# BOARD OF PSYCHOLOGY

## Overview of Enforcement Activity

| License & Registration* | 07/08 | 08/09 | 09/10 | 10/11 | 11/12** |
|---|---|---|---|---|---|
| Psychologist | 19,651 | 20,307 | 21,019 | 21,527 | 21,729 |
| Registered Psychologist | 371 | 324 | 320 | 312 | 325 |
| Psychological Assistant | 1453 | 1397 | 1429 | 1507 | 1586 |
| **Cases Opened** | **07/08** | **08/09** | **09/10** | **10/11** | **11/12**** |
| Complaints Received | 606 | 786 | 712 | 785 | 239 |
| Criminal Conviction Reports Received | 29 | 72 | 54 | 48 | 30 |
| Investigations Opened | 71 | 93 | 80 | 83 | 28 |
| Cases sent to AG/DA | 28 | 22 | 39 | 37 | 11 |
| **Filings** | | | | | |
| Accusations | 12 | 8 | 23 | 21 | 15 |
| Statement of Issues | 5 | 9 | 8 | 4 | 1 |
| Petitions to Compel Psych. Exam | 0 | 0 | 0 | 1 | 1 |
| Petitions for Penalty Relief | 4 | 3 | 1 | 0 | 1 |
| Petition for Reinstatement | 0 | 1 | 1 | 0 | 2 |
| Petitions for Reconsideration | 1 | 0 | 1 | 0 | 0 |
| **Filing Withdrawals/Dismissals** | | | | | |
| Accusations Withdrawn | 2 | 0 | 0 | 2 | 0 |
| Accusations Dismissed | 1 | 0 | 1 | 0 | 0 |
| Statement of Issues Withdrawn | 1 | 5 | 0 | 2 | 0 |
| **Citations** | | | | | |
| Citations Ordered | 4 | 5 | 10 | 9 | 7 |
| **Decisions (Penalty)** | | | | | |
| Revocations | 3 | 1 | 3 | 2 | 1 |
| Revocation, Stayed, Probation | 8 | 7 | 9 | 12 | 2 |
| Revocation, Stayed, Probation, Susp. | 0 | 3 | 0 | 0 | 0 |
| Voluntary Surrender | 3 | 8 | 3 | 2 | 6 |
| Statement of Issues-License Denied*** | 0 | 1 | 1 | 0 | 1 |
| Statement of Issues-License Granted*** | 6 | 4 | 5 | 3 | 1 |
| Petitions for Penalty Relief Denied*** | 0 | 1 | 0 | 0 | 0 |
| Petitions for Penalty Relief Granted*** | 1 | 3 | 1 | 1 | 0 |
| Petition for Reinstatement Granted*** | 0 | 1 | 0 | 0 | 0 |
| Petition for Reinstatement Denied*** | 0 | 0 | 0 | 1 | 0 |
| Reconsiderations Denied*** | 1 | 0 | 0 | 0 | 0 |
| Reconsiderations Granted*** | 0 | 0 | 1 | 0 | 0 |
| Reprimands | 0 | 0 | 0 | 1 | 1 |
| Orders Compelling Psych. Exam*** | 0 | 0 | 0 | 0 | 1 |
| ISO/TRO/ASO Ordered | 1 | 3 | 4 | 1 | 2 |
| Other | 1 | 2 | 0 | 2 | 0 |
| **Total Decisions** | **16** | **24** | **21** | **20** | **12** |
| **Decisions (Violation Type)** | | | | | |
| Gross Negligence/Incompetence | 3 | 5 | 4 | 4 | 2 |
| Improper Supervision | 0 | 0 | 0 | 1 | 0 |
| Repeat Negligent Acts | 0 | 0 | 0 | 0 | 0 |
| Self Abuse of Drugs or Alcohol | 1 | 2 | 3 | 3 | 1 |
| Dishonesty/Fraud | 0 | 0 | 3 | 0 | 1 |
| Mental Illness | 1 | 1 | 0 | 0 | 0 |
| Aiding Unlicensed Practice | 0 | 0 | 0 | 0 | 1 |
| General Unprofessional Conduct | 1 | 1 | 1 | 1 | 0 |
| Probation Violation | 0 | 1 | 0 | 0 | 0 |
| Sexual Misconduct | 2 | 6 | 1 | 2 | 2 |
| Conviction of a Crime | 8 | 7 | 9 | 8 | 5 |
| Discipline by Another State Board | 0 | 1 | 0 | 1 | 0 |
| Other | 0 | 0 | 0 | 0 | 0 |

