California Board of
PSYCHOLOGY

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MEMORANDUM

DATE	April 20, 2016
TO	Psychology Licensing Committee Members
FROM	Karen Johnson Licensing Coordinator Karen Johnson
SUBJECT	**Agenda Item 6. Pathways to Licensure: Review and Assess Current Licensing Requirements and Recommendations for Possible Amendment:** (a). Review of Proposed Amendments to Sections of the Business and Professions Code: 2909, 2909.5, 2911, (Exemptions); 2913 (Psychological Assistant); 2914 (Licensed Psychologist); 2915 (Continuing Education); 2940 & 2941 (Application and Examination Fees); 2942, 2943, & 2944 (Examination Time and Subjects); 2946 (Reciprocity and Temporary Practice; 2947 (Appointment of Commissioners); 2948 (Issuance of License)

Attached are the following:

- Sections 2909, 2909.5, 2911, 2913, 2914, 2915, 2940, 2941, 2942, 2943, 2944, 2946, 2947, and 2948 of the Business and Professions Code.
- SB 1194 Sunset legislation

Action

Revisit comments and amendments to the statutes that affect the pathways to licensure that were reviewed at the February 8, 2016 Licensing Committee meeting.

§2909. Applicability to school and public employees

This chapter shall not be construed as restricting or preventing activities of a psychological nature or the use of the official title of the position for which they were employed on the part of the following persons, provided those persons are performing those activities as part of the duties for which they were employed, are performing those activities solely within the confines of or under the jurisdiction of the organization in which they are employed, and do not offer to render or render psychological services as defined in section 2903:

(a) Persons who hold a valid and current credential as a school psychologist issued by the Commission on Teacher Credentialing.

(b) Persons who are employed in positions as psychologists or psychological assistants by accredited or approved colleges, ~~junior~~ community colleges, or universities, or by federal, state, county, or municipal governmental organizations that are not primarily involved in the provision of direct health or mental health services, may conduct research and disseminate their research findings and scientific information.

Comment [JH1]: Do we mean here "state approved colleges"?

§2909.5.

(a)This chapter shall not be construed as restricting or preventing activities of a psychological nature ~~or the use of the official title of the position for which persons were employed~~ on the part of persons who are: (1) employed by nonprofit community agencies that receive a minimum of 25 percent of their financial support from any federal, state, county, or municipal governmental organizations for the purpose of training and providing services; (2) performing those activities as part of the duties for which they were employed; (3) performing those activities solely within the confines of or under the jurisdiction of the agency in which they are employed.

(b) Such persons must meet the educational requirements of ~~subdivision (b) of~~ section 2914(b) and ~~who~~ have one year or more of the supervised professional experience referenced in ~~subdivision (c) of~~ section 2914(c).~~if they are employed by nonprofit community agencies that receive a minimum of 25 percent of their financial support from any federal, state, county, or municipal governmental organizations for the purpose of training and providing services, provided those persons are performing those activities as part of the duties for which they were employed, are performing those activities solely within the confines of or under the jurisdiction of the organization in which they are employed and do not offer to render or render psychological services as defined in Section 2903.~~ (c) Those persons shall be registered by the agency with the board at the time of employment and shall be identified in the setting and may be referred to only as a "registered community psychologist."

Comment [D2]: Find something that better reflects what they are.

(d) Those persons shall be exempt from this chapter for a maximum period of 30 months from the date of registration.

Comment [D3]: Parallel psychological assistant language "60 month cumulative limit"

§ 2911.

Nothing in this chapter shall be construed as restricting the activities and services of a psychology graduate student~~ or psychological intern in psychology pursuing a course of study leading to a graduate degree in psychology at an accredited or approved college or university and working in a training program, or a postdoctoral trainee working in a postdoctoral placement overseen by the American Psychological Association (APA), the Association of Psychology Postdoctoral and Internship Centers (APPIC), or the California Psychology Internship Council (CAPIC), provided that these activities and services constitute a part of his or her supervised course of study and that those persons are designated by the title "psychological~~ psychology intern~~," "~~or psychological~~ psychology trainee~~," "postdoctoral intern," or another title clearly indicating the training status appropriate to his or her level of training. The aforementioned terms shall be reserved for persons~~ enrolled in ~~the~~ a doctoral program leading to one of the degrees listed in ~~subdivision (b) of~~ section 2914(b) at an accredited or state-approved college or university, in a formal pre-doctoral internship or~~or~~ in a formal postdoctoral internship ~~All must be overseen~~ approved by the American Psychological Association (APA), Association of Psychology Postdoctoral and Internship Centers (APPIC), or California Psychology Internship Council (CAPIC).

