



BOARD OF PSYCHOLOGY – Administration
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BOARD MEETING MINUTES

Pepperdine University Graduate School of Education and Psychology
6100 Center Drive, Rooms 333-334
Los Angeles, CA 90045
(310) 568-5600

Thursday, May 15, 2014

Michael Erickson, PhD, Board President called the open session meeting to order at 9:44 a.m. A quorum was present and due notice had been sent to all interested parties.

Members Present:

Michael Erickson, PhD, Board President
Miguel Gallardo, PsyD, Board Vice-President
Lucille Acquaye-Baddoo
Johanna Arias-Bhatia
Jacqueline Horn, PhD
Nicole J. Jones

Others Present:

Antonette Sorrick, Executive Officer
Jeffrey Thomas, Assistant Executive Officer
Lavinia Snyder, Licensing Coordinator
Jonathan Burke, Administrative Coordinator
Colette McDowell, Continuing Education/Renewals Coordinator
Norine Marks, DCA Legal Counsel
Charles Faltz, PhD, Director of Public Affairs for the California Psychological Association

Agenda Item #1: President's Welcome and Report of Appointment

Dr. Erickson thanked the public, Board Members and Board staff for their attendance and Pepperdine University for hosting the meeting.

Agenda Item #2: Approval February 20-21, 2014, Board Meeting Minutes

Dr. Horn noticed that there were still some tracked changes on page 5 of the draft minutes. There was also an incomplete sentence on Page 10 line eleven. Ms. Jones commented there were typos and various issues with the document. Ms. Sorrick said that the minutes will be numbered next time and submitted earlier for review by the Board.

1 It was M (Erickson)/ S (Arias-Bhatia)/C to approve the minutes after the corrections had
2 been made.

3
4 Vote: 6-0.

5
6 **Agenda Item #3: Budget Report by Jonathan Burke, Administrative Services**
7 **Coordinator**
8

9 Mr. Burke, Administrative Coordinator for the Board, presented on the condition of the
10 Board's budget. A graph showed the relationship between discretionary and non-
11 discretionary line items in the Board's budget and the difference between both items
12 was explained.

13
14 Dr. Erickson asked if the figures were for 12 months, or 9 months. Mr. Burke explained
15 that the presented numbers were the actual and projected figures for the previous and
16 current fiscal years. Dr. Erickson also asked if there is a gradual decline in the Board's
17 condition. Mr. Burke responded that there is, but that if the fund declines too much it
18 would trigger the repayment of the loan from the General Fund. The Governor's Budget
19 projected that the "Wall of Debt" would be repaid by FY 2017-18. This repayment would
20 cause a 24 month surplus in the Board's fund. Such a surplus would trigger a fee
21 decrease.

22
23 Dr. Gallardo asked why the fund condition is declining and if the amount being charged
24 by the State of California is increasing. Mr. Burke indicated that the price of doing
25 business in California has increased, but that is not the reason for the decreasing fund.
26 The Board is planning to spend more with new staff and other discretionary items.

27
28 Dr. Horn inquired as to what "personal services" are. Mr. Burke and Ms. Sorrick
29 answered that it refers to personnel costs including salary, benefits (non-discretionary)
30 and overtime, contracted work (discretionary).

31
32 Dr. Erickson noted that the Board is spending more than it is collecting and therefore
33 the fund is decreasing. Ms. Sorrick said that approximately \$900,000 is reverted to the
34 fund each year. She stated that the fund condition uses budgeted numbers that assume
35 the entire budget will be spent. Mr. Thomas stated that the Board should spend
36 according to what the Board has, as the needs arise and that budget Change Proposals
37 can be done for additional staff as the Board determines the necessity.

38
39 Ms. Arias-Bhatia asked if the additional funds would allow for wider travel and event
40 participation by the Board. Ms. Sorrick stated that the Board has the option of doing
41 more outreach and education. However, Mr. Thomas stated that travel is not simply an
42 issue of fund availability, but the travel has to be approved by DCA.

43
44 Dr. Gallardo said that the Board has had discussions about a possible fee reduction, but
45 that the Board decided against pursuing that and favored focusing on the value of the
46 current license fee. However, it is problematic that the Board does not have more
47 discretion with the money in the fund. Ms. Jones said that the Board is willing to
48 discuss a fee reduction. Dr. Gallardo mentioned that there had been a discussion with
49 Mr. Skewis about fee reductions after the February Board meeting and the sense was

1 that a fee reduction should not be pursued at this time. Focus should be on added value
2 of the Board's services for the benefit of licensees.

3
4 Dr. Horn asked if the loan is paid back which would result in more than 24 months in
5 reserve, at which point license fees must be reduced. Mr. Burke confirmed that if the
6 General Fund loan was repaid, then a fee reduction would be required. Ms. Acquaye-
7 Baddoo commented that there had been discussion of a fee audit from an outside
8 vendor. Dr. Horn expressed concern that there are limits on where Board can go in
9 outreach. Ms. Sorrick stated that requests need to be made to the Department and the
10 Department will grant or deny authorization.

11
12 Dr. Erickson said the aim is to keep fee as low as possible and maximize the perceived
13 benefit and quality of service. Dr. Gallardo stated that after a meeting with Mr. Skewis,
14 he felt that the license fee did not need to be reduced. Ms. Jones said she was in
15 agreement of the Board moving forward with promoting the services the Board provides.

