STATE OF CALIFORNIA
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DEPARTMENT OF CONSUMER AFFAIRS

BUSINESS, CONSUMER SERVICES, AND HOUSING AGENCY • GOVERNOR EDMUND G. BROWN JR.

BOARD OF PSYCHOLOGY
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MEMORANDUM

DATE	October 7, 2013
TO	Psychology Board Members
FROM	Colette McDowell Colette McDowell Continuing Education Analyst
SUBJECT	**Agenda Item 10 (Continuing Education Committee) (e):** Discussion and Possible Action to Consider Initiation of a Rulemaking Relative to Continuing Education Requirements

Background:

Following discussions within the Continuing Education (CE) Committee (Committee) at Board meetings in 2011 and 2012, the Committee was presented a document by Dr. Jacqueline Horn, on behalf of the Association of State and Provincial Psychology Boards (ASPPB), entitled *ASPPB's Guidelines for Continuing Professional Development (CPD Guidelines)* at a Committee meeting on January 11, 2013. These guidelines were developed by the task force on Maintenance of Competence and Licensure (MOCAL). One of the charges of the MOCAL task force was to make recommendations to regulatory bodies on implementation of competence procedures.

The Committee has met on six (6) occasions this year (January 11th, February 21st, May 6th, June 20th, July 11th, and September 12th) to revise the regulations relative to CE requirements. All Committee meetings were public and noticed appropriately.

The Committee, Board staff and Board Legal Counsel have developed proposed regulatory language regarding CE requirements for the Board's consideration for initiation of a rulemaking file. The proposed language has been developed from information contained in the following documents:

1) *ASPPB's Guidelines for Continuing Professional Development*, and
2) California Code of Regulations, Title 16, Sections 1397.60, 1397.61, 1397.62, and 1397.67 as currently in effect.

Whereas current regulations only allow for "traditional" CE courses, the resulting proposed language provides a wide variety of options for licensees to obtain their CE, including conferences or convention attendance, practice outcome monitoring, peer consultation,

academic instruction, etc. The proposed regulations also establish a requirement that licensees engage in learning activities pertinent to cultural diversity and social justice issues as they apply to the practice of psychology in California.

> *ASPPB's Guidelines for Continuing Professional Development* may be found on their website at:
> http://c.ymcdn.com/sites/www.asppb.net/resource/resmgr/guidelines/asppb_guidelines_for_continu.pdf?hhSearchTerms=cpd+and+guide

Action Requested:

Conduct an open discussion regarding the attached proposed amendment to the Board's CE program regulations. If the proposed amendment is accepted, direct staff to make any discussed changes, as well as any non-substantive changes, and to take all steps to initiate the formal rulemaking process regarding the proposed amendments to the California Code of Regulations, Title 16, Sections 1397.60, 1397.61, 1397.62, and 1397.67.

§ 1397.60. Definitions.

This section shall be applicable to a license that expires on or after, or is reinstated or issued on or after, January 1, 2013, and becomes inoperative on December 31, 2015.

As used in this article:

(a) "Conference" means a course consisting of multiple concurrent or sequential free-standing presentations. Acceptable presentations must meet the requirements of section 1397.61(c).

(b) "Continuing education" (CE) means the variety of forms of learning experiences, including, but not limited to, lectures, conferences, seminars, workshops, grand rounds, in-service training programs, video conferencing, and independent learning technologies.

(c) "Course" or "presentation" means an approved systematic learning experience of at least one hour in length. One hour shall consist of 60 minutes of actual instruction. Courses or presentations less than one hour in duration shall not be acceptable.

(d) "Grand rounds" or "in-service training program" means a course consisting of sequential, free-standing presentations designed to meet the internal educational needs of the staff or members of an organization and is not marketed, advertised or promoted to professionals outside of the organization. Acceptable presentations must meet the requirements of section 1397.61(c).

(e) "Independent learning" means the variety of forms of organized and directed learning experiences that occur when the instructor and the student are not in direct visual or auditory contact. These include, but are not limited to, courses delivered via the Internet, CD-ROM, satellite downlink, correspondence and home study. Self-initiated, independent study programs that do not meet the requirements of section 1397.61(c) are not acceptable for continuing education. Except for qualified individuals with a disability who apply to and are approved by the Board pursuant to section 1397.62(c), independent learning can be used to meet no more than 75% (27 hours) of the continuing education required in each renewal cycle. Independent learning courses must meet the requirements of section 1397.61(c).

(f) "Provider" means an organization, institution, association, university, or other person or entity assuming full responsibility for the course offered, whose courses are accepted for credit pursuant to section 1397.61(c)(1).

Note: Authority cited: Sections 2915(g) and 2930, Business and Professions Code. Reference: Sections 29 and 2915, Business and Professions Code.

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§ 1397.60. Definitions.

This section shall be applicable to a license that expires on or after, or is reinstated or issued on or after, January 1, 2016.

Continuing Professional Development (CPD) means one of twelve continuing education (CE) learning activities grouped under four different categories. The four categories and twelve learning activities, as described in section 1397(e), include: (1) Professional (Peer Consultation, Practice Outcome Monitoring (POM), Professional Activities, Conferences/Conventions, Examination Functions); (2) Academic (Academic Courses, Academic Instruction, Supervision, Publications); (3) Sponsored Continuing Education Coursework (including Independent/Online Learning); and (4) Board Certification.