*Doesn't include cancelled, revoked, or surrendered license/registration

** Numbers from 7/1/011 thru 10/31/11

*** Not included in Total Decisions or Violation Type

## EXPLANATION OF LANGUAGE

Below are broad, brief descriptions of statistical categories contained in the Board of Psychology's Overview of Enforcement Activity

**Cases Opened:** This category includes 1) all **complaints** that were received in the fiscal year indicated, regardless of source; 2) all **investigations** that were opened during that fiscal year as a result of a complaint filed with the board, regardless of when the complaint was received; and 3) all cases that were referred, during that fiscal year, to the **Office of the Attorney General or the District Attorney's Office**, regardless of when the complaint was originally received.

**Investigation** – After "informal" staff review, the complaint is "formally" investigated by in-house staff or by investigators (peace officers) of the Medical Board of California.

**Filings:**

**Accusation** – Formal statement of charges against licensee.
**Statement of Issues** – Formal statement of reasons why an application for license/registration should be denied.
**Petition to Compel Psychological** - Request to compel licensee to submit a psychological examination.
**Petition for Penalty Relief** – A process whereby one can petition for reinstatement of their revoked or surrender license or request early termination of probation or modification of a condition of probation.
**Petition for Reconsideration** – A process whereby one can petition the Board to reconsider a final decision of the Board.
**Accusation/Statement of Issues Withdrawn** – The formal statement of charges/reasons is withdrawn by the board.
**Accusation Dismissed** – The case is dismissed after a hearing has been held and the dismissal decision is adopted by the Board.
**Statement of Issues – License Granted** – After a hearing, or as a result of a settlement, an applicant is granted a license or registration with or without terms and conditions (i.e. probation, coursework).
**Petitions for Penalty Relief Granted** – A Petition for Reinstatement of a license or registration is granted by the Board, or a Petition for Termination or Modification of Probation is granted by the Board.
**Reconsiderations Granted** – A Petition for Reconsideration is granted by the Board.

**Citations Ordered:** This tool is used for various minor violations such as false advertising or misrepresentation. Citations and fines are public information but are not considered to be disciplinary actions.

**Decision (Penalty):** - This category indicated the actual disciplinary action (penalty) rendered against the licensee or registrant that was ordered by the board in the fiscal year indicated.

**Revoked** - The license is canceled, voided, rescinded. The right to practice is ended.
**Revoked, Stayed, Probation** - "Stayed" means the revocation is postponed. Professional practice may continue so long as the licensee complies with specific probationary terms and conditions. Violation of probation may result in the revocation that was postponed.
**Suspension** - The licensee is prohibited from practicing for a specific period of time.
**License Surrender** - While charges are still pending, the licensee turns in the license - subject to acceptance by the board. The right to practice is ended.
**Reprimands/Reprovals** - An option that is most commonly negotiated between the Board, the licensee, and his/her counsel. Such a letter is an option in settlement of an Accusation. Typically, the letter of reprimand or reproval is a viable option if the violations alleged are relatively minor and no patient harm occurred. It includes a summary of the allegations, acknowledges the impropriety of the acts summarized and can include mandated coursework that the licensee must take, cost recovery to the Board for investigation and essentially may include any other term or condition listed in the Board's Disciplinary Guidelines.

**ISO – Interim Suspension Order** – When a licensee or registrant is required to immediately suspend the practice of psychology. This occurs through the hearing process in cases where the evidence indicates that the licensee is likely to engage in behaviors that present an immediate threat to the public health, safety and welfare.

**Other** - Includes atypical decisions that do not fall into the above categories.

**Decisions (Violation Type):** This category indicates each violation that a licensee or registrant committed that resulted in the disciplinary action that was rendered during the fiscal year indicated. These violations are grounds for disciplinary action as found in the *Laws and Regulations Relating to the Practice of Psychology*.

