STATE OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE AND CONSUMER SERVICES AGENCY • GOVERNOR EDMUND G. BROWN JR.
BOARD OF PSYCHOLOGY
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DRAFT

BOARD MEETING MINUTES

DRAFT

Crowne Plaza SFO
1177 Airport Blvd., Peninsula Rooms III & IV
Burlingame, CA 94010

Thursday, June 21, 2012

The open session meeting was called to order by Robert Kahane, Executive Officer at 9:04 a.m. A quorum was present and due notice had been sent to all interested parties.

Members Present:
Lucille Acquaye-Baddoo
Barbara Cadow, Ph.D.
Michael Erickson, Ph.D.
Gail Evans
Miguel Gallardo, Psy.D.

Others Present:
Robert Kahane, Executive Officer
Jeffrey Thomas, Assistant Executive Officer
Norine Marks, Legal Counsel
Gina Bayless, Enforcement Coordinator
Linda Kassis, Administrative Services Coordinator
Lavinia Snyder, Licensing/Registration Coordinator
Denise Russell, Continuing Education/Probation Coordinator

Agenda Item #1 – Administration of Oath of Office

Mr. Kahane reported that no new appointments had been made to the Board.

Agenda Item #2 – Election of Officers

a) President

Ms. Acquaye-Baddoo nominated Dr. Erickson for President.

b) Vice-President

Ms. Acquaye-Baddoo nominated Dr. Cadow for Vice-President.

It was M(Acquaye-Baddoo)/C to elect Dr. Erickson as President and Dr. Cadow as Vice-President.

Vote: 5 – 0

It was M(Evans)/S(Acquaye-Baddoo)/C for these elections to be valid through 2013 with a new election to be held during the last meeting of the 2013 calendar year to become effective January 1, 2014.

Vote: 5 – 0

Agenda Item #3 – Approval of February 23-24, 2012 Minutes

The approval of the February 23-24, 2012 minutes was tabled until the next Board meeting.

Agenda Item #4 – Petitioner Administrative Hearing

9:15 A.M. – KENYON, Marilyn, aka Marilyn Windham, Psy.D.- Petition for Reinstatement

Administrative Law Judge Mary Margaret Anderson presided. Deputy Attorney General Jannsen Tan was present and represented the people of the State of California. Marilyn Kenyon, Psy.D. was present and was represented by Leonard C. Hart Nibbrig.

The Board adjourned into closed session at the conclusion of the hearing pursuant to Government Code section 11126(c)(3) and 11126(e) to discuss and vote on disciplinary decisions, including the above petition and pending litigation.

1:00 P.M. – CLOSED SESSION

The Credentials Committee will meet in closed session pursuant to Government Code Section 11126(c)(2) to Review a Request for an Extension of the 30 or 60-Consecutive Month Limit of Section 1387(a) of the California Code of Regulations.

1:30 P.M. – OPEN SESSION

Agenda Item #5 –Review and Approve Proposed Amendments to Title 16, CCR, Section 1397.12 – Uniform Standards Related to Substance Abuse and Disciplinary Guidelines

Ms. Marks stated that the Board previously approved draft language to add new standards regarding substance abusing licensees. She stated that at that time, the Board included in that language some discretion with respect to the ultimate content of each of those standards. There have been opinions from the Legislative Counsel and the Office of the Attorney General on this issue. She stated that most recently, there is new opinion from the Department of Consumer Affairs (DCA) Legal Office stating essentially that if these standards are to be applied, they must be applied as written.

Ms. Marks provided the Board with three options to consider that would result in a finding that a licensee is a "substance-abusing licensee" within the meaning of the statute, and trigger the application of the uniform standards as follows:

Option 1 – creates rebuttable presumption that the licensee is a substance-abusing licensee. Once grounds are established that involve drugs or alcohol, the licensee is considered to be a substance abuser unless evidence rebuts that presumption (e.g. sobriety for a certain number of years);

Option 2 – allows for a determination to be made after a clinical diagnostic evaluation that the licensee is a substance-abusing licensee;

Option 3 – requires the Board to prove at hearing that the licensee is a substance abuser.