As used in this article:

(a) "Academic Course" means completing and earning credit for a graduate-level course related to psychology from an institution whose degree meets the requirements of Section 2914 of the Code. A licensee must be able to demonstrate how coursework relates to managing the professional, scientific, business or administrative aspects of providing psychological services. CE hours shall be granted pursuant to section 1397.61(e).

(b) "Academic Instruction" means teaching semester-long, or equivalent, graduate-level course related to psychology in an institution whose degree meets the requirements of Section 2914 of the Code. An instructor may be granted CE hours for each course taught only once during a renewal cycle.

(c) "Board Certification" means earning a certification from the American Board of Professional Psychology (ABPP).

(d) "Conference/Convention" means a professional gathering that consists of multiple concurrent or sequential free-standing presentations related to the practice of psychology where the licensee or petitioner interacts with colleagues and participates in the social, interpersonal, professional, and scientific activities that are part of the environment of those gatherings. CE credit can be accrued for Conference/Convention attendance in addition to credit for sponsored CE coursework~~credit~~ earned for sessions at the same conference/convention.

(e) "Examination Functions" means serving in any examination development related function for the Board.

(f) "Peer Consultation" means structured and organized interaction with colleague(s) designed to broaden professional knowledge and expertise and reduce professional isolation. Training pursuant to this section may be obtained through

case consultation or reading or research groups with other mental health professionals.

(g) "Practice Outcome Monitoring (POM)" means the periodic application of standardized outcome assessment protocols with clients/patients, in order to monitor one's own practice process and outcomes, with the goal of assessing the effectiveness of one's therapeutic approach(es). Examples of POM include, but are not limited to, the Beck Depression Inventory (BDI), Beck Anxiety Inventory (BAI), the Outcome Rating Scale (ORS), and Session Rating Scale (SRS), participation in a hospital or health care system's formal quality assurance program that focuses on monitoring patient outcomes, as deemed appropriate throughout the course of treatment. All outcome measures utilized must match the patient's presenting concerns at the time treatment is rendered and must be sensitive to presenting cultural variables in treatment. When using non-standardized measures, a rationale must be included.

(h) "Professional Activities" means ongoing participation in, but not limited to, serving on psychological association boards or committees, editorial boards of peer reviewed journals related to psychology or other mental health discipline, scientific grant review teams, or boards of regulatory bodies. A licensee must demonstrate the role(s) he or she has assumed and must demonstrate how the various roles he or she holds supports ~~continued professional development. Professional activities are intended to ensure that~~ the public service work of the profession ~~is supported~~, and ~~to~~ reduces professional isolation.

(i) "Provider" means an organization, institution, association, university, or other person or entity assuming full responsibility for the course offered, whose courses are accepted for credit pursuant to section 1397.61(f)(1).

(j) "Publications" means authoring or co-authoring peer-reviewed journal articles, book chapters, or editing or co-editing a book related to psychology or other mental health discipline.

(k) "Sponsored Continuing Education Coursework" means any structured, sequenced learning activity, whether conducted in-person, online, or self-directed (e.g. home-study) pursuant to section 1397.61(f)(1). Credit may be granted only once during a renewal cycle for each course completed. "Course" or "presentation" means an approved systematic learning experience ~~of at least one hour in length~~.

(l) "Supervision" means overseeing the ~~clinical cases~~supervised professional experience of a pre-licensed trainee accruing hours toward licensure pursuant to section 1387.

Note: Authority cited: Sections 2915(g) and 2930, Business and Professions Code. Reference: Sections 29 and 2915, Business and Professions Code.

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§ 1397.61. Continuing Education Requirements. [Effective January 1, 2013.]

This section shall be applicable to a license that expires on or after, or is reinstated or issued on or after, January 1, 2013, and becomes inoperative on December 31, 2015.

(a) Except as provided in section 2915(e) of the Business and Professions Code and section 1397.62 of these regulations, each licensed psychologist shall certify on the application for license renewal that he or she has completed the continuing education requirements set forth in section 2915 of the Code. A licensee who renews his or her license for the first time after the initial issuance of the license is only required to accrue continuing education for the number of months that the license was in effect, including the month the license was issued, at the rate of 1.5 hours of approved continuing education per month. Continuing education earned via independent learning pursuant to section 1397.60(e) shall be accrued at no more than 75% of the continuing education required for the first time renewal. The required hours of continuing education may not be accrued prior to the effective date of the initial issuance of the license. A licensee who falsifies or makes a material misrepresentation of fact on a renewal application or who cannot verify completion of continuing education by producing verification of attendance certificates, whenever requested to do so by the Board, is subject to disciplinary action under section 2960 of the Code.

(b) Any person renewing or reactivating his or her license shall certify under penalty of perjury to the Board of Psychology as requested on the application for license renewal, that he or she has obtained training in the subject of laws and ethics as they apply to the practice of psychology in California. The training shall include recent changes/updates on the laws and regulations related to the practice of psychology; recent changes/updates in the Ethical Principles of Psychologists and Code of Conduct published by the American Psychological Association; accepted standards of practice; and other applications of laws and ethics as they affect the licensee's ability to practice psychology with safety to the public. Training pursuant to this section may be obtained in one or more of the following ways:

(1) Formal coursework in laws and ethics taken from an accredited educational institution;
(2) Approved continuing education course in laws and ethics;
(3) Workshops in laws and ethics;
(4) Other experience which provide direction and education in laws and ethics including, but not limited to, grand rounds or professional association presentation.