16
17 Charles Faltz, PhD, Director of Public Affairs for the California Psychological
18 Association, stated that previously the loan needed to be triggered by Psychology Fund
19 running low. He asked if there still needed to be a triggering event, or if the loans would
20 be re-paid regardless. Mr. Burke stated that the loans would be re-paid regardless. Dr.
21 Faltz asked if the loan is re-paid, will a lowering of the license fee be required. Mr. Burke
22 indicated that a fee reduction would be required. Dr. Faltz asked if that trigger was a
23 policy or a statute. Ms. Sorrick indicated that it was a statute under section 128.5 of the
24 California Business and Professions Code. Dr. Faltz asked about the statutory authority
25 of the Board and if DCA is in control of the Board's budget. Ms. Sorrick said that,
26 regarding travel, the Board is under an Executive Order limiting travel. Dr. Faltz asked
27 additional questions about how the Board's budget is built and the authority of the
28 licensing board and commented that he asks this question at most meetings and has
29 yet to receive a satisfactory answer. Mr. Burke committed to answering Dr. Faltz's
30 questions in detail in the coming weeks.

31 32 **Agenda Item #4: Review Board Procedure Manual**

33
34 Mr. Burke said there were a few changes to the draft Board Procedures Manual due to
35 the changes to the committee structure and the updated Strategic Plan. Dr. Gallardo
36 had comments on the descriptions of the Licensing and Outreach and Education
37 Committee. Ms. Sorrick commented on errors in drafting and that the new structure is
38 mirrored in the Board Procedures Manual. Continuing Education will remain a vitally
39 important part of the committee structure. Dr. Horn said that a few minor edits to the
40 language should be made for the sake of consistency. Ms. Arias-Bhatia thanked staff for
41 the efficiency and quality of the Board structure.

42
43 It was M (Horn)/ S (Erickson)/C to approve the Board Procedures Manual after minor
44 corrections are made by staff.

45
46 Vote: 6-0.

47 48 **Agenda Item #5: Licensing Presentation by Dr. Jacqueline Horn**

49

1 Dr. Horn introduced the licensing overview presentation for psychologists, and
2 discussed the first video to aid prospective applicants for licensure. Dr. Horn also invited
3 attendees to stay for the committee meeting.

4 5 **a) Overview of the Licensing Process**

6
7 Ms. Snyder presented on the application process for the three types of licenses and
8 registrations that the Board administers. There were no questions or comments.

9 10 **b) YouTube Video – Psychologist Application**

11
12 The Board's YouTube video was debuted. Dr. Horn commented about the Examination
13 for Professional Practice in Psychology (EPPP) that there is a higher pass rate if the
14 examination is taken closer to when applicant has completed his or her internship and
15 graduate training.

16 17 **c) Q&A**

18
19 Ms. Acquaye-Baddoo asked if the EPPP test score was valid in perpetuity. Dr. Horn
20 indicated the score is valid forever.

21 22 **Agenda Item #6: Enforcement Report by Jeffrey Thomas, Assistant Executive** 23 **Officer**

24
25 Mr. Thomas gave the report. He informed the Board has a new Probation Coordinator,
26 Barbara Tanner. He stated that Nicole Walker left the Board, and Gina Bayless left the
27 Board for a promotion to the Board of Behavioral Sciences. Ms. Sorrick added that there
28 is a new Staff Services Manager I position opening at the Board. She stated that the
29 goal is to have the employee in place by the end of June.

30
31 Mr. Thomas said that statistical reports cannot currently be generated because of
32 issues with the Breeze system. He referred to the Overview of Enforcement Activity and
33 noted that everything appears to be consistent to previous years with the exception of
34 an increase in conviction reports. Mr. Thomas commented this is possibly due to
35 catching up on the application processing backlog.

36
37 Ms. Acquaye-Baddoo asked why there is no longer an Enforcement Committee and
38 who will present to the Board. Mr. Thomas stated that the new Enforcement Manager
39 will present the statistics to the Board.

40
41 Dr. Faltz said that CPA publishes the Board's enforcement statistics to their
42 membership once a year and they publicize the figures for accusations and complaints
43 to show that a low number of complaints lead to action. Dr. Gallardo spoke about the
44 sense amongst licensees that the Board disciplines too quickly. The licensee feedback
45 is not in response to data, but the misguided perception that the Board disciplines too
46 quickly. Enforcement and Administration overview presentations are scheduled to be
47 presented at a future Board Meeting.

48 49 **Policy and Advocacy Committee**

1 The Policy and Advocacy Committee met to discuss and formulate recommendations to
2 the Board. See agenda item 9 for the Board's discussion.

3
4
5 **Licensing Committee**

6
7 The Licensing Committee met to discuss and formulate recommendations to the Board.
8 See agenda item 10 for the Board's discussion.

9
10 The open session meeting adjourned at 5:10 p.m.

11
12 **Friday, May 16, 2014**

13
14 Dr. Erickson brought the meeting to order at 9:42 a.m. He proposed a change in the
15 agenda order with the ASPPB presentation (Agenda Item #7) moved to before lunch
16 and the Outreach and Education Committee moved to after lunch.

17
18 A quorum of five members was present at roll call and due notice had been sent to all
19 interested parties.