Dr. Cadow asked if this means that the Board has no discretion when a licensee is determined to be a substance abuser and that the uniform standards have to be applied. Ms. Marks replied that if it is determined that the licensee is a substance abuser, and then if the standards are to be applied, they must be applied as written. She clarified that not all standards are mandatory

such as requiring a worksite monitor. However, the mandatory standards such as biological fluid testing and notification to the employer must be applied as written.

Mr. Marks indicated that in the proposed amendments, any changes to the disciplinary guidelines themselves where discretion was written in has been lined out, and some changes have been made to the rationale in the notes for each standard to indicate if that standard is mandatory or discretionary.

Ms. Marks stated that option #1 appears to be the most reasonable of the options in that it puts everyone on notice before a hearing that this is going to be the issue and that way the licensee can come in with information to rebut the presumption of being a substance abusing licensee. She stated that it then becomes only about the consequences once the licensee has been determined to be subject to discipline. She stated that option #2 relies on a clinical diagnostic evaluation which may create a lack of clarity. She stated that option #3 makes it an obligation of the board which may be extremely difficult to prove. She stated that the cleanest way to move forward is to create this presumption and give notice at same time to licensee that they have that burden at hearing. She clarified that these options do not impact the content of each standard once it is applied.

It was M(Evans)/S(Acquaye-Baddoo)/C to move forward with option #1, approve the proposed amendments to the language, set for hearing, and delegate the authority to the Executive Officer to make any non-substantive changes.

Vote: 5 – 0

It was M(Acquaye-Baddoo)/S(Evans)/C to approve the amendments in the disciplinary guidelines & uniform standards related to substance abusing licensees and delegate the authority to the Executive Officer to make any non-substantive changes.

Vote: 5 – 0

Agenda Item #6 –Review and Approve Enforcement Guidelines for Argument and Proceedings before the Board

Ms. Marks presented the Board with revised Guidelines for Argument in Proceedings Before the Board to update the timeframes to be more reasonable. She also recommended that guideline 3(c) related to reinstatements, be updated to specify that it is the People of the State of California that the Deputy Attorney General represents.

It was M(Cadow)/S(Evans)/C to approve the guidelines as amended.

Vote: 5 – 0

Agenda Item #7 – Continuing Education Committee

The Continuing Education Committee met to discuss and formulate recommendations to the Board. See agenda item 9(a) for the Board's discussion.

Agenda Item #8 – Legislation Committee

The Legislation Committee met to discuss and formulate recommendations to the Board. See agenda item 9(b) for the Board's discussion.

Agenda Item #9 – Reconvene Full Board for Committee Reports and Board Action

a) Continuing Education Committee Report

Strategic Plan Progress Report

Dr. Gallardo stated that the Board is still moving along to educate individual licensees regarding the new continuing education regulations that will become effective January 1, 2013. He stated that Mr. Kahane, Ms. Bayless and Ms. Russell were in attendance at the CPA Convention in April to field questions on this issue. He stated that CPA has been helping to educate licensees, which is greatly appreciated.

Continuing Education Statistics

Dr. Gallardo referred to the non-compliance statistics that were provided in the meeting packets. He stated that the non-compliance rate for February 2012 dropped down to four percent. He indicated that the MCEP Accrediting Agency has been sending out initial letters which has made a huge impact and helps Board staff who are limited in time and resources. He stated that the Board appreciates the collaboration.

Update Regarding Implementation of Continuing Education Regulations effective January 1, 2013, pursuant to Title 16, CCR Sections 1397.60-1397.71

Dr. Gallardo reported that an FAQ regarding what to anticipate and what licensees' responsibilities are under the new regulations are being sent out. He indicated that CPA is working on a system to help licensees track, store and maintain their hours in the event that the licensee is audited.