Comment [D4]: No registration required

Comment [D5]: Develop flow chart of where people are in their training and what categories they can fall under.

Comment [D6]: Add three categories, grad student, psych intern, and post doc fellow.

Comment [D7]: What are the parameters of this section, what does it mean, what is it trying to do, who is it referring to. Is there a limitation on the time frame. If post doc, how are we conceptualizing?

Comment [D8]: Remove?

§ 2913. Services by psychological assistants

a) A person other than a licensed psychologist may be registered as a psychological assistant by the board in order to prepare for licensure as a psychologist. The psychological assistant shall be ~~employed~~ supervised, in accordance with the board's regulations,

by a licensed

Psychologist or~~,~~ by a licensed physician and surgeon who is board certified in psychiatry

by the American Board of Psychiatry and Neurology, ~~by a clinic which provides mental health services under contract pursuant to Section 5614 of the Welfare and Institutions Code, by a psychological corporation, by a licensed psychology clinic as defined in Section 1204.1 of the Health and Safety Code, or by a medical corporation~~ to perform ~~limited~~ psychological functions provided that all of the following apply:

(1~~a~~) The person is termed a "psychological assistant."

(~~b~~)2 The person (A~~1~~) has completed a master's degree in psychology or education with the

field of specialization in educational psychology~~ or~~, counseling psychology, or school psychology, or (B~~2~~) has been admitted

to candidacy for a doctoral degree in an applied area of psychology, with the field of specialization in clinical, counseling, school, consulting, forensic or industrial/organizational psychology, or in education, with the field of

specialization in educational psychology~~ or~~, counseling psychology, or school psychology after having satisfactorily

completed three or more years of postgraduate education in psychology or education and having

passed preliminary doctoral examinations, or (3) has completed a doctoral degree

~~which~~ that qualifies for licensure under section 2914, ~~in an accredited or approved university, college, or professional school located in the United States or Canada.~~

~~(c~~3) The psychological assistant's supervisor ~~The person is at all times under the immediate supervision, as defined in regulations~~

~~adopted by the board, of a licensed psychologist, or board certified psychiatrist, who supervisor~~

Comment [D9]: Remove? Not able to regulate the profession and ensure that they have taken a 4hour supervision course. Stakeholder opinion? **We (LC) had suggested removing this for reasons above, and for the fact that a psychiatrist cannot socialize psychologist into the profession as a psychologist. So, cannot serve as primary supervisors for pa's.**

Comment [JH10]: See my response to your comments

Comment [KJ11]: The following language in 2914. possess an earned doctorate degree in (1) an applied area of ~~in~~ psychology or (2) ~~in~~ education with the field of specialization in counseling psychology, educational psychology or school psychology. Except as provided in subdivision (g), this degree or training shall be obtained from an accredited university, college, or professional school. A doctorate degree in an applied area of psychology is one that integrates training to apply psychological principles, research, and theory with the delivery of services to individuals, groups, or organizations. The Board shall make the final determination whether a degree meets the requirements of this section

Comment [D12]: Review schools to see what type of degrees are offered. Applied areas?

Comment [JH13]: Did we decide to keep this in here? Or was I to ocme up with a definition of "applied" psychology?

Comment [JH14]: We could take this out and phrase it like we do the 'education' one

shall be responsible for e~~i~~nsuring that the extent, kind, and quality of the psychological services ~~he or she~~ the psychological assistant performs are consistent with his or her training and experience and shall

be responsible for ~~his or her~~ the compliance with this chapter and regulations duly adopted

hereunder~~, including those provisions set forth in Section 2960~~.

(3~~d~~) The ~~licensed psychologist, board certified psychiatrist, contract clinic, psychological corporation, or medical corporation, has~~ shall registere~~d the psychological assistant~~ with the

board and renew .

t~~T~~he registration ~~shall be renewed~~ annually in accordance with regulations

adopted by the board.

~~No licensed psychologist may register, employ, or supervise more than three psychological assistants at any given time unless specifically authorized to do so by the board. No board certified psychiatrist may register, employ, or supervise more than one psychological assistant at any given time. No contract clinic, psychological corporation, or medical corporation may employ more than 10 assistants at any one time. No contract clinic may register, employ, or provide supervision for more than one psychological assistant for each designated full-time staff psychiatrist who is qualified and supervises the psychological assistants.~~ (b~~e~~) ~~No psychological assistant~~ Psychological assistants ~~may~~ shall not:

(1) independently provide psychological services

(2) receive payments, monetary or otherwise, directly from clients or patients ~~to the public for a fee, monetary or otherwise, except as an employee of a licensed psychologist, licensed physician, contract clinic, psychological corporation, or medical corporation.~~

~~(e) The psychological assistant shall comply with regulations that the board may, from time to time, duly adopt relating to the fulfillment of requirements in continuing education~~

(c~~f~~) No person shall be registered to practice as a psychological assistant who is found by the board to

be in violation of section 2960 and the rules and regulations duly adopted thereunder.