If the licensee chooses to apply a specific continuing education course on the topic of laws and ethics to meet the foregoing requirement, such a course must meet the content requirements named above, must comply with section 1397.60(c), and may

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be applied to the 36 hours of approved continuing education required in Business and Professions Code section 2915(a).

(c) The Board recognizes and accepts for continuing education credit courses pursuant to this section. A licensee will earn one hour continuing education credit for each hour of approved instruction.

(1) Continuing education courses shall be:

(A) provided by American Psychological Association (APA), or its approved sponsors;

(B) Continuing Medical Education (CME) courses specifically applicable and pertinent to the practice of psychology and that are accredited by the California Medical Association (CMA) or the Accreditation Council for Continuing Medical Education (ACCME); or

(C) provided by the California Psychological Association, or its approved sponsors.

(D) approved by an accrediting agency for continuing education courses taken prior to January 1, 2013, pursuant to this section as it existed prior to January 1, 2013.

(2) Topics and subject matter for all continuing education shall be pertinent to the practice of psychology. Course or learning material must have a relevance or direct application to a consumer of psychological services.

(3) No course may be taken and claimed more than once during a renewal period, nor during any twelve (12) month period, for continuing education credit.

(4) An instructor may claim the course for his/her own credit only one time that he/she teaches the acceptable course during a renewal cycle, or during any twelve (12) month period, receiving the same credit hours as the participant.

(d) Examination Functions. A licensee who serves the Board as a selected participant in any examination development related function will receive one hour of continuing education credit for each hour served. Selected Board experts will receive one hour of continuing education credit for each hour attending Board sponsored Expert Training Seminars. A licensee who receives approved continuing education credit as set forth in this paragraph shall maintain a record of hours served for submission to the Board pursuant to section 1397.61(e).

(e) A licensee shall maintain documentation of completion of continuing education requirements for four (4) years following the renewal period, and shall submit verification of completion to the Board upon request. Documentation shall contain the minimum information for review by the Board: name of provider and evidence that provider meets the requirements of section 1397.61(c)(1); topic and subject matter; number of hours or units; and a syllabus or course description. The Board shall make the final determination as to whether the continuing education submitted for credit meets the requirements of this article.

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(f) Failure to provide all of the information required by this section renders any application for renewal incomplete and not eligible for renewal.

Note: Authority cited: Sections 2915(g) and 2930, Business and Professions Code. Reference: Sections 29, 32, 2915 and 2915.7, Business and Professions Code.

§ 1397.61. Continuing Education Requirements.

This section shall be applicable to a license that expires on or after, or is reinstated or issued on or after, January 1, 2016.

(a) Except as provided in section 2915(e) of the Business and Professions Code and section 1397.62 of these regulations, a psychologist shall certify under penalty of perjury to the Board on the application for license renewal that he or she has completed the continuing education requirements set forth in this Article and Section 2915 of the Code. A psychologist who renews his or her license for the first time after the initial issuance of the license is only required to accrue continuing education for the number of months that the license was in effect, including the month the license was issued, at the rate of 1.5 hours of approved continuing education per month. The required hours of continuing education may not be accrued prior to the effective date of the initial issuance of the license. A psychologist who falsifies or makes a material misrepresentation of fact on a renewal application or who cannot verify the hours in which he or she engaged in the CPD activities by producing the documentation ~~as~~ required by this Article whenever requested to do so by the Board, is subject to citation or to disciplinary action under section 2960 of the Code.

(b) A psychologist renewing or reactivating his or her license shall certify on the application for license renewal or reactivation that he or she has engaged in continuing education learning activities in the subject of laws and ethics as they apply to the practice of psychology in California. This includes recent changes or updates on the laws and regulations related to the practice of psychology; recent changes or updates in the Ethical Principles of Psychologists and Code of Conduct published by the American Psychological Association; accepted standards of practice; and other applications of laws and ethics as they affect the licensee's ability to practice psychology safely.

The licensee must verify the continuing education learning activity(s) that were utilized to meet this requirement on Form "CE Verification Log".

(c) A psychologist renewing or reactivating his or her license shall certify on the application for license renewal or reactivation that he or she has~~-~~ engaged in continuing education learning activities pertinent to cultural diversity and social justice issues as they apply to the practice of psychology in California. Cultural diversity pertains to differences in age, race, culture, ethnicity, nationality,

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immigration status, gender, sexual orientation, socioeconomic status, religion/spirituality, and physical ability ~~status~~. Social Justice pertains to the historical, social and political inequities in the treatment of people from non-dominant groups, while addressing the various injustices and different types of oppression that contribute to individual, family and community mental health concerns.

The licensee must verify the continuing education learning activity(s) that were utilized to meet this requirement on Form "CE Verification Log".

(d) Topics and subject matter for all continuing education shall be pertinent to the practice of psychology. Course or learning material must have a relevance or direct application to a consumer of psychological services.

(e) The Board recognizes and accepts for continuing education credit hours that meet the description of the activities below. With the exception of 100% ABPP Board certification, a licensee shall accrue hours during each renewal period from at least two (2) of the four (4) CPD activity categories: Professional; Academic; Sponsored Continuing Education; and Board Certification. A licensee shall receive no more credit than the maximum number of hours allowed per renewal period specified for each activity listed below.