Discussion Regarding Continued Competency (ASPPB Recommendations for Continued Professional Development)

Dr. Gallardo stated that it is the Board's desire and intent to embrace ASPPB's continued development model. He stated that the model expands upon the continuing education model by endorsing expanding opportunities to enhance development and growth. He stated that the Board asked Jacqueline Horn, Ph.D. and ASPPB to draft regulatory language, and Dr. Horn brought this language to the Board. He stated that the Continuing Education Committee can use this language as a framework for discussion. He pointed out that the draft language is simply recommendations and guidelines for the Board to consider, and that when the Board moves forward with a regulation change on this issue, the draft language can be crafted to be most advantageous for California.

Discussion Regarding Requiring Mandatory Continuing Education in Multicultural Issues

Dr. Gallardo discussed some comments that were made on a listserve regarding a job posting looking for bilingual candidates. He stated that this posting resulted in many biased comments being made regarding multicultural issues. He stated that it is hard to see these types of comments and the Board has some work to do around this particular issue. He stated that there is a need and concern to ensure consumer protection.

Discussion and Consideration of Amendments to Continuing Education Regulations to Establish Criteria for Accepting Entities to Approve CE Providers and Courses

Dr. Gallardo stated that this issue is being deferred to the next Board meeting.

Public Comment for Items Not on the Agenda

None.

It was M(Gallardo)/S(Erickson)/C to accept the Continuing Education Committee's report and the recommendations contained therein.

Vote: 5 – 0

b) Legislation Committee Report

Strategic Plan Progress Report

The Strategic Plan Progress Report has been updated and is ongoing.

AB 40 (Yamada) – Elder and Dependent Adult Abuse Reporting

This bill changes elder and dependent adult abuse reporting requirements: For physical abuse occurring in a long term care facility, resulting in serious bodily injury now defined in Welfare and Institutions Code section 15610.67, mandated reporters must report abuse to law enforcement within 2 hours by phone and submit a written report to the local ombudsman, the corresponding licensing agency, and the local law enforcement agency within 2 hours.

If the suspected abuse does not result in serious bodily injury, as defined, a mandated reporter is required to make the report by telephone and in writing within 24 hours of the reporter observing, obtaining knowledge of, or suspecting the physical abuse, as specified. Any person who is not a mandated reporter is authorized to report the abuse to the local ombudsman, or the local law enforcement agency if the abuse occurs in a long-term care facility.

AB 338 (Wagner) – Regulations: Legislative Validation: Effective Date

The March 19, 2012 hearing for AB 338 was cancelled, and this bill is now dead. Ms. Evans requested that staff delete this bill from the tracking report and substitute SB 1099 (Wright), Regulations, with a watch position.

SB 1134 (Yee) – Persons of Unsound Mind: Psychotherapist Duty to Protect

This bill clarifies a psychotherapist's duty to protect and amends the law to conform changes made in 2007 to the Judicial Council jury instructions, which are consistent with Tarasoff v. UC Regents 1976. This bill seeks to further clarify a psychotherapists' duty under the above circumstance by changing the duty referred to by the statute from a "duty to warn and protect" to a "duty to protect."

AB 1674 (Ma) – Child Custody: Visitation

This bill originally pertained to "therapeutic providers", which included licensed mental health professionals paid for providing supervised visitation services. Therapeutic Providers, which includes Psychologists, were eliminated from this bill; therefore Ms. Evans requested staff delete this bill from the tracking report.

AB 1848 (Atkins) – Physicians and Surgeons: Expert Witness Testimony

The April 24, 2012 hearing for AB 1848 was cancelled, and this bill is now dead. Ms. Evans requested that staff delete this bill from the tracking report.

AB 1864 (Wagner) – Immunity: Court-Appointed Professionals

This bill was held in the Assembly Judiciary Committee on March 1, 2012, and is now dead. Ms. Evans requested that staff delete this bill from the tracking report.

SB 1250 (Alquist) – Medical Records: Confidentiality

This bill was held in committee under submission on May 24, 2012, and is now dead. Ms. Evans requested that staff delete this bill from the tracking report.