Comment [JH15]: Otherwise unclear if we're referring to the supervisor or to the pa

Comment [D16]: What constitutes practicing independent

Comment [JH17]: Do we want to say instead "provide psychological services without supervision" or something like that?

2914. Each applicant for licensure shall ~~comply with all of the following requirements~~:

(a) ~~Is~~ not be subject to denial of licensure under Division 1.5 (commencing with section 475).

(b) ~~(1) P~~possess an earned doctorate degree in (1)~~(A) in an applied area of~~ psychology, or (2) ~~(B) in educational psychology, or (C) in~~ education with the field of specialization in counseling psychology, ~~or~~ educational psychology or school psychology. Except as provided in subdivision (g), this degree or training shall be obtained from an accredited university, college, or professional school. ~~A doctorate degree in an applied area of psychology is one that integrates training to apply psychological principles, research, and theory with the delivery of services to individuals, groups, or organizations.~~ The board shall make the final determination ~~as to~~ whether a degree meets the requirements of this section.

(2) No educational institution shall be denied recognition as an accredited academic institution solely because its program is not accredited by any professional organization of psychologists, and nothing in this chapter or in the administration of this chapter shall require the registration with the board by educational institutions of their departments of psychology or their doctoral programs in psychology.

(3) An applicant for licensure trained in an educational institution outside the United States or Canada shall demonstrate to the satisfaction of the board that he or she possesses a doctorate degree in psychology or education that is equivalent to a degree earned from a regionally accredited ~~university~~ institution in the United States or Canada. These applicants shall provide the board with a comprehensive evaluation of the degree performed by a foreign credential evaluation service that is a member of the National Association of Credential Evaluation Services (NACES), and any other documentation the board deems necessary.

(c) ~~(1) H~~have engaged for at least two years in supervised professional experience (SPE) under the direction of a licensed psychologist, the specific

Comment [JH18]: see suggestion I made earlier

Comment [D19]: Develop a list of areas, and remove applied.

Comment [D20]: Remove? Or change? Define and operationalize applied.

Comment [D21]: A doctorate degree in an applied area of psychology is one that integrates training to apply psychological principles, research, and theory with the delivery of services to individuals, groups, or organizations. ?

Comment [D22]: Applied area? Or listing of degrees.

Comment [JH23]: Make this consistent with what has come before

Comment [JH24]: This is the 1st time we've used "regionally accredited university" – do we want to change this earlier as well? Currently, awe allow people to come from regionally and nationally accredited institutions in CA

requirements of which shall be defined by the board in its regulations, or under suitable alternative supervision as determined by the board in regulations duly adopted under this chapter, at least one year of which shall occur~~be~~ after being awarded the doctorate in psychology (or education?). The supervisor shall submit verification of the experience ~~required by this subdivision~~ to the trainee ~~in a manner~~ as prescribed by the board. If the supervising licensed psychologist fails to provide verification to the trainee in a timely manner, the board may establish alternative procedures for obtaining the necessary documentation. Absent good cause, the failure of a supervising licensed psychologist to provide the verification to the board upon request shall constitute unprofessional conduct.

Comment [JH25]: Isn't this for foreign degrees? Do we have any jurisdiction over supervisors in other countries? Or in any other jurisdiction other than CA?

~~(2)~~ The board shall establish qualifications by regulation for supervising psychologists.

(d) ~~T~~take and pass the examination required by section 2941 unless otherwise exempted by the board under this chapter.

(e) ~~Show by evidence satisfactory to the board that he or she has completed training~~ complete coursework in the detection and treatment of alcohol and other chemical substance dependency~~. This requirement applies only to applicants who matriculate on or after September 1, 1985~~ as prescribed by the Board.

(f) ~~(1) Show by evidence satisfactory to the board that he or she has completed~~ complete coursework in spousal or partner abuse assessment, detection, and intervention~~. This requirement applies to applicants who began graduate training during the period commencing on January 1, 1995, and ending on December 31, 2003~~ as prescribed by the board.

