

#### Board of Psychology 1625 N. Market Blvd., Suite N215 Sacramento, CA 95834 P (916) 574-7720 F (916) 574-8671



ww.psychboard.ca.gov

## **MEMORANDUM**

Date October 2, 2013

**To** Board of Psychology Members

**From** Gina Bayless

**Enforcement Coordinator** 

DCA/California Board of Psychology

**Subject** Enforcement Program Statistics

Please find attached the Overview of Enforcement Activity, displaying Complaint, Investigation, and Discipline statistics for the previous five fiscal years, and the current fiscal year to date. Below is a summary of the program's trends for fiscal year 2012/13:

### **Complaints**

The total number of complaints received for fiscal year 2012/13 is 707, averaging approximately 59 per month. Board staff completed 535 desk investigations with an average processing time of 32 days. 87 formal investigations were completed with an average processing time of 374 days.

#### **Formal Discipline**

Currently there are 57 cases pending at the Attorney General's Office. Those cases include Accusations, Accusation and Petition to Revoke Probation, and Statement of Issues (License Denial). The fiscal year ended with 29 formal discipline actions which represent 4% of the total complaints received.

#### **Probation**

Board staff is currently monitoring 32 probationers. Of the 32 probationers, 12 are subject to fluid testing.

#### **Consumer Protection Enforcement Initiative (CPEI) Audit**

In August, the Executive Officer, Thomas O'Connor, and I met with Department of Consumer Affairs Deputy Director of Enforcement, Michael Gomez, and a representative from the Department of Finance (DOF) on the first phase of a comprehensive audit of CPEI positions.

During the meeting, Mr. O'Connor and I provided an overview of the enforcement program improvements in terms of reduced intake and desk investigation processing times due in large part to CPEI staffing increases. Other improvements include revising our initial contact letters to licensees, establishing processing time expectations for staff, and improved monitoring of cases assigned for expert review. We provided feedback on the need to dedicate resources to focus on reducing the processing times for formal investigation and the discipline process.

In September, Board staff completed and submitted an extensive survey of the enforcement program to the DOF. DOF indicated they will be considering how CPEI positions are utilized, along with reviewing specific classifications used to perform enforcement-related work, and the resulting productivity from these positions.

