC) sections 14132.100 and 14132.725 to authorize the state Department of Health Care Services to authorize a federally qualified health center (FQHC) or rural health clinic (RHC) to establish a new patient relationship using an audio-only synchronous interaction when the visit is related to sensitive services, and authorize an FQHC or RHC to establish a new patient relationship using an audio-only synchronous interaction when the patient requests an audio-only modality or attests they do not have access to video.

This change expands access to care for patients of RQHCs or RHCs by allowing a greater use of telehealth appointments to establish new patient relationships.

Legislative Advisory: SB 731 (Durazo, Chapter 814, Statutes of 2022)—Criminal Records: Relief

[SB 731 \(Durazo, Chapter 814, Statutes of 2022\)—Criminal Records: Relief](#) was signed by the governor on September 29, 2022 and relevant sections will become operative July 1, 2023. This bill affects sections of the Penal Code, among others, and does the following:

- Expands automatic arrest record relief to include arrests for felonies punishable by state prison, as specified, operative July 1, 2023, subject to an appropriation in the annual Budget Act.
- Expands automatic conviction relief to include felonies committed after January 1, 2005, where the defendant was not granted probation and did not complete probation without revocation. Excludes serious and violent felonies, and felonies requiring registration as a sex offender. Operative July 1, 2023, subject to an appropriation in the annual Budget Act.
- Expands discretionary expungement relief to include felonies where the defendant was sentenced to state prison, rather than just realigned felonies.

This change restricts the information the Board can consider when an individual with a criminal history applies for licensure.



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2022–2023 Meeting Calendar

BOARD MEETINGS

November 17–18, 2022
 February 2–3, 2023
 May 19, 2023
 August 18, 2023
 November 2–3, 2023

COMMITTEES

Licensure Committee

January 13, 2023
 July 21, 2023

Legislative and Regulatory Affairs Committee

April 7, 2023
 June 16, 2023

Outreach and Communications Committee

September 22, 2023