# Monthly Enforcement Report to DCA

## Board of Psychology 2011-2012

### *Complaint Intake*

Complaints Received by the Program.
Measured from date received to assignment for investigation or closure without action.

| | Jul-11 | Aug-11 | Sep-11 | Oct-11 | Nov-11 | Dec-11 | Jan-12 | Feb-12 | Mar-12 | Apr-12 | May-12 | Jun-12 | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Complaints | | | | | | | | | | | | | |
| Received | 24 | 70 | 53 | 62 | | | | | | | | | |
| Closed | 5 | 15 | 8 | 19 | | | | | | | | | |
| Referred to Investigation | 15 | 59 | 34 | 55 | | | | | | | | | |
| Average Days to Close | 4 | 6 | 6 | 5 | | | | | | | | | |
| Pending | 7 | 3 | 14 | 2 | | | | | | | | | |

| | Jul-11 | Aug-11 | Sep-11 | Oct-11 | Nov-11 | Dec-11 | Jan-12 | Feb-12 | Mar-12 | Apr-12 | May-12 | Jun-12 | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Convictions/Arrest Reports | | | | | | | | | | | | | |
| Received | 12 | 8 | 4 | 6 | | | | | | | | | |
| Closed | 11 | 10 | 2 | 8 | | | | | | | | | |
| Average Days to Close | 3 | 12 | 6 | 6 | | | | | | | | | |
| Pending | 2 | 0 | 2 | 0 | | | | | | | | | |

### *Investigation*

Complaints investigated by the program whether by desk investigation or by field investigation.
Measured by date the complaint is received to the date the complaint is closed or referred for enforcement action.
If a complaint is investigated by more than one approach (desk, field non-sworn, etc.) then,
categorize it by the last investigator category.

| | Jul-11 | Aug-11 | Sep-11 | Oct-11 | Nov-11 | Dec-11 | Jan-12 | Feb-12 | Mar-12 | Apr-12 | May-12 | Jun-12 | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Desk Investigation | | | | | | | | | | | | | |
| Opened | 18 | 69 | 36 | 63 | | | | | | | | | |
| Closed | 44 | 47 | 31 | 60 | | | | | | | | | |
| Average Days to Complete | 32 | 32 | 34 | 38 | | | | | | | | | |
| Pending | 50 | 64 | 63 | 61 | | | | | | | | | |

| | Jul-11 | Aug-11 | Sep-11 | Oct-11 | Nov-11 | Dec-11 | Jan-12 | Feb-12 | Mar-12 | Apr-12 | May-12 | Jun-12 | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Field Investigation (Non-Sworn) | | | | | | | | | | | | | |
| Opened | | | | | | | | | | | | | |
| Closed | | | | | | | | | | | | | |
| Average Days to Complete | | | | | | | | | | | | | |
| Pending | | | | | | | | | | | | | |

| | Jul-11 | Aug-11 | Sep-11 | Oct-11 | Nov-11 | Dec-11 | Jan-12 | Feb-12 | Mar-12 | Apr-12 | May-12 | Jun-12 | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Field Investigation (Sworn) | | | | | | | | | | | | | |
| Opened | 5 | 9 | 8 | 5 | | | | | | | | | |
| Closed | 8 | 8 | 8 | 4 | | | | | | | | | |
| Average Days to Complete | 258 | 402 | 380 | 282 | | | | | | | | | |
| Pending | 75 | 77 | 78 | 79 | | | | | | | | | |

| | Jul-11 | Aug-11 | Sep-11 | Oct-11 | Nov-11 | Dec-11 | Jan-12 | Feb-12 | Mar-12 | Apr-12 | May-12 | Jun-12 | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| All Investigations | | | | | | | | | | | | | |
| Closed | 52 | 55 | 39 | 64 | | | | | | | | | |
| Average Days to Complete | 67 | 86 | 105 | 54 | | | | | | | | | |
| Pending | 125 | 141 | 141 | 140 | | | | | | | | | |

## *Enforcement Actions*

| | Jul-11 | Aug-11 | Sep-11 | Oct-11 | Nov-11 | Dec-11 | Jan-12 | Feb-12 | Mar-12 | Apr-12 | May-12 | Jun-12 | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Cases Referred to AG | 4 | 2 | 3 | 1 | | | | | | | | | |
| Cases Pending at AG | 46 | 48 | 46 | 44 | | | | | | | | | |
| SOIs Filed | 0 | 1 | 0 | 0 | | | | | | | | | |
| Accusations Filed | 3 | 4 | 1 | 5 | | | | | | | | | |
| Proposed/Default Decisions | 0 | 0 | 1 | 1 | | | | | | | | | |
| Stipulations Adopted | 1 | 0 | 4 | 2 | | | | | | | | | |