Continuing Education/Continuing Professional Development Matrix

CE/CPD Activity	Maximum # of Hours Allowed each Renewal Period	Hours Credited by Activity
A. Professional Activity		
1. Peer Consultation (including, but not limited to, case consultation, reading or research groups) Licensee shall maintain a record of hours for submission to the Board	1 hour minimum, if used 18 hours maximum	1 hour of activity = 1 ~~CE~~ hour credited
2. Practice Outcome Monitoring (assessing patient/client outcomes via protocol, including the use of repeated standardized outcome assessment protocols in order to assess patient/client outcomes) Licensee shall maintain a record of hours for submission to the Board	9 hours	1 patient/client of practice outcome monitoring = 1 ~~CE~~ hour credited

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3. Professional Activities (including, but not limited to, serving on psychological association boards or committees, editorial boards of peer-reviewed journals related to psychology, scientific grant review teams or board member of regulatory body) Licensee shall maintain a record of hours for submission to the Board	4.5 hours minimum, if used 9 hours maximum	1 year = 9 ~~CE~~ hours credited 6 months = 4.5 ~~CE~~ hours credited
4. Conferences/Conventions (attendance at professional gatherings, as distinct from credit for sponsored CE course(s) while attending the conference) Licensee shall maintain a record of hours for submission to the Board	4 hours	1 full conference day attendance = 1 ~~CE~~ hour credited
5. Examination Functions (examination development and related attendance at Board-sponsored Examination Training Seminars) Licensee shall maintain a record of hours for submission to the Board.	12 hours	1 seminar day participation = 6 ~~CE~~ hours credited
B. Academic		
6. Academic Courses (completing and earning credit for a graduate-level course related to psychology from an institution whose degree meets the requirements of § 2914 of the Code) Licensee shall maintain a record of hours for submission to the Board	18 hours (each course counts only once for each renewal period)	1 sem. unit course = 6 ~~CE~~ hrs credited 2 sem. unit course = 12 ~~CE~~ hrs credited 3 sem. unit course = 18 ~~CE~~ hrs credited 1 qtr. unit course = 4.5 ~~CE~~ hrs credited 2 qtr. unit course = 9 ~~CE~~ hrs credited 3 qtr. unit course = 13.5 ~~CE~~ hrs credited 4 qtr. unit course = 18 ~~CE~~ hrs credited
7. Academic Instruction (includes: (1) Teaching a semester-long or equivalent, graduate-level course related to psychology at an institution whose degree meets the requirements of § 2914 of the Code; or (2) Presenting a sponsored CE course that relates to the practice of psychology) Licensee shall maintain a record of hours for submission to the Board	18 hours (each course taught counts only once for each renewal period)	1 course (semester or equivalent in the quarter hour system) = 18 ~~CE~~ hours credited 1 full day workshop = 8 ~~CE~~ hours credited ½ day workshop = 4 ~~CE~~ hours credited

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8. Supervision (overseeing the ~~clinical cases~~supervised professional experience of a pre-licensed trainee accruing hours toward licensure pursuant to § 1387) Licensee shall maintain a record of hours for submission to the Board	1 hour minimum, if used 18 hours maximum	1 hour = 1 ~~CE~~ hour credited
9. Publications (authoring or co-authoring peer-reviewed articles, book chapters or editing or co-editing of peer-reviewed journal) Licensee shall maintain a record of hours for submission to the Board	9 hours	1 publication = 9 ~~CE~~ hours credited
C. Sponsored Continuing Education		
10. Sponsored Continuing Education Coursework (approved pursuant to § 1397.61(f)(1)) – teaching or taking. Licensee shall maintain a record of hours for submission to the Board	18 hours (each course counts only once per renewal period)	1 hour = 1 ~~CE~~ hour credited
D. Board Certification		
11. ABPP Board Certification (can count for 100% of required CE in the year that certification is awarded)	36 hours	Certification awarded = 36 ~~CE~~ hours credited
12. "Senior Option" ABPP Board Certification (can count for 50% of required CE in the year that certification is awarded)	18 hours	Certification awarded = 18 ~~CE~~ hours credited

(f) Sponsored continuing education courses pursuant to this section will earn one hour of continuing education credit for each hour of approved instruction.

(1) These continuing education courses shall be:

(A) provided by American Psychological Association (APA), or its approved providers;

(B) Continuing Medical Education (CME) courses specifically applicable and pertinent to the practice of psychology and that are accredited by the California Medical Association (CMA) or the Accreditation Council for Continuing Medical Education (ACCME) or the American Medical Association (AMA); or

(C) provided by the California Psychological Association, or its approved providers.

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(D) approved by an accrediting agency for continuing education courses taken prior to January 1, 2013, pursuant to this section as it existed prior to January 1, 2013.

(2) No sponsored continuing education coursework may be taken and claimed more than once during a renewal period, for continuing education credit.

(g) A licensee shall document completion of continuing education activities on CPD Verification Logs (Form "CE Verification Log", rev. 10-2013). Documentation shall contain sufficient information for review and verification by the Board: activity category and a description of the activity, date of activity, number of hours engaged in activity, name of consultant (if any), type of outcome monitoring (if any), professional association served (if any), name and place of publication (if any), name and place of course taken or taught (if any), name of provider (if any) and evidence that provider meets the requirements of section 1397.61(c)(1); topic and subject matter; number of hours or units; and a syllabus or course description (if any). The Board shall make the final determination as to whether the documentation submitted meets the requirements of this article. A licensee shall retain ~~documentation of completed continuing education activities~~Verification Logs and supporting documentation for a minimum of four (4) years following the renewal ~~period~~, and shall submit ~~verification of completion~~documentation to the Board upon request.

(h) Failure to provide all of the information required by this section renders any application for renewal incomplete and not eligible for renewal.