20
21 **Members Present:**

22 Michael Erickson, Ph.D., Board President
23 Miguel Gallardo, Psy.D, Board Vice-President
24 Lucille Acquaye-Baddoo
25 Johanna Arias-Bhatia
26 Jacqueline Horn, Ph.D.
27 Nicole J. Jones

28
29 **Others Present:**

30 Antonette Sorrick, Executive Officer
31 Jeffrey Thomas, Assistant Executive Officer
32 Lavinia Snyder, Licensing Coordinator
33 Jonathan Burke, Administrative Coordinator
34 Colette McDowell, Continuing Education/Renewals Coordinator
35 Norine Marks, DCA Legal Counsel
36 Charles Faltz, PhD, Director of Public Affairs for the California Psychological
37 Association
38 Elizabeth Elenwo
39 Julie Hayden, PhD, Dean of Southern California Seminary
40 Jamie Miller
41 Alex Siegel, Phd, Association of State and Provincial Psychology Boards
42 (ASPPB)
43 Joseph Rallo, PhD, ASPPB
44 Janet Orwig, ASPPB

45
46
47 At 9:44 a.m the Board went into closed session pursuant to Government Code Section
48 11126(c) (3) to discuss and vote on disciplinary matters including stipulations and
49 proposed decisions, and pursuant to Government Code Section 11126(e) (1) to discuss
50 pending litigation (*Weiss vs. Board of Psychology*).

1
2 **Agenda Item #7: Association of State and Provincial Psychology Boards**
3 **(ASPBB) PLUS Program Presentation by Dr. Joseph Rallo and Ms. Janet Orwig**
4

5 Dr. Horn introduced Janet Orwig, Dr. Joseph Rallo, and Dr. Alex Siegal.
6

7 Mr. Rallo discussed the new Psychology Licensing Universal System (PLUS). The
8 Application Form is based on review for all states and provinces. The goal is to satisfy
9 every jurisdiction's requirement for licensure. The PLUS program combines 63
10 applications into one. The transferrable information will aid with the portability of the
11 license. The PLUS Program gathers, but does not scrutinize, information. Ms. Orwig
12 provided a demonstration of the new system and outlined the costs for the Boards and
13 applicants. She noted that Mississippi, Oklahoma, Georgia, New Hampshire, Nevada
14 had joined the system.
15

16 Dr. Horn asked about BreEZe integration with the PLUS program. Ms. Snyder explained
17 that an interface would be needed and the Board would need to petition the Change
18 Control Board that manages BreEZe modifications. Ms. Sorrick asked if a statutory
19 change would be needed to adopt PLUS System. Ms Orwig responded that rule
20 changes have been made, but not changes to statute. Various California specific
21 licensing requirements were discussed and how PLUS might accommodate them. Ms.
22 Sorrick asked if reports can be generated by the system. Ms. Orwig responded that
23 ASPPB would provide data upon request.
24

25 Ms. Sorrick and Dr. Erickson commented that this is the beginning of a conversation
26 about the new program. Dr. Erickson was interested in a potential cost saving and
27 asked about Utah's experience of potentially reducing fees as a result of the new
28 system. Dr. Siegel said that students support the system because it creates an online
29 deposit for all of their qualifications. Ms. Jones asked how many licensees seek to
30 transfer to another state. Ms. Snyder responded that we are not contacted or informed
31 when a California licensee transfers his or her license to another state and that licensing
32 staff processes approximately 50 incoming transfers per year.
33

34 Dr. Rallo and Ms. Orwig suggested possible next steps and expressed their gratitude for
35 being asked to present.
36

37 **Agenda Item #8: ASPPB Board Member Training by Dr. Alex Siegel**
38

39 Dr. Siegel gave a Board Member training. After an introduction and professional history,
40 Dr. Siegel presented on the expectations and legal obligations of Board Members in
41 California. The quantity and quality of the California laws and regulations were
42 commended as they as they clearly outline expectations. A history of the regulation of
43 the psychological profession was provided and differences between various jurisdictions
44 explained. The history of ASPPB was also provided as an overview of the national
45 picture. Dr. Siegel addressed the perception that licensees are victims of aggressive
46 enforcement units of a regulatory Board. He gave statistics that 1% of Psychologists are
47 ever disciplined and 2% ever have a complaint filed against them. The duties and
48 expectations of Board members were also addressed. The Bagley-Keene Open
49 Meetings Act was explained with examples of similar laws in other jurisdictions.
50

Agenda Item #11: Outreach and Education Committee

The Outreach and Education Committee met to discuss and formulate recommendations to the Board.

a) Review and Approve Draft Strategic Plan

Dr. Gallardo asked for comment from other Board Members. Ms. Jones said that Strategic Goals on Page 10 and the Strategic Objectives on Page 12 could be closer to the intent of the Board. Laws and Regulations should become Policy and Advocacy in the document. Strategic Plan comments change strategic goal 3 to Policy and Advocacy. Ms. Jones requested a copy of the Action Plan generated by Board Staff. Language in 3.1 was changed to retain the consistency of the document.

Dr. Erickson spoke about the new Committee Structure and his desire that all Board Members be happy with the changes.

It was M(Gallardo)/S(Acquaye-Baddoo)/C to approve the draft of the Strategic Plan as amended.

Vote: 6-0.

b) Review and Approve Communications Plan

The Communications Plan was reported as a result of the Board's Strategic Plan. The Plan will guide the Board's outreach and education efforts over the next five years. Dr. Gallardo reported that there were no comments in Committee on this item and recommended to approve. Dr. Erickson asked if the Communication Plan can be supported and monitored by the Outreach and Education Committee.