SB 1407 (Leno) – Medical Information: Disclosure

This bill prohibits a minor patient's parent from being considered the minor's representative for medical release purposes if the minor has been removed from the parent's custody in dependency proceedings unless a juvenile court has authorized the release of the records to the guardians.

AB 2570 (Hill) – Licensees: Settlement Agreements

Ms. Evans stated that this bill prohibits gag clauses in civil settlement agreements which will make it easier for Department of Consumer Affairs (DCA) boards to protect consumers by allowing them to communicate with individuals filing complaints or who have been victimized. Ms. Evans stated that this gag order ban currently exists for attorneys, physicians and surgeons, and will be extended to the Psychology profession as well.

Ms. Kassis reported that the Board has already promulgated regulations including these provisions, and that the rulemaking file was submitted to the Office of Administrative Law for review on June 8, 2012.

AB 1733 (Logue) – Tele-Health

Ms. Evans stated that this bill extends telehealth requirements enacted last year to all plans that contract with the Department of Health Care Services (DHCS). Ms. Evans stated that last years bill (AB 415) only applied to full-service health care plans, and did not apply to several other types of plans contracting with the DHCS.

Ms. Evans reported that Ms. Kassis has submitted a request for changes to Business and Professions Code Section 2904.5 to update the code to reflect legislative changes made pursuant to AB 415.

SB 1575 (Price) – Committee on Business, Professions and Economic Development: Professions and Vocations

This bill makes several non-controversial minor non-substantive or technical changes to various provisions pertaining to the health-related regulatory boards of the Department of Consumer Affairs (DCA). In pertinent part, this bill makes technical changes to Business and Professions Code section 2904.5 regarding telehealth services, to make it consistent with the governing statute Business and Professions Code section 2290.5.

AB 2296 (Block) – California Private Postsecondary Education Act of 2009

Ms. Evans reported that this bill provides for more disclosure regarding unaccredited degree programs and requires disclosure of information relating to graduation rates, employment rates, salary/wages, and examination passage rates.

SB 1172 (Lieu) – Sexual Orientation Change Efforts

Ms. Evans stated that this bill is a priority for the California Psychological Association (CPA). Ms. Evans reported that CPA is opposed unless amended, and that they are working closely with the Senator Lieu's office to resolve issues of contention. Ms. Evans reported that the primary focus of this bill is to prevent providers from engaging in sexual orientation change therapy efforts with patients less than 18 years of age.

SB 1185 (Price) – Centralized Intelligence Partnership Act

This bill provides a pilot program for a central intake process and organizational structure to document, review, and evaluate data and complaints. The pilot program partnership originally included DCA. This bill was requested by Board of Equalization to deal with individuals and businesses that conceal business activities and escape licensing, regulatory and taxing agencies.

The May 29, 2012 amendments removed DCA from the partnership, and instead allow the Department to participate in the pilot program in an advisory capacity, allowing the exchange of intelligence, data, documents, information, complaints and lead referrals for purposes of investigating illegal underground operations.

SB 1238 (Price) – Professions: Board of Psychology: Board of Behavioral Sciences

Ms. Evans reported that the Board's sunset extension bill is set for hearing next Tuesday, June 26th, and that this bill is moving along through the legislature. Ms. Evans reported that the committee recommends sending a letter of support to the governor requesting his signature to extend the Board's sunset date and its executive officer until January 1, 2017.

M(Evans)/S(Gallardo)/C to authorize the Executive Officer to send a letter to the Governor's office requesting signature on SB 1238.

Vote: 5 – 0

Legislation Pertaining to Mental Health Benefits/Coverage

- AB 1453 (Monning) – Essential Health Benefits

  This bill sets minimum standards for "essential health benefits" in California in response to guidance from the federal Health and Human Services Agency issued pursuant to the federal Patient Protection and Affordable Care Act (ACA) This bill establishes Kaiser Small Group Health Maintenance Organization plan contract as the benchmark plan for California's Essential Health Benefits.