# **Action Requested:**

No action requested

## **BOARD OF PSYCHOLOGY**

**Overview of Enforcement Activity** 

License & Registration*   0809   09/10   10/11   11/12   12/13   13/14**   Psychologist   20.307   21.019   21.52*   22.020   22.688   22.74   Registered Psychologist   324   320   312   320   349   301   Psychological Assistant   1397   1429   1507   1635   1727   1636   758   1728   1	Overview of Enforcement Activity							
Registered Psychologist   324   320   312   320   349   301   Psychological Assistant   1397   1429   1507   1635   1727   1687   Gases Opened   0809   09/10   10/11   11/12   12/13   13/14"   Complaints Received   766   712   765   747   707   151   767   707   151   707   707   151   707								
Psychological Assistant								
Cases Opened								
Compaints Received   786   712   785   747   707   151								
Criminal Conviction Reports Received   72   54   48   70   42   31     Investigations Opened   88   79   83   107   73   14     Cases sent to DA   2   3   38   35   6   6   1     Cases sent to AG   23   38   37   34   38   8     Reside the AG   23   38   37   34   38   8     Reside the AG   23   38   37   34   38   8     Reside the AG   23   38   37   34   38   8     Reside the AG   23   38   37   34   38   8     Reside the AG   23   38   37   34   38   8     Reside the AG   23   38   37   34   38   8     Reside the AG   23   21   27   31   8     Statement of Issues   9   8   4   4   2   2     Petition Revoke Probation   0   0   0   0   3   1   1     Petitions to Compel Psych. Exam   0   0   1   1   1   0   0     Petitions for Openalty Relief   3   1   0   1   1   1   1     Petition for Reinstatement   1   1   0   2   1   0     Petitions for Reconsideration   0   1   0   0   2   1   0     Petitions for Reconsideration   0   1   0   0   2   0   0   0     Citations   Test of the Accusations Withdrawn   0   0   2   0   0   0   0     Citations   Test of the Accusations Dismissed   0   1   0   1   1   0   0     Citations   Test of the Accusations Dismissed   0   1   0   1   1   0   0     Citations   Test of the Accusations Dismissed   0   1   0   1   1   0   0     Citations   Test of the Accusations Dismissed   0   1   0   1   1   0   0     Citations   Test of the Accusations Dismissed   0   1   0   0   0   0     Citations   Test of the Accusations Dismissed   0   1   0   0   0   0     Citations   Test of the Accusations Dismissed   0   1   0   0   0   0   0     Citations   Test of the Accusations Dismissed   0   1   0   0   0   0   0     Citations   Test of the Accusations Dismissed   0   1   0   0   0   0   0   0   0   0		1						
Investigations Opened								
Cases sent to DA								
Cases sent to AG	-							
Revocation   Statement of Issues   Statement   Sta								
Scatement of Issues								
Petition to Revoke Probation		8	23	21	27	31	8	
Petition to Revoke Probation   O   O   O   O   O   O   O   O   O	Statement of Issues	9	8	4	4	2	2	
Petitions for Penalty Relief	Petition to Revoke Probation	0	0	0	3	1	1	
Petition for Reinstatement	Petitions to Compel Psych. Exam	0	0	1	1	0	0	
Petitions for Reconsideration	Petitions for Penalty Relief	3	1	0		1		
Filing Withdrawals/Dismissals	Petition for Reinstatement	1	1	0	2		0	
Accusations Withdrawn	Petitions for Reconsideration	0	1	0	0	2	0	
Accusations Dismissed   0	-							
Statement of Issues Withdrawn   5   0   2   1   0   0   0	1							
Citations         Citations Ordered         5         10         9         18         10         0           Decisions (Penalty)         Revocations         1         3         2         4         2         1           Revocation, Stayed, Probation         7         9         12         11         11         2           Revocation, Stayed, Probation, Susp.         3         0         0         0         0         0           Voluntary Surrender         8         3         2         11         10         2           Reprimands         0         0         0         1         2         0         1           Reprimands         0         0         0         1         2         0         1           Iso/TRO/ASO Ordered         3         4         1         4         3         1           Statement of Issues-License Denied         1         1         0         1         0         1         1         0           Statement of Issues-License Granted****         4         5         4         3         6         0         0         0         0         0         0         0         0         0         0		_						
Citations Ordered   5   10   9   18   10   0		5	0	2	1	0	0	
Decisions (Penalty)								
Revocation, Stayed, Probation		5	10	9	18	10	0	
Revocation, Stayed, Probation         7         9         12         11         11         2           Revocation, Stayed, Probation, Susp.         3         0         0         0         0         0           Voluntary Surrender         8         3         2         11         10         2           Reprimands         0         0         1         2         0         1           ISO/TRO/ASO Ordered         3         4         1         4         3         1           Statement of Issues-License Denied         1         1         0         1         1         0           Statement of Issues-License Granted****         4         5         4         3         6         0           Petitions for Penalty Relief Denied****         1         0         0         0         0         0           Petitions for Penalty Relief Granted****         1         0         0         0         0         0         0           Petitions for Penalty Relief Denied****         1         0         0         0         1         0         0         0         1         0         0         0         0         0         1         0         0	• • • • • • • • • • • • • • • • • • • •							
Revocation, Stayed, Probation, Susp.   3								
Voluntary Surrender								
Reprimands								
So/TRO/ASO Ordered   3								
Statement of Issues-License Denied								
Statement of Issues-License Granted***         4         5         4         3         6         0           Petitions for Penalty Relief Denied****         1         0         0         0         0           Petitions for Penalty Relief Granted****         3         1         1         1         1         0           Petition for Reinstatement Granted****         1         0         0         0         1         0           Petition for Reinstatement Denied****         1         0         0         0         1         0           Reconsiderations Denied****         0         0         1         0         1         0           Reconsiderations Granted****         0         0         1         0         1         0           Reconsiderations Granted****         0         0         1         0         1         0           Reconsiderations Denied****         0         0         1         0         0         1         0           Reconsiderations Denied****         0         0         0         1         0         0         1         0         0           Orders Compelling Psych. Exam****         0         0         0         1								