Note: Authority cited: Sections 2915(g) and 2930, Business and Professions Code. Reference: Sections 29, 32, 2915 and 2915.7, Business and Professions Code.

§ 1397.62. Continuing Education Exemptions and Exceptions.

This section shall be applicable to a license that expires on or after, or is reinstated or issued on or after, January 1, 2013, and becomes inoperative on December 31, 2015.

At the time of making application for renewal of a license, a psychologist may as provided in this section request an exemption or an exception from all or part of the continuing education requirements.

(a) The Board shall grant an exemption only if the psychologist verifies in writing that, during the two year period immediately prior to the expiration date of the license, he or she:

(1) Has been engaged in active military service reasonably preventing completion of the continuing education requirements, except that a licensee granted an exemption pursuant to this section shall still be required to fulfill the laws and ethics requirement set forth in section 1397.61(b); or

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(2) Has been prevented from completing the continuing education requirements for reasons of health or other good cause which includes:
(A) Total physical and/or mental disability of the psychologist for at least one year; or
(B) Total physical and/or mental disability of an immediate family member for at least one year where the psychologist has total responsibility for the care of that family member.
Verification of a physical disability under subsection (a)(2) shall be by a licensed physician and surgeon or, in the case of a mental disability, by a licensed psychologist or a board certified or board eligible psychiatrist.
(b) An exception to the requirements of Business and Professions Code section 2915(d) may be granted to licensed psychologists who are not engaged in the direct delivery of mental health services for whom there is an absence of available continuing education courses relevant to their specific area of practice.
(1) An exception granted pursuant to this subsection means that the Board will accept continuing education courses that are not acceptable pursuant to section 1397.61(c) provided that they are directly related to the licensee's specific area of practice and offered by recognized professional organizations. The Board will review the licensee's area of practice, the subject matter of the course, and the provider on a case-by-case basis. This exception does not mean the licensee is exempt from completing the continuing education required by Business and Professions Code section 2915 and this article. (2) Licensees seeking this exception shall provide all necessary information to enable the Board to determine the lack of available approved continuing education and the relevance of each course to the continuing competence of the licensee.
Such a request shall be submitted in writing and must include a clear statement as to the relevance of the course to the practice of psychology and the following information:
(A) Information describing, in detail, the depth and breadth of the content covered (e.g., a course syllabus and the goals and objectives of the course), particularly as it relates to the practice of psychology.
(B) Information that shows the course instructor's qualifications to teach the content being taught (e.g., his or her education, training, experience, scope of practice, licenses held and length of experience and expertise in the relevant subject matter), particularly as it relates to the practice of psychology.
(C) Information that shows the course provider's qualifications to offer the type of course being offered (e.g., the provider's background, history, experience and similar courses previously offered by the provider), particularly as it relates to the practice of psychology.
(3) This subsection does not apply to licensees engaged in the direct delivery of mental health services.
(c) Psychologists requiring reasonable accommodation according to the Americans with Disabilities Act may be granted an exemption from the on-site participation requirement and may substitute all or part of their continuing education requirement with an American Psychological Association or accreditation agency

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approved independent learning continuing education program. A qualified individual with a disability must apply to the Board to receive this exemption.
(d) Any licensee who submits a request for an exemption or exception that is denied by the Board shall complete any continuing education requirements within 120 days of the notification that the request was denied.

NOTE: Authority cited: Sections 2915(g) and 2930, Business and Professions Code. Reference: Section 2915, Business and Professions Code.

HISTORY:
1. New section fi led 2-16-2012; operative 1-1-2013, at which time the previous version of section 1397.62 is inoperative (Register 2012, No. 7).

§ 1397.62. Continuing Education Exemptions and Exceptions.

This section shall be applicable to a license that expires on or after, or is reinstated or issued on or after, January 1, 2016.

At the time of ~~making application for~~or prior to renewal of a license, a psychologist may as provided in this section request an exemption or an exception from all or part of the continuing education requirements.

(a) The Board shall grant an exemption only if the psychologist verifies in writing that, during the two year period immediately prior to the expiration date of the license, he or she:
(1) Has been ~~engaged in~~called up for active military ~~service~~ duty~~reasonably preventing completion of the continuing education requirements~~, except that a licensee granted an exemption pursuant to this section shall still be required to fulfill the laws and ethics requirement set forth in section 1397.61(b); or
(2) Has not engaged in the practice of psychology and has been prevented from completing the continuing education requirements for reasons of health or other good cause, which includes:
(A) Total physical and/or mental disability of the psychologist for at least one year; or
(B) Total physical and/or mental disability of an immediate family member for at least one year where the psychologist has total responsibility for the care of that family member.
Verification of a physical disability under subsection (a)(2) shall be by a licensed physician and surgeon or, in the case of a mental disability, by a licensed psychologist or a board certified or board eligible psychiatrist.
(b) An exception to the requirements of Business and Professions Code section 2915(d) may be granted to ~~licensed~~ a psychologist~~s~~ who ~~are~~ is ~~not~~ engaged in the ~~direct delivery of~~ non-mental health services for whom there is an absence of available continuing education courses relevant to ~~their~~ his or her specific area of practice.

(1) An exception granted pursuant to this subsection means that the Board will accept continuing education ~~courses~~ that ~~are~~ is not acceptable pursuant to section 1397.61(~~ce~~) provided that ~~they are~~it is a professional development activity that directly ~~related~~ relates to the licensee's specific area of practice ~~and offered by recognized professional organizations~~. The Board will review the licensee's area of practice, the ~~subject matter of the~~activity or course, and the provider, if any, on a case-by-case basis. This exception does not mean the licensee is exempt from completing the continuing education required by Business and Professions Code section 2915 and this article.