- SB 951 (Hernandez) – Health Care Coverage: Essential Health Benefits

  Federal law requires each state, by January 1, 2013, to establish an American Health Benefit Exchange that facilitates the purchase of qualified health plans by qualified individuals and qualified small employers. This bill designates Kaiser Small Group HMO as the California benchmark plan and the essential health benefit standard as required by federal health care reform.

- SB 961 (Hernandez) – Individual Health Care Coverage

  This bill reforms California's individual market in accordance with federal health care reform. This bill prohibits the use of preexisting conditions; conditioning or offering based on discriminatory factors; requires guaranteed renewability; permits rating factors based on age, geographic region and family size only.

- AB 154 (Beall) – Health Care Coverage: Mental Health Services

  This bill requires health plans and insurers to cover diagnosis and treatment of a mental illness to persons of any age with specified exceptions, and not limited to coverage for severe mental illness as in existing law. This bill mandates full mental health parity in California, filling "holes" in federal parity law.

AB 2397 (Allen) – Mental Health: State Hospitals: Ancillary Clinical Staff-to Patient Ratios

This bill requires the Department of Mental Health (DMH) to reimburse an independent entity for the purposes of conducting a review and analysis of staffing ratios to determine the appropriate levels for effective patient treatment in state hospitals.

Legislation Pertaining to Military Personnel

- AB 1588 (Atkins) – Professions and Vocation: Reservist Licensees: Fees and Continuing Education

  This bill requires boards under DCA to waive professional license renewal fees and continuing education requirements for military reservists called to active duty.

- AB 1904 (Block, Butler, and Cook) – Professions and Vocations: Military Spouses: Temporary Licenses

  This bill requires boards under DCA to expedite the licensure process for an applicant who holds a license in the same profession or vocation in another jurisdiction and is married or domestic partner with an active duty armed forces member who is assigned to a duty station in California. The previous version of this bill, prior to the June 14, 2012 amendments authorized a DCA board to issue a temporary license. Due to costs involved, the term "temporary license" was deleted, and the bill was amended to instead require boards to expedite the licensure process.

- AB 1932 (Gorell) – United States Armed Services: Healing Arts Boards

  This bill requires healing arts boards to issue a written report to the California Department of Veterans Affairs (CDVA) and to the Legislature detailing the methods of evaluating the education, training, and experience obtained in military service and requirements for licensure, by January 1, 2014.

- AB 1976 (Logue) – Professions and Vocations: Licensure and Certification Requirements: Military Experience

  This bill was held in the Assembly Appropriations committee on May 25, 2012, and is now dead. Ms. Evans requested that staff delete this bill from the tracking report.

Legislative Status Report on Bills of Interest to the Board & 2012 Legislative Calendar

The Legislative Status Report and the Legislative Calendar are included for reference.

Any Other Bills of Interest

None

Public Comment

None.

It was M(Cadow)/S(Acquaye-Baddoo)/C to accept the Legislation Committee's report.

Vote: 5 – 0

Friday, June 22, 2012

The open session meeting was called to order by Dr. Erickson at 9:10 a.m. Due notice had been sent to all interested parties.

Members Present:
Lucille Acquaye-Baddoo
Barbara Cadow, Ph.D.
Michael Erickson, Ph.D.
Gail Evans

Others Present:
Robert Kahane, Executive Officer
Jeffrey Thomas, Assistant Executive Officer
Norine Marks, Legal Counsel
Gina Bayless, Enforcement Coordinator
Linda Kassis, Administrative Services Coordinator
Lavinia Snyder, Licensing/Registration Coordinator
Denise Russell, Continuing Education/Probation Coordinator

Agenda Item #10 – Executive Officer's Report

a) Board Operations

Mr. Kahane reported that all allotted staff have been hired and other positions are at the Department of Personnel Administration for approval. He stated that the licensing unit is at full staff and we expect licensing processing times to be reduced. He stated that we have not lost any current staff, however, we have been justifying the continuance of our retired annuitant positions and our justifications are still being reviewed. The administration is exercising extreme scrutiny in these positions and will only allow us to keep those retired annuitant positions that serve a mission-critical purpose.