It was M(Acquaye-Baddoo)/S(Arias-Bhatia)/C to accept the Communications Plan.

Vote: 6-0.

c) Social Media Update

Dr. Erickson expressed his appreciation that the statistics were provided. Dr. Gallardo expressed his desire for a greater number of followers.

d) Website Changes/Additions

Dr. Gallardo reported that the Committee is happy with the website changes and that staff will respond to inquiries and feedback regarding future changes.

e) Newsletter

Dr. Gallardo asked for comment. Dr. Faltz had an informational question regarding whether public comment during the Committee meetings would be on the record. Ms. Marks responded that public comment in the committee meeting should be included in the committee report to the full Board and that is how it would make it into the minutes.

1 Dr. Faltz then summarized CPA's response to the legislative update in the Newsletter
2 article concerning SB 127. He stated that there is a difference of opinion concerning
3 interpretation of the new law regarding the duty of a therapist to report a threat to law
4 enforcement. He indicated that the new law may also have a duty to protect which may
5 not always include an alert to law enforcement. CPA is seeking a legislative counsel
6 opinion regarding the duties of the therapist when a threat may be present. CPA will
7 update the Board when they hear back from the legislative counsel. Ms. Jones thanked
8 the outgoing Committee Chair Ms. Arias-Bhatia

9 10 **f) Outreach Activities Update**

11
12 This item was informational.

13
14 It was M(Erickson)/S(Arias-Bhatia)/C to approve the Outreach and Education
15 Committee report.

16
17 Vote: 6-0.

18 19 **Agenda Item #9: Policy and Advocacy Committee Report**

20
21 Ms. Jones presented the report in agenda order.

22 23 **1) AB 790 (Gomez) – Child Abuse Reporting**

24
25 Ms. Jones summarized AB 790. The bill will make changes to the duties of a mandated
26 reporter. Specifically, the report of abuse would have to be made in writing. The
27 committee recommendation was to watch the bill and Ms. Jones asked for a motion.
28 Ms. Sorrick stated that as watching legislation is not a position, there is no action
29 required by the Board.

30 31 **2) AB 1505 (Garcia) – Child Abuse: Mandated Reporters**

32
33 Ms. Jones summarized AB 1505 which would make instances of sodomy or oral
34 copulation only reportable as abuse if the minors involved were younger than 16 years
35 old. The committee recommendation was to take an "Oppose unless amended" position
36 and delegate to staff ability to send letters to the author and relevant legislative
37 committees. Dr. Gallardo asked for clarification on the changes the bill would make. Ms.
38 Jones answered saying that the bill would codify in statute that sodomy and oral
39 copulation between minors would fall under mandated reporting. This is in conflict with
40 the Board's position regarding the Child Abuse and Neglect Reporting Act (CANRA). Dr.
41 Erickson asked about the creation of the letter and Ms. Jones stated that staff would
42 write the letter and it would be reviewed by Legal Counsel and the Executive Officer.

43
44 It was M(Jones)/S(Gallardo)/C to oppose AB 1505 unless amended and to delegate to
45 staff and one board member, the authority to draft a letter expressing concerns about
46 the treatment of the sex acts and that the age issue be resolved.

47
48 Vote: 6-0.

49 50 **3) AB 1702 (Maienschein) – Professions and Vocations: Incarceration**

1
2 Ms. Jones summarized the content of AB 1702. The bill would prevent DCA boards
3 from delaying applications that have been made and have licensing criteria completed
4 while the applicant is incarcerated. The committee recommended an oppose position as
5 staff foresee confusion and some extra work. Dr. Erickson asked what opposition
6 involves. Ms. Marks said we can send a letter, take public position, and inform DCA's
7 Legislative and Regulatory Review. The public was invited to comment.

8
9 Jamie Miller asked for clarification on whether the Board opposed AB 1702 because of
10 the removal of the Board's ability to delay an application. Ms. Jones responded that
11 delays are inevitable for applicants with a conviction and that applicants who have been
12 convicted and subsequently incarcerated may lodge complaints that they have been
13 illegally delayed due to their incarceration. This will cause delay and extra work for staff
14 as well as confusion on the part of the applicant.

15
16 It was M(Jones)/S(Acquaye-Baddoo)/C to oppose AB 1702 and to delegate to staff the
17 authority to send a letter expressing the Board's opposition.

18
19 Vote: 6-0.

20 21 **4) AB 1758 (Patterson) – Healing arts: License Renewal Fees**

22
23 Ms. Jones summarized the content of AB 1758. The bill would require the proration of
24 the initial license fee. Ms. Jones explained the current Board process and the
25 implementation would be very difficult. There is potentially a significant fiscal impact and
26 BreEZe may complicate the issue. Public comment from a student during the committee
27 meeting was supportive and the committee recommends a watch position.

28
29 Dr. Gallardo stated that loss of revenue is not a problem because the Board is
30 financially solvent and could absorb new positions. Dr. Gallardo argued proration is a
31 good idea. Dr. Horn asked what watching legislation involves and Ms. Jones responded
32 that staff monitor its progress and report back to Board if there are developments. Dr.
33 Horn expressed her desire to support the legislation.

34
35 Ms. Sorrick said that staff felt the bill should be watched until we have determined what
36 the fiscal impact would be to the Board. Dr. Gallardo said that until the Board has a
37 complete fiscal impact study the Board should not take a support or oppose position.
38 The public were then asked to comment.