Comment [D26]: What was the legal requirement at that time? Do we have to include it?

~~(2) An applicant who began graduate training on or after January 1, 2004, shall show by evidence satisfactory to the board that he or she has completed a minimum of 15 contact hours of coursework in spousal or partner abuse assessment, detection, and intervention strategies, including knowledge of community resources, cultural factors, and same gender abuse dynamics. An~~

Comment [D27]: This sentence would move up to previous section if we decide to keep it.

~~applicant may request an exemption from this requirement if he or she intends to practice in an area that does not include the direct provision of mental health services.~~

~~(3) Coursework required under this subdivision may be satisfactory if taken either in fulfillment of other educational requirements for licensure or in a separate course. This requirement for coursework shall be satisfied by, and the board shall accept in satisfaction of the requirement, a certification from the chief academic officer of the educational institution from which the applicant graduated that the required coursework is included within the institution's required curriculum for graduation.~~

(g) An applicant holding a doctoral degree in psychology from an approved institution is deemed to meet the requirements of this section if both of the following are true:

(1) The approved institution offered a doctoral degree in psychology designed to prepare students for a license to practice psychology and was approved by the former Bureau for Private Postsecondary and Vocational Education on or before July 1, 1999.

Comment [D28]: Keep the text for the "applied" or in lieu of.

(2) The approved institution has not, since July 1, 1999, had a new location, as described in section 94823.5 of the Education Code.

Comment [JH29]: Keep this in here for now?

(Amended by Stats. 2015, Ch. 529, Sec. 3. Effective January 1, 2016.)

§2915.

(a) Except as provided in this section, ~~on or after January 1, 1996, the board shall not issue any renewal license unless the applicant submits proof that he or she has completed no less than 18 hours of approved continuing education in the preceding year. On or after January 1, 1997, except as provided in this section,~~ the board shall issue renewal licenses only to those applicants who have completed 36 hours of approved continuing ~~education~~ professional development in the preceding two years.

(b) Each person ~~renewing~~ applying for renewal or reinstatement of his or her license issued pursuant to this chapter shall ~~submit~~ certify under penalty of perjury that he or she is in compliance with this section and shall retain proof of compliance with this section for submission to the board upon request. False statements submitted pursuant to this section shall be a violation of section 2970.

~~(c) A person applying for re-licensure or for reinstatement to an active license status shall certify under penalty of perjury that he or she is in compliance with this section.~~

~~(d) (1) The continuing education requirement shall include, but shall not be limited to, courses required pursuant to Sections 25 and 28. The requirement may include courses pursuant to Sections 32 and 2914.1.~~

(1~~2~~) (A) The board shall require a licensed psychologist who began graduate study prior to January 1, 2004, to take a continuing education course during his or her first renewal period after the operative date of this section in spousal or partner abuse assessment, detection, and intervention strategies, including community resources, cultural factors, and same gender abuse dynamics. Equivalent courses in spousal or partner abuse assessment, detection, and intervention strategies taken prior to the operative date of this section or proof of equivalent teaching or practice experience may be submitted to the board and at its discretion, may be accepted in satisfaction of this requirement.

(B) Continuing education courses taken pursuant to this paragraph shall be applied to the 36 hours of approved continuing ~~education~~ professional development required under subdivision (a).

~~(C) A licensed psychologist whose practice does not include the direct provision of mental health services may apply to the board for an exemption from the requirements of this paragraph.~~

(2~~3~~) Continuing education ~~instruction~~ courses approved to meet the requirements of this section ~~shall be completed within the State of California, or~~ shall be approved for ~~continuing education~~ credit by ~~the American Psychological Association or its equivalent as~~ organizations approved by the board.

(c~~e~~) The board may ~~establish a policy for exceptions~~ grant exemptions or extensions from the continuing ~~education~~ professional development requirement of this section.

~~(f) The board may recognize continuing education courses that have been approved by one or more private nonprofit organizations that have at least 10 years' experience managing continuing education programs for psychologists on a statewide basis, including, but not limited to:~~

~~(1) Maintaining and managing related records and data.~~

~~(2) Monitoring and approving courses.~~

(d~~g~~) The board shall adopt regulations as necessary for implementation of this section.

~~(h) A licensed psychologist shall choose continuing education instruction that is related to the assessment, diagnosis, and intervention for the client population being served or to the fields of psychology in which the psychologist intends to provide services, that may include new theoretical approaches, research, and applied techniques. Continuing education instruction shall include required courses specified in subdivision (d).~~

~~(i) A psychologist shall not practice outside his or her particular field or fields of competence as established by his or her education, training, continuing education, and experience.~~

(e~~j~~) The administration of this section may be funded through professional license fees and continuing education provider and course approval fees, or both. The fees related to the administration of this section shall not exceed the costs of administering the corresponding provisions of this section.