| | Jul-11 | Aug-11 | Sep-11 | Oct-11 | Nov-11 | Dec-11 | Jan-12 | Feb-12 | Mar-12 | Apr-12 | May-12 | Jun-12 | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Disciplinary Orders | | | | | | | | | | | | | |
| Final Orders (Proposed Decisions Adopted, Board Decisions, Stipulations) | 1 | 0 | 5 | 3 | | | | | | | | | |
| Average Days to Complete* | 806 | 0 | 1087 | 715 | | | | | | | | | |
| Interim Suspension Orders | 0 | 0 | 1 | 0 | | | | | | | | | |

| | Jul-11 | Aug-11 | Sep-11 | Oct-11 | Nov-11 | Dec-11 | Jan-12 | Feb-12 | Mar-12 | Apr-12 | May-12 | Jun-12 | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Citations | | | | | | | | | | | | | |
| Final Citations | 1 | 0 | 3 | 3 | | | | | | | | | |
| Average Days to Complete* | 124 | 0 | 368 | 175 | | | | | | | | | |

* - The number of days from receipt of complaint to the effective date of the citation or the effective date of the disciplinary order.

*Department of Consumer Affairs*

# Board of Psychology

## Performance Measures

### Q1 Report *(July - September 2011)*

To ensure stakeholders can review the Board's progress toward meeting its enforcement goals and targets, we have developed a transparent system of performance measurement. These measures will be posted publicly on a quarterly basis.