(2) A ~~Licensees~~ licensee seeking this exception shall provide all necessary information to enable the Board to determine the lack of available approved continuing education and the relevance of each course or activity to the continuing ~~competence~~ professional development of the licensee.

Such a request shall be submitted in writing and must include a clear statement as to the relevance of the activity or course to the practice of psychology and the following information:

(A) Information describing, in detail, the depth and breadth of the content covered (e.g., a course syllabus and the goals and objectives of the course), or the activity engaged in, particularly as it relates to the practice of psychology.

(B) Information that shows the course instructor's, if any, qualifications to teach the content being taught (e.g., his or her education, training, experience, scope of practice, licenses held and length of experience and expertise in the relevant subject matter), particularly as it relates to the practice of psychology.

(C) Information that shows the course provider's, if any, qualifications to offer the type of course being offered (e.g., the provider's background, history, experience and similar courses previously offered by the provider), particularly as it relates to the practice of psychology.

(3) This subsection does not apply to licensees engaged in the ~~direct~~ delivery of mental health services.

~~(c) Psychologists requiring reasonable accommodation according to the Americans with Disabilities Act may be granted an exemption from the on-site participation requirement and may substitute all or part of their continuing education requirement with an American Psychological Association or accreditation agency approved independent learning continuing education program. A qualified individual with a disability must apply to the Board to receive this exemption.~~

(d) Any licensee who submits a request for an exemption or exception that is denied by the Board shall complete any continuing education requirements within 120 days of the notification that the request was denied.

NOTE: Authority cited: Sections 2915(g) and 2930, Business and Professions Code. Reference: Section 2915, Business and Professions Code.

HISTORY:

1. New section fi led 2-16-2012; operative 1-1-2013, at which time the previous version of section 1397.62 is inoperative (Register 2012, No. 7).

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§ 1397.67. Renewal After Inactive or Delinquent Status.

This section shall be applicable to a license that expires on or after, or is reinstated or issued on or after, January 1, 2013, and becomes inoperative on December 31, 2015.

(a) To activate a license which has been placed on inactive status pursuant to section 2988 of the Code, the licensee must submit evidence of completion of the requisite 36 hours of qualifying continuing education courses for the two-year period prior to establishing the license as active.
(b) For the renewal of a delinquent psychologist license within three years of the date of expiration, the applicant for renewal shall provide evidence of completion of 36 hours of qualifying continuing education courses for the two-year period prior to renewing the license.
After a license has been delinquent for three years, the license is automatically cancelled and the applicant must submit a complete licensing application, meet all current licensing requirements, and successfully pass the licensing examination just as for the initial licensing application unless the board grants a waiver of the examination pursuant to section 2946 of the Code.

NOTE: Authority cited: Sections 2915(g) and 2930, Business and Professions Code. Reference: Section 2915, 2984, and 2988, Business and Professions Code.

HISTORY:
1. New section fi led 2-16-2012; operative 1-1-2013, at which time the previous version of section 1397.67 is inoperative (Register 2012, No. 7).

§ 1397.67. Renewal After Inactive or Delinquent Status.

This section shall be applicable to a license that expires on or after, or is reinstated or issued on or after, January 1, 2016.

(a) To activate a license ~~which~~ that has been placed on inactive status pursuant to section 2988 of the Code, the licensee must submit evidence of completion of the requisite 36 hours of qualifying continuing education ~~courses~~ for the two-year period prior to establishing the license as active.
(b) For the renewal of a delinquent psychologist license within three years of the date of expiration, the applicant for renewal shall provide evidence of completion of 36 hours of qualifying continuing education ~~courses~~ for the two-year period prior to renewing the license.
After a license has been ~~delinquent~~ expired for three years, the license is automatically cancelled and the applicant must submit a complete licensing application, meet all current licensing requirements, and successfully pass the

licensing examination just as for the initial licensing application unless the ~~board~~ Board grants a waiver of the examination pursuant to section 2946 of the Code.

NOTE: Authority cited: Sections 2915(g) and 2930, Business and Professions Code. Reference: Section 2915, 2984, and 2988, Business and Professions Code.

HISTORY:
1. New section filed 2-16-2012; operative 1-1-2013, at which time the previous version of section 1397.67 is inoperative (Register 2012, No. 7).

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CONTINUING EDUCATION (CE)/aka CONTINUING PROFESSIONAL DEVELOPMENT (CPD) SUMMARY VERIFICATION FORM

Please do not submit any CE documentation with your renewal

If you are selected for an audit, you will be notified; at that time, you will submit these logs and documentation to the Board.

CPD Category	Max Hours Allowed	Description of Activity(s) Completed	Date Completed	# of Hours Awarded (Not to exceed max allowed)	Check if applicable to:	
					Laws & Ethics Requirement	Cultural Diversity Requirement
Peer Consultation	18					
Practice Outcome Monitoring	9					
Professional Activities	9					
Conferences / Conventions	4					
Examination Functions	12					
Academic Courses	18					
Academic Instruction	18					
Supervision	18					
Publications	9					
Sponsored Continuing Education Coursework	18					
ABPP Certification	36					
"Senior" ABPP Certification	18					

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Total Hours Earned for Renewal Period: _____

CONTINUING EDUCATION (CE)/aka CONTINUING PROFESSIONAL DEVELOPMENT (CPD)
DETAILED VERIFICATION FORM

Name: _____

Address: _____

Telephone #: _____

e-mail: _____

Identify below the activities completed for fulfilling the CE/CPD requirements.
Retain all verifying documentation in your records. You may be asked to provide this documentation at a later date (e.g. in the event you are selected for an audit).