39
40 Dr. Faltz asked about a potential board meeting later in the legislative session, as that
41 would be the ideal time to address the fiscal issue. Dr. Faltz expressed sympathy with
42 staff who fear a potential loss of revenue and those early career licensees. There was a
43 request to discuss legislation as a Board when the bills are in appropriations committee.

44
45 Julie Hayden of Southern California Seminary commented that there should not be a
46 fee when the Board has extra money and does not need more money. Also, a fiscal
47 impact study should be completed, but this is a good time to help new licensees.

48
49 It was M(Jones)/S(Erickson)/C to accept committee's decision to watch and bring back
50 at July's meeting with fiscal impact information

1
2 Vote: 6-0
3

4 **5) AB 1843 (Gordon/Jones) – Child Custody Evaluations**
5

6 Ms. Jones and Mr. Burke gave a summary of the Board's activity at stakeholder
7 meetings and meetings with the author's office. The Board attended two stakeholder
8 meetings as an observer and two issues had arisen; the first was whether an
9 investigator is permitted to have a Child Custody Evaluation released to them by the
10 courts without a subpoena and why the Board of Behavioral Sciences had received a
11 legal counsel opinion that said they could not use Child Custody Evaluations where
12 Board of Psychology had been told that they could. Public comment during the
13 committee meetings had expressed concern with false accusations and confidentiality
14 of the reports.
15

16 The committee discussed the staff recommendations and submitted two requests to the
17 Board.
18

19 It was M(Jones)/S(Erickson)/C to request staff to seek an informal legal opinion from
20 the Office of the Attorney General asking if the Board is permitted to use Child Custody
21 Evaluations that are released to them by a parent or another party.
22

23 Vote: 6-0
24

25 It was M(Jones)/S(Gallardo)/C to allow staff and two Board members (Dr. Horn and Ms.
26 Jones, or alternates) to attend future stakeholder meetings and work on sculpting
27 language to ensure the Board can receive the reports in a more expeditious manner.
28

29 Vote: 6-0
30

31 **6) AB 2165 (Patterson) – Professions and Vocations: Licenses**
32

33 Ms. Jones summarized the committee's determination that the bill is not moving forward
34 and therefore there is nothing to discuss, or actions for the Board to take. The bill would
35 have required a Board under DCA to process complete applications in 45 days.
36

37 **7) AB 2198 (Levine) – Mental Health Professionals and Suicide Prevention**
38

39 Ms. Jones introduced the bill. AB 2198 would require 15 hours of prelicensure contact
40 hours in suicide prevention or a six (6) hour post-licensure continuing education
41 requirement. The committee heard from the public and received an e-mail from Victor
42 Ojackian in support of the legislation. During the committee meeting Dr. Faltz expressed
43 CPA's opposition to the legislation. Dr. Gallardo said he recognized the importance of
44 the issue of suicide, but that one course over a professional psychologist's career will
45 not ensure competency. Dr. Gallardo did not support an additional requirement for
46 licensees. Ms. Jones said the committee recommends a watch and is not in support
47 either. Dr. Horn agreed with Dr. Gallardo not supporting statutory solutions to the issue
48 of treating suicide. Regulations promulgated by the Board can encourage subject area
49 competence without mandating already covered material. Ms. Jones asked Mr. Burke if
50 an exemption could be sought by licensees who do not work in this area. Mr. Burke

1 indicated that the language is clear that a candidate or licensee must complete this
2 continuing education topic.

3
4 Dr. Horn reiterated that this is a vitally important topic, but the solution proposed by the
5 legislature will not provide the best solution. Dr. Erickson agreed that this is important
6 topic and thanked Victor Ojackian for submitting his support letter and Dr. Noonan's
7 testimony during the committee meeting expressing support of the legislation.

8
9 Dr. Faltz said CPA receives many consultation requests from psychologists who have
10 suicidal patients. Suicide Training Groups are primary sponsors of the legislation.

11
12 Ms. Jones reported to the Board that the Policy and Advocacy Committee
13 recommended the bill be watched and that a motion is therefore not necessary. Ms.
14 Jones commented that there are other mandated courses and continuing education
15 topics and it would be help to know the history of how they entered the statute. Dr.
16 Gallardo replied that other Boards have not supported mandated coursework and that
17 the Board should explore why an opposition position has not been discussed. Dr.
18 Erickson said that there may be additional considerations for the Board opposing
19 suicide prevention and training. Ms. Acquaye-Baddoo said the Board opposing the bill
20 would look strange and recommended a watch motion. Ms. Marks advised that the
21 Board could express opposition to the bill by saying that attending a 15 hour course is
22 insufficient. Dr. Gallardo highlighted the movement of the Board towards a Continuing
23 Professional Development Model that does not encourage mere course attendance.

24
25 An "active watch" position was discussed and Ms. Marks commented that there is no
26 added benefit to "actively watching" legislation.

27
28 Public Comment was offered by Jamie Miller. The Board should offer alternatives rather
29 than watch or support. Ms. Jones explained the legislative process and the Board's role
30 in that process. Ms. Sorrick said contacting the author's office can be a way of involving
31 yourself in the legislative process.

32
33 Dr. Faltz said it was wonderful that the Board is more active in legislative process and
34 that future meetings should coincide with legislative calendar.

35
36 It was M(Jones)/S(Acquae-Baddoo)/C to continue to actively watch AB 2198.