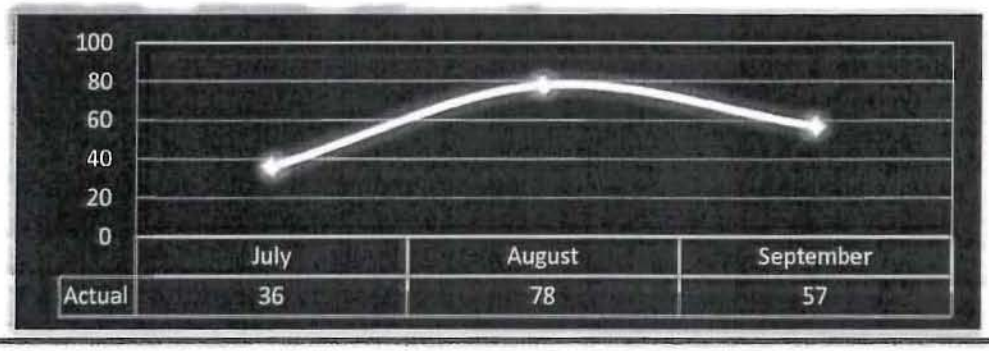
## Volume

**Number of complaints and convictions received.**

### Q1 Total: 171

***Complaints: 147 Convictions: 24***

### Q1 Monthly Average: 57



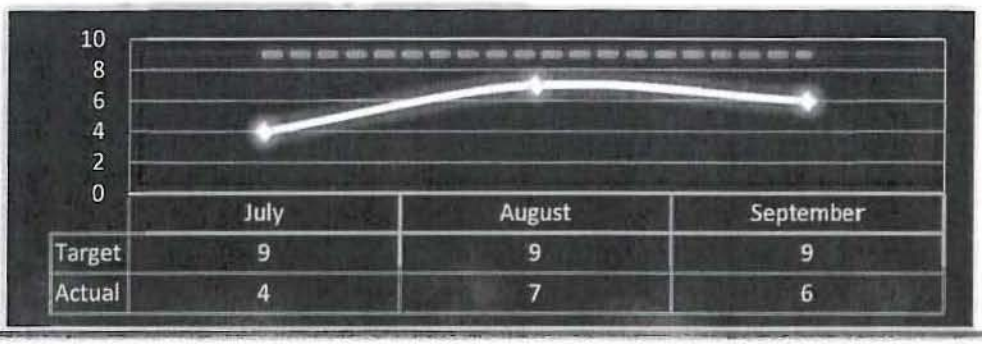

| | July | August | September |
|---|---|---|---|
| Actual | 36 | 78 | 57 |

## Intake

**Average cycle time from complaint receipt, to the date the complaint was assigned to an investigator.**

### Target: 9 Days

### Q1 Average: 6 Days



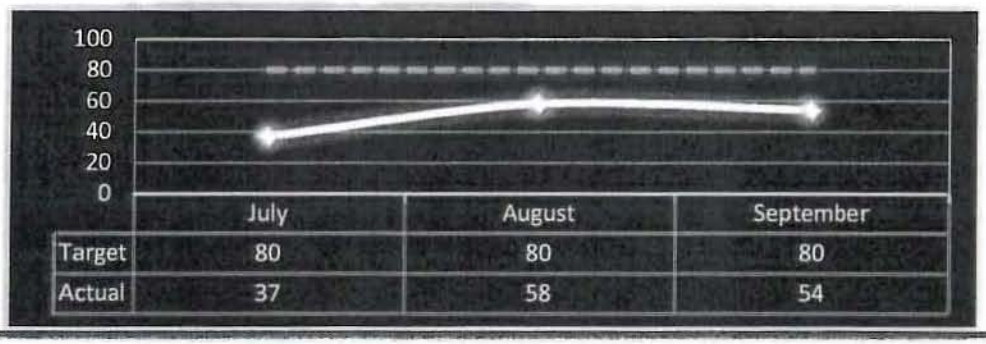

| | July | August | September |
|---|---|---|---|
| Target | 9 | 9 | 9 |
| Actual | 4 | 7 | 6 |

## Intake & Investigation

**Average cycle time from complaint receipt to closure of the investigation process. Does not include cases sent to the Attorney General or other forms of formal discipline.**

### Target: 80 Days

### Q1 Average: 57 Days

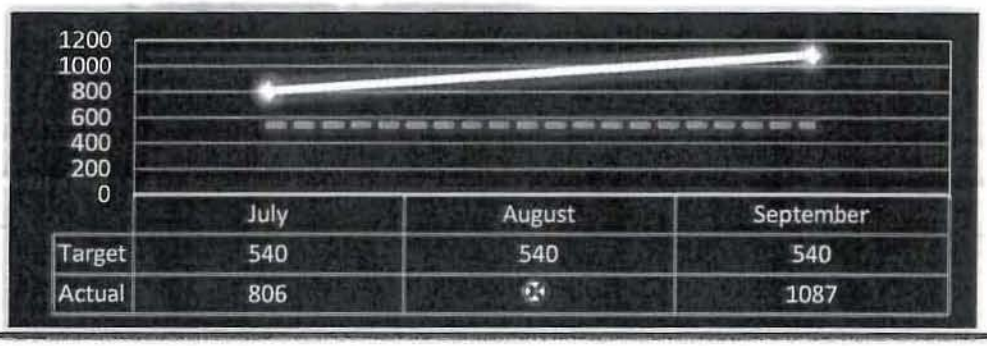



## Formal Discipline

**Average number of days to complete the entire enforcement process for cases resulting in formal discipline. (Includes intake and investigation by the Board, and prosecution by the AG)**

### Target: 540 Days

### Q1 Average: 1040 Days

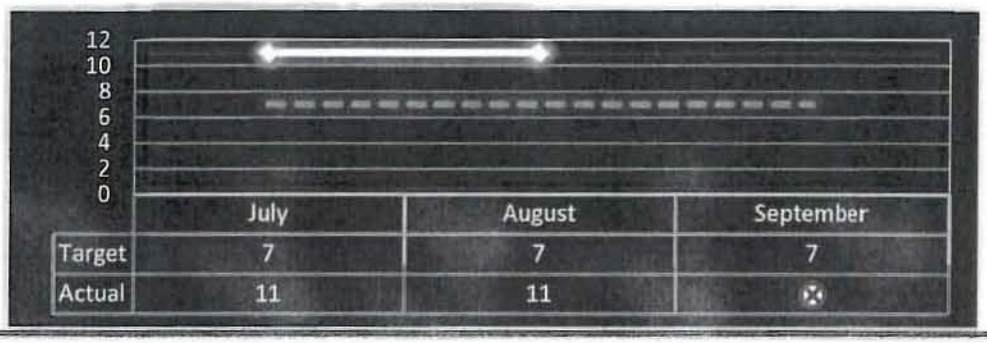



## Probation Intake

**Average number of days from monitor assignment, to the date the monitor makes first contact with the probationer.**

### Target: 7 Days

### Q1 Average: 11 Days



## Probation Violation Response

**Average number of days from the date a violation of probation is reported, to the date the assigned monitor initiates appropriate action.**

**Target: 10 Days**

**Q1 Average: N/A**

*The Board did not handle any probation violations this quarter.*