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Peer Consultation *Check if Applicable to: Laws & Ethics Requirements (L&E): ☐ Cultural Diversity/Social Justice Requirement (CD/SJ): ☐
Date(s) of Session(s) _____
Brief Description _____
# of Hours: _____
Person Attesting to Meetings (retain in your records a signed attendance log attesting to your presence)
Applicability to Practice: _____

Practice Outcome Monitoring *Check if Applicable to: L&E: ☐ CD/SJ: ☐
Date(s) of Meeting(s) _____
Client/Patient ID (Please be mindful of confidentiality): _____
# of Hours: _____
Applicability to Practice: _____
*Retain in your records a log including dates, # of hours, details of activities/discussions

Professional Activities *Check if Applicable to: L&E: ☐ CD/SJ: ☐
Name of Association/Regulatory Body: _____
Date of Appointment: _____
Duties: _____
Applicability to Practice: _____
*Retain in your records verification documentation from organization

CONTINUING EDUCATION (CE)/aka CONTINUING PROFESSIONAL DEVELOPMENT (CPD)
DETAILED VERIFICATION FORM

Conferences / Conventions	*Check if Applicable to: L&E: ☐ CD/SJ: ☐
Dates of Meetings	
Nature of Conference / Convention:	
# of Hours:	
Applicability to Practice:	
*Retain in your records documentation attesting to your presence / participation	

Examination Functions	*Check if Applicable to: L&E: ☐ CD/SJ: ☐
Name of Association/Regulatory Body:	
Date of Appointment:	
Duties:	
Applicability to Practice:	
*Retain in your records verification documentation from organization	

Academic Courses	*Check if Applicable to: L&E: ☐ CD/SJ: ☐
Name(s) of Course(s):	
Mode(s) of Delivery (in person, online, video, etc.):	
Academic Institution:	
# of Hours (per course):	
Applicability to Practice:	
*Retain in your records verification documentation from provider/academic institution (including course description / syllabus)	

Academic Instruction	*Check if Applicable to: L&E: ☐ CD/SJ: ☐
Name(s) of Course(s):	
Mode(s) of Delivery (in person, online, video, etc.):	
Provider / Academic Institution:	
# of Hours (per course):	
Applicability to Practice:	
*Retain in your records verification documentation from provider/academic institution (including course description / syllabus)	

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CONTINUING EDUCATION (CE)/aka CONTINUING PROFESSIONAL DEVELOPMENT (CPD)
DETAILED VERIFICATION FORM

Supervision	*Check if Applicable to: L&E: ☐ CD/SJ: ☐
Name(s) of Supervisee(s):	
# of Hours:	
Applicability to Practice:	
*Retain in your records a log including dates, # of hours, details of activities/discussions	

Publications	*Check if Applicable to: L&E: ☐ CD/SJ: ☐
Title(s) of Publication(s):	
Title(s) of Journal Article(s):	
# of Hours:	
Applicability to Practice:	

Sponsored Continuing Education Coursework	*Check if Applicable to: L&E: ☐ CD/SJ: ☐
Name(s) of Course(s):	
Mode(s) of Delivery (in person, online, video, etc.):	
Provider:	
# of Hours (per course):	
Applicability to Practice:	
*Retain in your records copies of certificates	

Describe how you have complied with the Cultural Diversity/Social Justice Requirement:	
Name(s) of Activity(s):	
Mode(s) of Delivery (in person, online, video, etc.):	
Applicability to Practice:	

Describe how you have complied with the Law & Ethics Requirement:	
Name(s) of Activity(s):	
Mode(s) of Delivery (in person, online, video, etc.):	
Applicability to Practice:	

DRAFT

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September 10, 2013

Board of Psychology
Continuing Education Committee
1625 North Market
Sacramento, CA 95834

Dr. Gallardo –

Thank you for requesting our feedback on the proposed CPD regulations. Dr. Linder Crow and I have reviewed the draft version you provided and we have several comments; some to suggest specific language changes and some more general concerns. Working through the document in regulation order:

1397.60 Definitions - *concern for clarity, suggested language*

Continuing Professional Development (CPD) ~~Activity~~ means ~~one of~~ earning and documenting 36 CE credits per renewal period selected from twelve continuing education (CE) learning activities grouped under four different categories. The four categories and twelve . . . . *We suggest dropping the intervening sentence as it sounds more like a rationale than a regulation.*

1397.60 (a) and (b) – *suggested clarifying reference*.

". . . an institution ~~that~~ whose degree meets the requirements ~~set forth in~~ of. . . should be ". . . an institution ~~t~~hat meets the requirements ~~set forth in~~ of Section 2914. . . . *Reference in code is to the institution and not to the degree.*

1397.60 (c) *suggested clarifying and streamlined language*

"Board Certification" means earning a certification, or a Senior Option Certification, from the American Board of Professional Psychology (ABPP). *Strike out subsection a. as repetitive.*

1397.60 (d) *recommend insertion of new definition (original 1397.60 (c)) with minor clarification*

A ''course'' or ''presentation'' means an approved systematic learning experience of at least one hour in length. One hour shall consist of 60 minutes of actual instruction. Courses or presentations less than one hour in duration shall not be approved. Courses more than one hour in length shall be in quarter hour increments. OR Courses more than one hour in length shall be in half or full hour increments.