37
38 Vote: 6-0

39 40 **8) AB 2396 (Bonta) – Convictions: Expungement: Licenses**

41
42 Ms. explained that AB 2396 would deprive the Board of its ability to refuse an
43 application based solely on an expunged conviction. The Board invokes Section 480 of
44 the Business and Professions Code when denying licensure to an applicant with an
45 expunged conviction or convictions that the Board concludes may limit a candidate's
46 ability to practice safely. Ms. Jones reported that the Committee recommends an
47 oppose position because it will limit the Board's ability to reach our consumer protection
48 goals.

49
50 Ms. Marks said this would affect more Boards within DCA.

1
2 It was M(Erickson)/S(Jones)/C to oppose AB 2396 and for staff to write a letter of
3 opposition from the Board.
4

5 Vote: 6-0
6

7 **9) SB 1446 (DeSaulnier) – Health Care Coverage**
8

9 Ms. Jones explained that this is the Omnibus Legislation that contains language
10 approved by the Board at the February meeting. The committee recommends that the
11 legislation be supported and the Executive Officer be delegated the authority send a
12 letter of support when the language is inserted.
13

14 It was M(Jones)/S(Arias-Bhatia)/C to delegate the authority to the Executive Officer to
15 send a letter of support when the language approved by the Board in February is
16 inserted into the bill.
17

18 Vote: 6-0
19

20 Ms. Arias-Bhatia had a request that an analysis be prepared by staff of AB 2041 and
21 that it be presented at the next Board meeting. Staff indicated that this would not be a
22 problem and an analysis would be prepared.
23

24 **b) Regulation Update, Review and Action, as Necessary**
25

26 **1) Title 16, CCR, Section 1397.12 – Uniform Standards Related to Substance**
27 **Abuse and Disciplinary Guidelines**
28

29 Ms. Jones introduced this item and the minor change to proposed regulatory language.
30 The changes are to maintain consistency in the Uniform Standards and the committee
31 recommended approval without further comment.
32

33 It was M(Jones)/S(Erickson)/C to approve the language.
34

35 Vote: 5-0 (Ms. Acquaye-Baddoo not present for vote.)
36

37 **2) Title 16, CCR, Sections 1388, 1388.6, 1389, 1392 – Examinations, License**
38 **Requirements and Waiver of Examination, Reconsideration of**
39 **Examinations, Psychologist Fees**
40

41 Ms. Jones presented the changes which were to maintain consistency throughout the
42 proposed regulatory packet. The passing score for the EPPP in the draft regulations
43 was 500 and the new draft would not include that specific passing score. Dr. Julie
44 Hayden asked why the passing score was being changed and Dr. Horn responded that
45 not accepting ASPPB's passing score could impact the portability of a California license.
46

47 It was M(Jones)/S(Erickson)/C to approve the language.
48

49 Vote: 6-0
50

1 **3) Title 16, CCR, Sections 1397.60, 1397.61, 1397.62, 1397.67 – Definitions,**
2 **Continuing Education Requirements, Continuing Education Exemptions**
3 **and Exceptions, Renewal After Inactive or Delinquent Status**
4

5 This item was moved and discussed by the Licensing Committee.
6

7 **C) Discussion Regarding the California Child Abuse and Neglect Reporting**
8 **Act (CANRA) and Mandated Reporting - Penal Code Sections 261.5, 288,**
9 **and 11165.1 (J. Burke)**
10

11 The committee reported that the request for an Attorney General's opinion had been
12 sent to Senator Darrell Steinberg's office and that we were waiting for the opinion. No
13 further action was required. Dr. Faltz asked if the Board had confirmation that Senator
14 Steinberg's office had sent the request for the opinion and Mr. Burke reported that
15 Board Member Starr had indeed confirmed that the request had been sent.
16

17 It was M(Jones)/S(Acquaye-Baddoo)/C to accept the Policy and Advocacy Committee
18 report.
19

20 Vote: 6-0
21

22 **Licensing Committee – (Horn – Chairperson, Phillips, Arias-Bhatia)**
23

24 Discussions occurred out of agenda order.
25

26 **a) Application Report**
27

28 Dr. Horn reported and expressed gratitude at the improvement on the processing
29 timelines. The wait times for application approval were reported at six weeks for a
30 Psychologist, one week for a Psychological Assistant and two weeks for a Registered
31 Psychologist.
32

33 **b) Examination Report**
34

35 Dr. Horn communicated that the first time pass rate for the EPPP are currently
36 unavailable. She indicated that BreEZe currently has no report available to gather this
37 data; however, the statistics are being requested from ASPPB.
38

39 **c) Renewal Report**
40

41 Dr. Horn referred to the informational statistics provided in the meeting packets.
42

43 **d) Continuing Education Report**
44

45 Dr. Horn discussed the Continuing Education Audit Statistics. Proposed regulatory
46 changes to Title 16 CCR Sections 1397.60, 1397.61, 1397.62, and 1397.67 were
47 approved at the Board's February meeting, but Ms. Marks raised the issue that
48 1397.60(i) would probably fall under regular professional duties and is therefore not CE.
49 Dr. Gallardo restated the Board's discussion during the February meeting where the
50 additional requirements had been discussed. The goal of the new CE requirements is to

1 have psychologists attend more than courses and not include what they do in their
2 regular work. Dr. Gallardo responded that a professor teaches a course as part of their
3 regular work, but the research and teaching would count towards CE according to the
4 matrix. Dr. Horn said the rational is that you have to research a course to teach it.
5 Dr. Harlem had said at the last meeting that it requires continuous work to keep a
6 course up-to-date. Dr. Gallardo and Ms. Arias-Bhatia recommended inserting “for first
7 time” in matrix under section (b) 8.