(~~j~~k) Continuing ~~education~~ professional development credit may be approved for those licensees who serve as ~~commissioners on any examination pursuant to Section 2947, subject to limitations established by the board~~ selected participants in any examination development or enforcement-related function for the board.

~~(l) This section shall become operative on January 1, 2004.~~

§ 2940. Application and fee

Each person desiring to obtain a license from the board shall make application to the board. The application shall be ~~made upon a form and shall be made~~ submitted in a manner prescribed by ~~as~~ the board ~~prescribes~~ in regulations duly adopted under this chapter.

The application shall be accompanied by the application fee prescribed by section 298~~749~~. This fee shall not be refunded by the board.

§ 2941. Examination and fee

Each applicant for a psychology license shall be examined by the board, and shall pay ~~to the board, at least 30 days prior to the date of examination,~~ the examination fee prescribed by section 2987, which ~~fee~~ shall not be refunded by the board.

§ 2942. Time for examinations; Passing grades

The board may examine by written or computer-assisted examination or by both. All aspects of the examination shall be in compliance with section 139. The examination shall be available for administration at least twice a year at the time and place and under supervision as the board may determine. The passing grades for the examinations shall be established by the board in regulations and shall be based on psychometrically sound principles of establishing minimum qualifications and levels of competency.

Examinations for a psychologist's license may be ~~conducted~~ utilized by the board under a uniform examination system, and for that purpose the board may make arrangements with organizations to supply and administer ~~furnishing~~ examination materials ~~as may in its discretion be desirable~~.

§ 2943. Examination subjects

The board may examine for knowledge in whatever theoretical or applied fields in psychology as it deems appropriate. It may examine the candidate with regard to his or her professional skills and his or her judgment in the utilization of psychological techniques and methods.

~~**§ 2944. Written examinations**~~

~~The board shall grade the written examination and keep the written examination papers for at least one year, unless a uniform examination is conducted pursuant to Section 2942.~~

§ 2946. ~~Reciprocity licenses;~~ Temporary practice by out-of-state licensees; Waiver of examination requirement

The board shall grant a license to any person who passes the board's supplemental licensing examination and, at the time of application, has been licensed for at least five years by a psychology licensing authority in another state or territory of the United States or Canadian province if the requirements for obtaining a certificate or license to practice psychology in that state, territory or province were substantially equivalent to the requirements of this chapter. A psychologist certified or licensed in another state, territory or province and who has made application to the board for a license in this state may perform activities and services of a psychological nature without a valid California license for a period not to exceed 180 calendar days from the time of submitting his or her application or from the commencement of residency in this state, whichever first occurs.

The board at its discretion may waive the examinations, when in the judgment of the board the applicant has already demonstrated competence in areas covered by the examinations. The board at its discretion may waive the examinations for diplomates of the American Board of Professional Psychology.

~~Public commissioners may examine and evaluate candidates in areas of knowledge such as the law, ethics, and awareness of community resources.~~

§ 2948. Issuance of license

The board shall issue a license to all applicants who meet the requirements of this chapter and who pay to the board the initial license fee provided in section 2987.

~~§ 2947. Appointment of commissioners on examination;~~
~~Qualifications~~

~~The board may appoint qualified persons to give the whole or any portion of any examination provided for in this chapter, who shall be designated as commissioners on examination. A commissioner on examination need not be a member of the board but he or she shall have the same qualifications as a member of the board, including those set forth in Chapter 6 (commencing with Section 450) of Division 1. The board may also appoint occasional professional commissioners for short-term specified periods to assist in its nonpolicy workload.~~
~~Public commissioners may examine and evaluate candidates in areas of knowledge such as the law, ethics, and awareness of community resources.~~

AMENDED IN SENATE APRIL 11, 2016

SENATE BILL No. 1194

Introduced by Senator Hill

February 18, 2016

An act to amend Sections ~~2920~~ *2913, 2914, 2914.1,2914.2, 2915, 2920,* and 2933 ~~of~~ *of, to add Sections 2934.1 and 2988.5 to, and to repeal Section 2947 of,* the Business and Professions Code, relating to healing arts.

LEGISLATIVE COUNSEL'S DIGEST

SB 1194, as amended, Hill. Psychology: Board of Psychology: personnel.