He stated that the Board's move to DCA's headquarters building is going as planned, and we are scheduled to be physically moved the week of Labor Day.

b) Budget Update

Mr. Kahane reported that the Board continues to run with an acceptable reserve. He stated that we are still under the ongoing travel restrictions.

c) Sunset Review

Mr. Kahane reported that he, Dr. Sherman and Dr. Rodolfa testified before the subcommittee in March in support of the Board's continuance.

d) BreEZe Project

Mr. Kahane stated that the Board is in the first-phase rollout for the new BreEZe licensing system which will integrate the Board's application, licensing and enforcement programs into one system. He indicated that recent correspondence extended the implementation date by four weeks

e) Discuss Upcoming Executive Officer Performance Review

Mr. Thomas stated that he will be working with the Board President to initiate this year's Executive Officer Performance Review. He indicated that it may be delayed due to the change in the Board's composition.

f) Discuss Upcoming Committee Assignments

Mr. Kahane stated that given the recent changes to the Board, the Board does not know who is going to be on the Board or what their particular interests will be as far as serving on committees. He instructed the Board members to let Dr. Erickson know which committees they are interested in being appointed to.

g) Other Informational Items

Mr. Kahane stated that the Board received approval to attend the CPA Convention. He stated that the Board made a presentation regarding myths and realities of the Board and that approximately 40 psychologists were in attendance. He stated that the presentation was well received and that many issues were clarified. He stated that since the Board was limited in the number of staff members who could attend, it was unable to bring the Board's Licensing Coordinator; therefore, many questions regarding the licensing process went unanswered.

Agenda Item #11 – Examination Committee

Strategic Plan Progress Report

Dr. Cadow stated that the Examination Committee's goals and objectives are ongoing. She stated that the Board decided at the last meeting to eliminate the CPSE and change it to an enhanced CPLEE.

Examination Statistics

Dr. Cadow reported that the passing rate of the EPPP is higher than the total percentage. She stated that the CPSE statistics remain fairly consistent, and the CPLEE continues to have a lower passing rate.

Discuss English as a Second Language as a Basis for an Accommodation in Taking the Examination

Ms. Snyder reported that the Board currently allows accommodations of extended time for candidates who indicate that English is their second language and who have been in the country for less than ten years. She stated that this policy was adopted by the Board back in 1991. The Board requested Ms. Snyder to gather information from other states to see if other boards are granting accommodations based on English as a second language and to provide the information to the Examination Committee for discussion at the next Board meeting.

Proposed Amendments to Examinations Regulations, Title 16, CCR Sections 1388, 1388.6, 1389 & 1392

Ms. Cadow referred to the proposed language to delete the CPSE and replace it with the CPLEE. Ms. Marks stated that section 1392 needs to be included in the proposal to delete the CPSE fee. Ms. Snyder will be working with OPES to determine when the enhanced CPLEE will be available so that an effective date for the new regulations can be established.

Public Comment

None.

Agenda Item #12 – Contemporary & Emerging Issues Committee

Discussion Regarding Draft Telehealth Guidelines

Dr. Erickson reported that he has met twice with Mr. Kahane to discuss the process to develop telehealth guidelines. He indicated that there have been a couple of rough drafts, however, nothing is ready to be distributed at this time. He stated that the Board will be working with CPA and ASPPB to further develop the guidelines, and he anticipates having a draft ready by late summer.

Evaluation of Board Meeting Calendar and Meeting Format

Mr. Kahane stated that given the recent changes to the composition of the Board, he recommends having this discussion once we have a full Board. He stated that from a staff perspective, it is invaluable to have the additional time between Board meetings to resolve issues and conduct research on issues before the Board. Ms. Evans stated that the current schedule gives only one meeting to discuss legislation before it is acted upon. Dr. Erickson stated that it also has an impact on the regulatory process, but noted that it is too soon to evaluate. He stated that the Board should revisit the issue periodically. Mr. Kahane stated that the 2013 calendar will be on the agenda for the next Board meeting for the Board to review and approve.