8
9 Dr. Gallardo stated that 1397.60(b) needs to be connected to the matrix. Dr. Horn
10 recommends “only once for each course taught” is added to language for academic or
11 graduate courses taught. Dr. Horn expressed concern that with new regulations, a
12 professor who has taught a course many times may now claim it unless “first time”
13 language is inserted. Dr. Erickson asked if credit is given to professors just for teaching.
14 Take out for the first time. The Board decided to keep in for once in each course taught
15 during each renewal cycle.

16
17 The committee then discussed the role of ethnic-specific workshops at events be
18 included as hours of credit. Dr. Gallardo said the Board needed to make clear in the
19 language that attending diversity or ethnic specific conference would count towards CE
20 each renewal cycle. Ms. Sorrick stated that training at the conference could be part of
21 the four (4) hours on the matrix aimed at cultural awareness and the attendance could
22 be counted under the one day=one hour of Professional Activities section in the
23 proposed continuing education matrix. Adding the law and ethics and cultural diversity
24 components to the matrix was suggested by Ms. Sorrick. Dr. Gallardo calculated the
25 hours an attendee at an ethnic specific conference could earn each renewal cycle.

26
27 Mr. Thomas said the new language is “activities” and not “training”. Regarding section
28 1397.61(c), Ms. Jones was concerned that language specifying “Psychology”
29 conferences and training be added so the criterion is not too broad. Dr. Erickson said
30 these regulations can be revisited at the August meeting.

31
32 Dr. Gallardo stated he was concerned that section (f) on page 10 was too restrictive.
33 This language related to the approved sponsors of continuing education. The
34 Association of Black Psychologists requested that they be approved as a continuing
35 education provider. The Board discussed holding a meeting before the August Board
36 Meeting where these criteria could be discussed with Association of Black
37 Psychologists and other interested parties. Drs. Gallardo and Horn were delegated to
38 attend this meeting. Ms. Sorrick and Mr. Thomas will work with stakeholders and craft
39 language to be reviewed at the meeting.

40 41 **e) Satisfaction Survey Results**

42
43 The Committee recommended to the Board that due to the low level of responses (two)
44 the survey results should be compiled and presented annually rather than quarterly.

45 46 **f) Discussion of Supervised Professional Experience – Proposed Statutory and** 47 **Regulation Changes to Business and Professions Code Section 2914 (c) and Title** 48 **16, CCR, Sections 1387 (b) (10), (11), and 1387.1 (h)** 49

1 Ms. Sorrick began by reading the new text regarding Business and Professions Code
2 Section 2914 proposed by Ms. Marks. An applicant may send verification of experience
3 directly to the Board if the Supervisor fails to carry out his or her role. The supervisor will
4 have 20 days to contradict what the supervisee submits to the Board. Alleged
5 contradictions must be submitted to the Board in writing.

6
7 It was M(Horn)/S(Acquaye-Baddoo)/C to approve the language for noticing and set for
8 hearing, pursue a legislative proposal to amend the statute.

9
10 Vote: 6-0

11
12 Dr. Horn presented the Committee's determinations regarding the proposed changes to
13 the California Code of Regulations that will be necessary after the previously discussed
14 statutory proposal: 1387 (b)(10), (b)(11), and 1387.1. The committee recommended
15 accepting all of the regulation changes under this agenda item. Dr. Horn provided a
16 synopsis of the proposed changes in the sections. Dr. Erickson asked if the supervisee
17 sees the VOE form before it is placed in the envelope by the supervisor. Mr. Thomas
18 responded that VOE form is not seen by the supervisee, but the supervisee has seen
19 the agreement. Dr. Horn said the supervisor needs to explain development to the
20 supervisee so there are no surprises.

21
22 It was M(Horn)/S(Erickson)/C to accept the modified language to Title 16 CCR 1387 et
23 al. and include in a future regulation change proposal.

24
25 Vote: 6-0.

26
27 **g) Discuss Limitations of Exemption Period Granted Under Business and**
28 **Professions Code Section 2910 and Welfare & Institutions Code Section 5751.2**

29
30 Dr. Horn recommended this item be placed on an upcoming Board Meeting agenda as it
31 is a highly complex issue that requires more research by staff.

32
33 **h) Accommodations Policy for English as a Second Language Test Candidates**

34
35 Dr. Horn presented the new language prepared by Ms. Marks regarding the qualification
36 for extra time (1.5x) and the requirement to take the TOEFL. Mr. Burke stated that the
37 ESL accommodation language, once approved, will be added to the Examination
38 regulation packet.

39
40 Elizabeth Elenwo stated that multilingual students may need more time to think in
41 English if they think in other languages. Dr. Horn responded that she believed this was
42 the fairest measure. Ms. Elenwo submitted that it is possible to pass the TOEFL and still
43 struggle on the official standardized test and that therefore the language should be
44 removed. Dr. Horn explained that the current accommodation policy does not account
45 for those born in United States, but may have English as their second language. The
46 Board is seeking to be as fair as possible and will revisit if the accommodation does not
47 achieve its aims.