Petitions for Penalty Relief Denied***								
Petitions for Penalty Relief Granted***   3								
Petition for Reinstatement Granted***         1         0         0         0         1         0           Petition for Reinstatement Denied***         0         0         1         1         1         0           Reconsiderations Denied****         0         0         1         0         1         0           Reconsiderations Granted****         0         1         0         0         1         0           Orders Compelling Psych. Exam****         0         0         0         1         0         0           Other         2         1         2         0         1         0         0           Total Decisions         24         22         21         34         29         7           Decisions (Violation Type)         0         0         1         0         0         0         0         0         0         0         0<								
Petition for Reinstatement Denied***         0         0         1         1         1         0           Reconsiderations Denied***         0         0         1         0         1         0           Reconsiderations Granted***         0         0         1         0         0         1         0           Orders Compelling Psych. Exam***         0         0         0         1         0         0           Other         2         1         2         0         1         0         0           Total Decisions         24         22         21         34         29         7           Decisions (Violation Type)         The construction of a Cylindrical Cyl								
Reconsiderations Denied***         0         0         1         0         1         0           Reconsiderations Granted***         0         1         0         0         1         0           Orders Compelling Psych. Exam****         0         0         0         1         0         0           Other         2         1         2         0         1         0           Total Decisions         24         22         21         34         29         7           Decisions (Violation Type)         Gross Negligence/Incompetence         5         4         4         3         5         2           Improper Supervision         0         0         1         0         0         0           Repeat Negligent Acts         0         0         0         1         0         0           Self Abuse of Drugs or Alcohol         2         3         3         12         1         0           Dishonesty/Fraud         0         3         0         2         2         1           Mental Illness         1         0         0         0         0         0           Aiding Unlicensed Practice         0         0								
Reconsiderations Granted***         0         1         0         0         1         0           Orders Compelling Psych. Exam***         0         0         0         1         0         0           Other         2         1         2         0         1         0           Total Decisions         24         22         21         34         29         7           Decisions (Violation Type)         34         29         7           Decisions (Violation Type)         35         2           Gross Negligence/Incompetence         5         4         4         3         5         2           Improper Supervision         0         0         1         0         0         0         0           Repeat Negligent Acts         0         0         0         1         0 <td< td=""><td></td><td></td><td></td><td></td><td></td><td></td><td></td></td<>								
Orders Compelling Psych. Exam***         0         0         0         1         0         0           Other         2         1         2         0         1         0           Total Decisions         24         22         21         34         29         7           Decisions (Violation Type)         Begin to the control of the cont		_		-		-		
Other         2         1         2         0         1         0           Total Decisions         24         22         21         34         29         7           Decisions (Violation Type)           Gross Negligence/Incompetence         5         4         4         3         5         2           Improper Supervision         0         0         1         0         0         0           Repeat Negligent Acts         0         0         0         1         0         0           Self Abuse of Drugs or Alcohol         2         3         3         12         1         0           Dishonesty/Fraud         0         3         0         2         2         1           Mental Illness         1         0         0         0         2         0           Aiding Unlicensed Practice         0         0         0         0         0         0           General Unprofessional Conduct         1         1         1         0         2         2           Probation Violation         1         0         0         2         1         0           Sexual Misconduct         6         1<								
Total Decisions         24         22         21         34         29         7           Decisions (Violation Type)         Gross Negligence/Incompetence         5         4         4         3         5         2           Improper Supervision         0         0         1         0         0         0           Repeat Negligent Acts         0         0         0         1         0         0         0           Self Abuse of Drugs or Alcohol         2         3         3         12         1         0           Dishonesty/Fraud         0         3         0         2         2         1           Mental Illness         1         0         0         0         0         2         0           Aiding Unlicensed Practice         0         0         0         0         0         0         0           General Unprofessional Conduct         1         1         1         0         2         2           Probation Violation         1         0         0         2         1         0           Sexual Misconduct         6         1         2         6         9         0           Convic								