Public Comment for Items not on the Agenda

None.

Agenda Item #13 – Enforcement Committee

Strategic Plan Progress Report

Ms. Acquaye-Baddoo deferred to Ms. Bayless. Ms. Bayless reported that the Enforcement Committee's goals and objectives are ongoing.

Enforcement Statistics

Ms. Bayless reported on the enforcement statistics. She noted increases in certain areas such as the total for overall decisions which is currently at 31 decisions to date which is up quite a bit from previous years. She clarified that this includes license surrenders and probation. She also stated that there have been 679 complaints filed to date and the number of citations issued are almost double from the prior year. She explained that this is due to violations by psychological assistants advertising independently from their supervisors as well as unlicensed activity. She reported that the final statistics for fiscal year 2011/2012 will be provided at the next Board meeting.

Ms. Bayless referred to the performance measures included in the Board meeting packets. She indicated that the Board is below its target for intake and investigation. Although formal discipline is above the established target, the Board is filling positions to meet our goals.

Ms. Bayless also stated that the Board is currently recruiting experts in Northern California. She indicated that Board staff has been working with CPA in this effort. Once experts are recruited, she stated that the Board will conduct an expert training session.

Public Comment

None

Agenda Item #14 – Credentials Committee

Strategic Plan Progress Report

Ms. Snyder stated that the Credentials Committee's goals and objectives are ongoing. She stated that currently psychological assistant and registered psychologist applications are taking approximately four weeks and licensing applications are taking approximately 16 weeks.

Satisfaction Survey Results

Dr. Erickson reported that the Board is receiving positive results on the satisfaction surveys despite the backlog in application processing. He requested that staff draft a notice for the Board's website addressing the delays in processing time.

Update on the California Laws and Regulation Regarding Educational Requirements for Licensure to the National Educational Standards for Psychologist

Dr. Erickson reported that Mr. Kahane has written a letter to CPA requesting that CPA put on their agenda for consideration to amend the statute regarding the requirements for approved schools. Dr. Linder-Crow stated that she passed the letter along to CPA's government affairs chairperson and that they will be considering this in terms of timing and what will need to be done to be able to introduce legislation. She stated that she will consult with Dr. Faltz and will be having conversations with the government affairs steering committee. She stated the CPA appreciates the letter and will hopefully have an update at the next Board meeting. Dr. Linder-Crow also stated that this Board has not been as active legislatively as other boards, but the Board members may want to consider how actively involved the Board may want to be to support this. Dr. Cadow stated that she wants to underscore the importance of licensing standards and that those standards be kept at a national standard to ensure parity and consumer protection.

Proposed Amendments to Title 16, CCR Section 1387.4, Out-of-State Experience

Ms. Snyder reported that the issue of out-of-state experience has been brought to the Board's attention by applicants. She stated that the Board's statute allows applicants with foreign degrees to apply for licensure in California and that if their degree is deemed equivalent by a foreign credential evaluation service that is a member of the National Association of Credential Evaluation Services (NACES), the Board is able to accept their degree as meeting the licensure requirements. However, when they submit any experience accrued in a country outside the U.S. or Canada, their experience is denied because the hours do not meet the guidelines set forth in Business and Professions Section 2914 and California Code of Regulations Section 1387. She stated that section 1387.4(c) gives them a false sense of hope that their hours can be accepted. She recommends deleting this subsection. Dr. Erickson agreed and stated that there was a clear consensus in the Credential Committee meeting, and he recommends moving forward with the proposed amendment. Ms. Snyder stated that this amendment can be incorporated into the current proposed amendments to Article 3 of the regulations.

Proposed Amendments to Title 16, CCR Sections 1381.9 & 1397.67, Renewal of License

Ms. Marks stated that this proposal would move the provisions for the cancellation of a license due to non-renewal within three years of the date of expiration from the continuing education regulations to section 1381.9 where it would make more sense. Dr. Erickson stated that the Credentials Committee agreed by consensus to move forward with this proposed amendment and to incorporate it into the current proposed amendments to Article 2.