48
49 Jamie Miller expressed concerns that while the language accommodates for language it
50 does not accommodate for cultural diversity. Standardized tests can be culturally

1 biased. Dr. Horn responded that there are validation studies that appear on ASPPB and
2 EPPP website that show that the examinations do not discriminate. Cultural groups
3 perform as well as each other on the examination. Ms. Miller proposed that historically
4 persecuted groups would benefit from more time and could be included in the
5 accommodation proposal. Dr. Horn repeated EPPP is not discriminatory and all groups
6 do as well as each other.

7
8 Dr. Julie Hayden commented that the EPPP validation studies carried out by ASPBB
9 does not keep demographic information. There are many factors that impact EPPP pass
10 rates; more students in program correspond to lower the pass rates, California has
11 lower pass rates than other states. Dr. Hayden said these issues should be explored and
12 a purely language based accommodation excludes people. Dr. Horn replied that the
13 Board cannot ask for ethnicity and ASPPB cannot publish demographic information.
14 Dr. Hayden said that there are many white psychologists and some groups are
15 underserved. Data should be collected and research should be completed regarding
16 underserved populations.

17
18 It was M(Horn)/S(Gallardo)/C to approve the language for noticing and set for hearing
19 within the proposed language in the Title 16, CCR, Sections 1388, 1388.6, 1389, 1392
20 Regulatory proposal.

21
22 Vote: 6-0

23 24 **i) Licensing Action Plan – Proposed Improvements to the Licensing Process -** 25 **Update**

26
27 Dr. Horn communicated on the actions taken by staff to improve the licensing process.
28 There are concerns with DCA's Consumer Information Center's handling of calls. There
29 will also be more YouTube videos produced and presented at future board meetings.

30 31 **j) ASPBB Items**

32
33 This item was Informational.

34 35 **k) Discuss Implementation of AB 1588 (Atkins) – Military Duty Licensees: Fees** 36 **and Continuing Education**

37
38 Dr. Horn introduced the topic and mentioned that Ms. Marks had some amendments to
39 the proposed language since the committee meeting. The new language was presented
40 and Ms. Marks explained that the Board's policy had been to maximally accommodate a
41 licensee whose life was being uprooted through a mobilization to active duty military
42 service. Therefore, the period leading up to the active duty service be exempt and the
43 time within a licensing period that remains after the licensee returns from military
44 service. The licensee would be exempt for 60 days and then have to fulfill a prorated 1.5
45 hours per month CE requirement with a need to complete the law and ethics and
46 cultural diversity components. Dr. Horn said that the committee recommended that Ms.
47 Mark's new language be adopted.

48
49 It was M(Horn)/S(Gallardo)/C to approve the presented language for noticing and set for
50 hearing.

1
2 Vote: 6-0

3
4 It was M(Horn)/S(Erickson)/C to accept the Licensing Committee report.

5
6 Vote: 6-0

7
8
9 **Agenda Item #12: President's Report by Michael Erickson, Ph.D.**

10
11 a) 2014-15 Meeting Calendar and Locations

12 Dr. Erickson thanked staff for the compilation of the meeting materials. The Calendar
13 of meetings for 2015 was presented with an emphasis that the proposed dates work
14 with other organizations and the legislature. The Board will continue to meet twice in
15 Northern California and twice in Southern California. The February Meeting will be at
16 the State Capitol.

17
18 b) Other Informational Items

19 Dr. Erickson explained the new committee assignments.

20
21 Ms. Sorrick announced that there will be a June meeting focusing on legislation. The
22 meeting will be teleconferenced. Dr. Erickson stated that he is happy with the direction
23 of the Board.

24
25 **Agenda Item #13 Executive Officer's Report by Antonette Sorrick, Executive**
26 **Officer**

27
28 a) **Organizational Update**

29 Ms. Sorrick provided an update on staffing given the three approved additional
30 positions from the recent Budget Change Proposal.

31
32 b) **CPS Program Analysis**

33 Ms. Sorrick indicated that CPS HR Solutions has provided a scope of work for the
34 program analysis and the contract will be submitted to DCA in the coming months.
35 Dr. Erickson asked about this process and whether other DCA Boards have used
36 CPS HR Solutions. Mr. Thomas answered that they have worked with DCA boards
37 before.

38
39 c) **Other Informational Items**

40 None.

41
42 **Agenda Item #14 Recommendations for Agenda Items for Future Board Meetings**

43
44 Ms. Acquaye-Baddoo requested that the Committee restructure be revisited, with an
45 emphasis on the Enforcement Committee. Ms. Jones requested a telepsychology/
46 telehealth update be placed on the November agenda. Ms. Jones suggested the Boards
47 meetings work more in tandem with the legislative calendar. Ms. Arias-Bhatia
48 recommended a history of the mandated CE requirements be provided to the Board. Mr.
49 Thomas indicated that he would present on this topic at a future Board Meeting. Mr.
50 Burke provided an update about the developing field of Applied Behavioral Analysis and

1 the ad hoc committee that the President will appoint. This will be an agenda item at the
2 August Board Meeting. Ms. Jones requested that her appreciation for the efforts of staff
3 and the success of the Strategic Planning Meeting be on the record.
4

5 **Agenda Item #15: Public Comment for Items not on the Agenda**
6

7 There was no public comment.
8

9 **Agenda Item #16: Adjournment**
10

11 The Board adjourned at 6:47 p.m.
12
13
14
15
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17
18
19
20
21
22
23

24 _____
President

Date