Decisions (Violation Type)         Gross Negligence/Incompetence         5         4         4         3         5         2           Improper Supervision         0         0         1         0         0         0           Repeat Negligent Acts         0         0         0         1         0         0           Self Abuse of Drugs or Alcohol         2         3         3         12         1         0           Dishonesty/Fraud         0         3         0         2         2         1           Mental Illness         1         0         0         0         0         2         0           Aiding Unlicensed Practice         0         0         0         0         0         0         0           General Unprofessional Conduct         1         1         1         0         2         2           Probation Violation         1         0         0         2         1         0           Sexual Misconduct         6         1         2         6         9         0           Conviction of a Crime         7         9         8         5         5         5						29		
Gross Negligence/Incompetence         5         4         4         3         5         2           Improper Supervision         0         0         1         0         0         0           Repeat Negligent Acts         0         0         0         1         0         0           Self Abuse of Drugs or Alcohol         2         3         3         12         1         0           Dishonesty/Fraud         0         3         0         2         2         1           Mental Illness         1         0         0         0         0         2         0           Aiding Unlicensed Practice         0         0         0         0         0         0         0           General Unprofessional Conduct         1         1         1         0         2         2           Probation Violation         1         0         0         2         1         0           Sexual Misconduct         6         1         2         6         9         0           Conviction of a Crime         7         9         8         5         5         5				,				
Improper Supervision         0         0         1         0         0         0           Repeat Negligent Acts         0         0         0         1         0         0           Self Abuse of Drugs or Alcohol         2         3         3         12         1         0           Dishonesty/Fraud         0         3         0         2         2         1           Mental Illness         1         0         0         0         0         2         0           Aiding Unlicensed Practice         0         0         0         0         0         0         0           General Unprofessional Conduct         1         1         1         0         2         2           Probation Violation         1         0         0         2         1         0           Sexual Misconduct         6         1         2         6         9         0           Conviction of a Crime         7         9         8         5         5         2		5	4	4	3	5	2	
Self Abuse of Drugs or Alcohol         2         3         3         12         1         0           Dishonesty/Fraud         0         3         0         2         2         1           Mental Illness         1         0         0         0         0         2         0           Aiding Unlicensed Practice         0         1         0         0         0         0         0         0         0<		0	0	1	0	0		
Dishonesty/Fraud         0         3         0         2         2         1           Mental Illness         1         0         0         0         0         2         0           Aiding Unlicensed Practice         0         0         0         0         0         0         0           General Unprofessional Conduct         1         1         1         0         2         2           Probation Violation         1         0         0         2         1         0           Sexual Misconduct         6         1         2         6         9         0           Conviction of a Crime         7         9         8         5         5         2	Repeat Negligent Acts	0	0	0	1	0	0	
Dishonesty/Fraud         0         3         0         2         2         1           Mental Illness         1         0         0         0         0         2         0           Aiding Unlicensed Practice         0         0         0         0         0         0         0           General Unprofessional Conduct         1         1         1         0         2         2           Probation Violation         1         0         0         2         1         0           Sexual Misconduct         6         1         2         6         9         0           Conviction of a Crime         7         9         8         5         5         2	Self Abuse of Drugs or Alcohol	2	3	3	12	1	0	
Mental Illness         1         0         0         0         2         0           Aiding Unlicensed Practice         0         2         1         0         0         2         1         0         0         2         1         0         0         2         1         0         0         2         1         0         0         2         1         0         0         2         1         0         0         2         1         0         0         2         1         0         0         2         1         0         0         2         1         0         0         2         1         0         0         2         1         0         0         2         1         0         0         0         0         0         0         0         0         0         0         0         0         0         0         0						2		
Aiding Unlicensed Practice         0         0         0         0         0           General Unprofessional Conduct         1         1         1         0         2         2           Probation Violation         1         0         0         2         1         0           Sexual Misconduct         6         1         2         6         9         0           Conviction of a Crime         7         9         8         5         5         2								
General Unprofessional Conduct         1         1         1         0         2         2           Probation Violation         1         0         0         2         1         0           Sexual Misconduct         6         1         2         6         9         0           Conviction of a Crime         7         9         8         5         5         2				-				
Probation Violation         1         0         0         2         1         0           Sexual Misconduct         6         1         2         6         9         0           Conviction of a Crime         7         9         8         5         5         2								
Sexual Misconduct         6         1         2         6         9         0           Conviction of a Crime         7         9         8         5         5         2	•							
Conviction of a Crime         7         9         8         5         5         2								
and the state of the								
	Discipline by Another State Board	1	0	1	1	0	0	
Other 0 0 0 0 0 0	Other	0	0	0	0	0	0	

<sup>\*</sup>Doesn't include cancelled, revoked, or surrendered license/registration

<sup>\*\*</sup> Numbers from 7/1/2013 thru 09/27/2013 \*\*\* Not included in Total Decisions or Violation Type