Public Comment

Melodie Schaefer, Psy.D. stated that Division II of CPA asked her to bring to the Board's attention complaints that they have been getting regarding the amount of time it takes to receive examination results as well as the processing times for psychological assistant applications.

Agenda Item #15 – Outreach and Consumer Education Committee

Strategic Plan Progress Report

Dr. Cadow reported that the Outreach and Consumer Education Committee's goals and objectives are ongoing. She stated that in its meeting today, the committee emphasized the attendance of more licensees and consumers at Board meetings. She stated that the larges outreach event has been the CPA Convention which was an amazing experience. She stated that the presentation made by the Board was very much needed to change the perception of the board. She stated that it was extremely vital to have Board staff in attendance to answer questions regarding the recent fingerprint and continuing education regulations. She stated for the record the importance of the Board's presence at these types of meetings.

Dr. Cadow stated that ASPPB will be conducting a meeting in San Francisco in October, and she expressed the importance of the attendance of the Board's Executive Officer. Mr. Kahane stated that Dr. Erickson will be writing a letter in support of his attendance as a delegate, especially due to issue of telehealth and its direct impact on the Board's Strategic Plan.

Public Comment for items not on the Agenda

None.

Agenda Item #16 - Regulation Update, Review and Action as Necessary

a) Regulations Status Update

Ms. Kassis reported on the status of the Board's proposed regulations. She stated that there have been new additions that need to be prioritized with the other proposed regulations. The Board identified the proposed amendments regarding the uniform standards related to substance abuse and disciplinary guidelines as priority one.

b) Update Regarding Proposed Amendments to Title 16, C.C.R. Sections 1380.4 & 1397.2 – Delegation of Functions & Unprofessional Conduct

Ms. Kassis reported that this rulemaking file has been completed and was submitted to the Office of Administrative Law for review on June 8, 2012. Ms. Kassis stated that the proposed amendments to the Uniform Standards Related to Substance Abuse and the

Disciplinary Guidelines that the Board approved during yesterday's meeting, agenda item #5, will now become priority one.

c) Update Regarding Proposed Amendments to Title 16, California Code of Regulations, Division 13.1, Article 1 (General Provisions), Article 2 (Applications), Article 3 (Education and Experience), Article 4 (Examination), Article 5 (Registered Psychologists), Article 5.1 (Psychological Assistants) and Article 6 (Fees)

Ms. Kassis reported that the proposed amendments to articles 1 – 6 were initially approved in November 2011. She stated that since then, there have been some non-substantive changes made, and that some of the sections are still getting cleaned up and amended. She stated that the out-of-state experience amendments and the renewal of license amendments will be incorporated as well.

Ms. Kassis asked the Board if the proposed amendments to the examination regulations which would eliminate the CPSE should be made a higher priority than these proposed changes. It was the consensus of the Board to move the proposed amendments to the examination regulations to priority two.

d) Update Regarding Proposed Amendments to Title 16, C.C.R., Section 1382.6 – Aging and Long-Term Care Training Requirements

Ms. Kassis reported that the proposed amendments regarding aging and long-term care are being incorporated into the amendments to articles 1 – 6.

Agenda Item #17 – Public Comment on Items Not on the Agenda

Mr. Kahane stated that since Dr. Sherman and Dr. Rodolfa are no longer on the Board, he would like to do something to thank them for everything they have done for the Board and their influence and guidance. He recommended a plaque and asked the Board members to provide him with any wording that they would like to have included. Dr. Erickson suggested that the Board consider inviting them to a future meeting close to their homes in order to present them with a plaque and thank them in person.

Agenda Item #18 – Recommendations for Agenda Items for Future Board Meetings

None.

The open session meeting adjourned at 12:32 p.m.

_____ _____

Michael Erickson, Ph.D. Date

President