~~Existing~~

(1) Existing law, the Psychology Licensing ~~Law,~~ *Law (hereafter law),* establishes the Board of Psychology to license and regulate the practice of psychology, and authorizes the board to employ all personnel necessary to carry out that law and to employ an executive officer, as specified. These provisions are in effect only until January 1, 2017.

This bill would extend those provisions to January 1, 2021.

(2) The law defines the practice of psychology as rendering or offering to render, for a fee, psychological services involving the application of psychological principles and methods, including the diagnosis, prevention, and treatment of psychological problems and emotional and mental disorders. The law prohibits unlicensed persons from practicing psychology, but authorizes unlicensed persons, including psychological assistants who meet certain requirements and do not provide psychological services to the public, except as an employee of a licensed psychologist, licensed physician, contract clinic, psychological corporation, or medical corporation, to perform limited

psychological functions. The law provides that a violation of any of its provisions is a misdemeanor.

This bill would recast these provisions to authorize an unlicensed person preparing for licensure as a psychologist to perform psychological functions under certain conditions, including registration with the board as a psychological assistant and immediate supervision by a licensed psychologist or physician and surgeon who is board certified in psychiatry, as specified. This bill would prohibit a psychological assistant from providing psychological services to the public except as a supervisee. By changing the definition of a crime, this bill would create a state-mandated local program.

(3) The law conditions the issuance of a psychology license upon an applicant having received any of certain kinds of doctorate degrees, from an accredited educational institution. The law requires, with certain exceptions, the board to issue renewal licenses for psychology only to those applicants who have completed 36 hours of approved continuing education in the preceding two years. Existing law prescribes a biennial license renewal fee of not more than $500. Existing law also requires a person applying for relicensure or for reinstatement to an active license to certify under penalty of perjury that he or she is in compliance with the continuing education requirements. Existing law requires continuing education instruction to be completed within the state or be approved for credit by the American Psychological Association or its equivalent.

This bill would revise and recast the doctorate degree requirements for licensure to include, until January 1, 2020, a doctorate degree from an unaccredited institution that is approved for operation by specified entity. The law would replace the term "continuing education" with "continuing professional development," require a person applying for renewal or reinstatement to certify compliance with these requirements under penalty of perjury, require continuing professional courses to be approved for credit by organizations approved by the board, and authorize the board to grant exemptions from, or extensions for compliance with, these requirements. This bill would also authorize professional development credit to be approved for selected participants in any examination development or enforcement related function for the board.

This bill would authorize the board to issue a retired license to a licensed psychologist if the psychologist has applied to the board for a retired license and pays a fee of not more than $75. The bill would

also prohibit the holder of a retired license from engaging in the practice of psychology in the same manner as an active licensee. Because a violation of this prohibition would be a crime, the bill would impose a state-mandated local program.

(4) The law authorizes the board to appoint qualified persons to give the whole or any portion of any examination provided for in the law, to be designated as commissioners on examination.

This bill would repeal this authorization.

This bill would authorize the board to post on its Internet Web site the prescribed information regarding all current and former licensees.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: ~~no~~ yes.

The people of the State of California do enact as follows:

1 *SECTION 1. Section 2913 of the Business and Professions*
2 *Code is amended to read:*
3 2913. A person other than a licensed psychologist may ~~be~~
4 ~~employed by a licensed psychologist, by a licensed physician and~~
5 ~~surgeon who is board certified in psychiatry by the American Board~~
6 ~~of Psychiatry and Neurology, by a clinic that provides mental~~
7 ~~health services under contract pursuant to Section 5614 of the~~
8 ~~Welfare and Institutions Code, by a psychological corporation, by~~
9 ~~a licensed psychology clinic as defined in Section 1204.1 of the~~
10 ~~Health and Safety Code, or by a medical corporation to perform~~
11 ~~limited psychological functions if all of the following apply:~~
12 *perform psychological functions in preparation for licensure as a*
13 *psychologist only if all of the following conditions are met:*
14 (a) The person ~~is termed~~ *is registered with the board as* a
15 "psychological assistant." *This registration shall be renewed*
16 *annually in accordance with regulations adopted by the board.*
17 (b) The person (1) has completed a master's degree in
18 psychology or education with the field of specialization in
19 psychology or counseling psychology, or (2) has been admitted to

candidacy for a doctoral degree in psychology or education with the field of specialization in psychology or counseling psychology, after having satisfactorily completed three or more years of postgraduate education in psychology and having passed preliminary doctoral examinations, or (3) has completed a doctoral degree that qualifies for licensure under Section ~~2914, in an accredited or approved university, college, or professional school located in the United States or Canada.~~ *2914.*