CPA does not have a preference as to whether or not quarter hours are accepted. CPA's preference, based on Accrediting Agency (AA) experience, is that this is clearly defined in regulation. This will make auditing much easier and provide guidance when assessing four - 20 minute presentations bundled into one convention session.

1397.60 (~~d~~e) (if there is a new section (d) inserted) *suggested minor clarifications to referent, grammar and to streamline language.*

"Conference/Convention" means ~~attending~~ a professional gathering~~s~~ that consists of . . . ~~Continuing Education~~ CE credit can be accrued for Conference/Convention ~~activities~~ attendance in addition to credit for recognized CE credit earned for sessions at the same conference/convention." ~~for which the attendee does not otherwise earn credit for CE hours for Recognized Continuing Education.~~

1397.60 (~~f~~g) *suggested change to grammar for clarity*

"Professional Activities" . . . scientific grant review teams, or boards ~~member~~ of a regulatory body.

1397.60 (~~k~~l) Recognized Continuing Education (2) – *suggested replacement language for precision, clarity and streamlining*

(1~~2~~) "Independent Learning" means all forms of organized and directed learning that occur when the instructor and the student are not in real time/synchronous visual or auditory contact.

This establishes that the only difference between independent and 'face-to-face' learning is real time contact.

1397.60 (~~l~~m) *the draft has a question about the word intern. We know that this is a technical issue concerning the supervision regulatory language but would like to ensure that all post-doc supervision earns CE credit. Also impacts Matrix language in B(8)*

1397.61 (a) – *How would this be implemented for new licensees? 50% max of credit earned via recognized CE, of which half could be independent learning? For clarity, this might be a good place to repeat that this is a 36 hour continuing education requirement (4th line.)*

1397.61 (b) (c) - As *noted, is the language intended to be parallel in these two sections? (i.e., obtain training vs continuing education.) If formal training is not required, does the implied requirement of documentation apply?*

Actually, the first question may be - is there an implied requirement for documentation of these two content areas? They are not listed on the matrix. Would documentation for these content areas be part of a CE audit?

There was a discussion of adding "scary" language to emphasize the importance of, specifically (b), the law and ethics content requirement. Mention of the need for documentation as to how the activity (formal training or other CE activity) meets the content requirement might be both sufficient emphasis and make explicit an implicit expectation.

Comment [cwm10] - what is the ISR? If it is the rationale for subsection (c), CPA supports its inclusion.

Matrix - This *is the place where we see the confusion as most evident between the terms CE hours and CE credits. We believe both columns need to be labeled as credits (i.e., Max # of credits allowed and Value of credits) with the term "hour" referencing only a specific passage of time; i.e., 60 minute hour. This would require a find and individually replace each reference to hour to see if the word credit needs to be substituted.*

Template language (<u>Licensee shall maintain a record of hours served for submission to the Board</u>) might read better if adapted more closely to each type of requirement; e g., Conference/Convention. Might also be helpful to request the dates the activities occurred in addition to the number of hours.

Recommend, based on AA experience, the word "full" be added to clarify a conference and a seminar day. Recommend that "calendar" be added to clarify a year.

A. Professional Activity (1) - in *earlier language, the names of the others in the peer consultation group was required as part of the documentation. Was that dropped intentionally? Would it be better to ask for a description of the consultation group that includes # of members, frequency of meetings and a brief description of how they are organized or function? No need for names.*

A. Professional Activity (3) *- If one calendar year of service equals 9 CE credits; does that mean 6 months of service equals 4.5 hours? Would it also mean that three months of service equals 2 (or 2.25 depending on the outcome of the earlier recommended change to 1397.60 (d))?*

A. Professional Activity (4) *- replace 'sponsor with 'recognized'. Suggest change in template documentation language to be a record of names and dates of conventions/conferences.*

B. Academic (6) - *Quarter is generally abbreviated ad Qtr rather than Qu. The only reference accepting an undergraduate course for CE credit was in Academic Instruction; not for attending and claiming credit.*

B. Academic (7) - *(Maximum # allowed column) should be . . . renewal period* ***or*** *in any. . . rather than 'renewal period* ***of*** *in any. . .'*

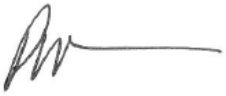
C. Recognized CE (10) – *re: above question about 1397.61 (a), would it be helpful to clarify in the first column that no more than 50% of recognized CE be earned by independent learning? i.e., if a licensee only earns 12 hours of recognized CE, then at least 6 has to be face-to-face. Is that the intent of the Board's requirement? Or, if they only earn 9 credits of recognized CE in total, can all nine hours be independent learning?*

1397.61 (f) (1) (C) – *Technical language change***.** *Replace word '*sponsors*' with '*providers.*'*

1397.61 (g) – *We find that it is confusing when some of the documentation requirements are listed in the definition of the activity (e.g., POM) some on the matrix and some as a subsection in the regulations. This subsection would appear to apply to all12 activities and the phrase* (if any) *does not provide sufficient clarification. Does the requirement for a syllabus or course description really only apply to recognized CE courses? Can the placement of documentation requirements be consistent so that they are either in the definition or part of the matrix or integrated into the log that will need to be kept?*

Again, thank you for requesting our input. We regret that neither of us is able to travel to attend this meeting of the CE Committee. If you have any questions, please let us know.

Respectfully,



Patricia VanWoerkom, Director
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