(c) *(1)* The ~~person~~ *psychological assistant* is at all times under the immediate supervision, as defined in regulations adopted by the board, of a licensed psychologist, or ~~board certified psychiatrist,~~ *a licensed physician and surgeon who is certified in psychiatry by the American Board of Psychiatry and Neurology,* who shall be responsible for insuring that the extent, kind, and quality of the psychological services ~~he or she~~ *that the psychological assistant* performs are consistent with his or her training and experience and be responsible for ~~his or her~~ *the psychological assistant's* compliance with this chapter and ~~regulations duly adopted hereunder, including those provisions set forth in Section 2960.~~ *regulations.*

~~(d) (1) The licensed psychologist, board certified psychiatrist, contract clinic, psychological corporation, or medical corporation, has registered the psychological assistant with the board. The registration shall be renewed annually in accordance with regulations adopted by the board.~~

(2) ~~No~~ *A* licensed psychologist ~~may register, employ, or~~ *shall not* supervise more than three psychological assistants at any given ~~time unless specifically authorized to do so by the board. No board certified psychiatrist may register, employ, or supervise more than one psychological assistant at any given time. No contract clinic, psychological corporation, or medical corporation may employ more than 10 assistants at any one time. No contract clinic may register, employ, or provide supervision for more than one psychological assistant for each designated full-time staff psychiatrist who is qualified and supervises the psychological assistants.~~ *time.* No psychological assistant may provide psychological services to the public except as ~~an employee of a licensed psychologist, licensed physician, contract clinic, psychological corporation, or medical corporation.~~ *a supervisee pursuant to this section.*

~~(c)~~

(d) The psychological assistant shall comply with regulations that the board may, from time to time, duly adopt relating to the fulfillment of requirements in continuing education.

~~(f) No person shall practice as a psychological assistant who is found by the board to be in violation of Section 2960 and the rules and regulations duly adopted pursuant to that section.~~

SEC. 2. Section 2914 of the Business and Professions Code is amended to read:

2914. Each applicant for licensure shall comply with all of the following requirements:

(a) Is not subject to denial of licensure under Division 1.5 (commencing with Section 475).

(b) (1) ~~Possess~~ *On or after January 1, 2020, possess* an earned doctorate degree ~~(A)~~ in psychology, ~~(B)~~ in educational psychology, or ~~(C)~~ in education with the field of specialization in counseling psychology or educational ~~psychology. Except as provided in subdivision (g), this degree or training shall be obtained from an accredited university, college, or professional school. The board shall make the final determination as to whether a degree meets the requirements of this section.~~ *psychology from a college or institution of higher education that is accredited by a regional accrediting agency recognized by the United States Department of Education. Until January 1, 2020, the board may accept an applicant who possesses a doctorate degree in psychology, educational psychology, or in education with the field of specialization in counseling psychology or educational psychology from an institution that is not accredited by an accrediting agency recognized by the United States Department of Education, but is approved to operate in this state by the Bureau for Private Postsecondary Education.*

(2) No educational institution shall be denied recognition as an accredited academic institution solely because its program is not accredited by any professional organization of psychologists, and nothing in this chapter or in the administration of this chapter shall require the registration with the board by educational institutions of their departments of psychology or their doctoral programs in psychology.

(3) An applicant for licensure trained in an educational institution outside the United States or Canada shall demonstrate

to the satisfaction of the board that he or she possesses a doctorate degree in psychology that is equivalent to a degree earned from a regionally accredited university in the United States or Canada. These applicants shall provide the board with a comprehensive evaluation of the degree performed by a foreign credential evaluation service that is a member of the National Association of Credential Evaluation Services (NACES), and any other documentation the board deems necessary.

(c) (1) Have engaged for at least two years in supervised professional experience under the direction of a licensed psychologist, the specific requirements of which shall be defined by the board in its regulations, or under suitable alternative supervision as determined by the board in regulations duly adopted under this chapter, at least one year of which shall be after being awarded the doctorate in psychology. The supervisor shall submit verification of the experience required by this subdivision to the trainee in a manner prescribed by the board. If the supervising licensed psychologist fails to provide verification to the trainee in a timely manner, the board may establish alternative procedures for obtaining the necessary documentation. Absent good cause, the failure of a supervising licensed psychologist to provide the verification to the board upon request shall constitute unprofessional conduct.

(2) The board shall establish qualifications by regulation for supervising psychologists.

(d) Take and pass the examination required by Section 2941 unless otherwise exempted by the board under this chapter.

(e) Show by evidence satisfactory to the board that he or she has completed training in the detection and treatment of alcohol and other chemical substance dependency. This requirement applies only to applicants who matriculate on or after September 1, 1985.

(f) (1) Show by evidence satisfactory to the board that he or she has completed coursework in spousal or partner abuse assessment, detection, and intervention. This requirement applies to applicants who began graduate training during the period commencing on January 1, 1995, and ending on December 31, 2003.

(2) An applicant who began graduate training on or after January 1, 2004, shall show by evidence satisfactory to the board that he or she has completed a minimum of 15 contact hours of coursework

in spousal or partner abuse assessment, detection, and intervention strategies, including knowledge of community resources, cultural factors, and same gender abuse dynamics. An applicant may request an exemption from this requirement if he or she intends to practice in an area that does not include the direct provision of mental health services.

(3) Coursework required under this subdivision may be satisfactory if taken either in fulfillment of other educational requirements for licensure or in a separate course. This requirement for coursework shall be satisfied by, and the board shall accept in satisfaction of the requirement, a certification from the chief academic officer of the educational institution from which the applicant graduated that the required coursework is included within the institution's required curriculum for graduation.

~~(g) An applicant holding a doctoral degree in psychology from an approved institution is deemed to meet the requirements of this section if both of the following are true:~~

~~(1) The approved institution offered a doctoral degree in psychology designed to prepare students for a license to practice psychology and was approved by the former Bureau for Private Postsecondary and Vocational Education on or before July 1, 1999.~~

~~(2) The approved institution has not, since July 1, 1999, had a new location, as described in Section 94823.5 of the Education Code.~~

SEC. 3. Section 2914.1 of the Business and Professions Code is amended to read:

2914.1. The board shall encourage every licensed psychologist to take a continuing ~~education~~ *professional development* course in geriatric pharmacology as a part of his or her continuing ~~education.~~ *professional development.*

SEC. 4. Section 2914.2 of the Business and Professions Code is amended to read:

2914.2. The board shall encourage licensed psychologists to take continuing ~~education~~ *professional development* courses in psychopharmacology and biological basis of behavior as part of their continuing ~~education.~~ *professional development.*

SEC. 5. Section 2915 of the Business and Professions Code is amended to read:

2915. (a) Except as provided in this section, ~~on or after January 1, 1996,~~ the board shall ~~not issue any renewal license unless the~~

~~applicant submits proof that he or she has completed no less than 18 hours of approved continuing education in the preceding year. On or after January 1, 1997, except as provided in this section, the board shall~~ issue *a* renewal ~~licenses~~ *license* only to ~~those applicants who have~~ *an applicant who has* completed 36 hours of approved continuing ~~education~~ *professional development* in the preceding two years.

(b) Each person ~~renewing~~ *who applies to renew or reinstate* his or her license issued pursuant to this chapter shall ~~submit proof of compliance with this section to the board.~~ *certify under penalty of perjury that he or she is in compliance with this section and shall retain proof of this compliance for submission to the board upon request.* False statements submitted pursuant to this section shall be a violation of Section 2970.

~~(c) A person applying for relicensure or for reinstatement to an active license status shall certify under penalty of perjury that he or she is in compliance with this section.~~

~~(d) (1) The continuing education requirement shall include, but shall not be limited to, courses required pursuant to Sections 25 and 28. The requirement may include courses pursuant to Sections 32 and 2914.1.~~

~~(2) (A)~~

(c) (1) The board shall require a licensed psychologist who began graduate study prior to January 1, 2004, to take a continuing education course during his or her first renewal period after the operative date of this section in spousal or partner abuse assessment, detection, and intervention strategies, including community resources, cultural factors, and same gender abuse dynamics. Equivalent courses in spousal or partner abuse assessment, detection, and intervention strategies taken prior to the operative date of this section or proof of equivalent teaching or practice experience may be submitted to the board and at its discretion, may be accepted in satisfaction of this requirement.

~~(B)~~

(2) Continuing education courses taken pursuant to this ~~paragraph~~ *subdivision* shall be applied to the 36 hours of approved continuing ~~education~~ *professional development* required under subdivision (a).

~~(C) A licensed psychologist whose practice does not include the direct provision of mental health services may apply to the board for an exemption from the requirements of this paragraph.~~

~~(3)~~

(d) Continuing education ~~instruction~~ *courses* approved to meet the requirements of this section shall be ~~completed within the State of California, or shall be~~ approved ~~for continuing education~~ credit by ~~the American Psychological Association or its equivalent as~~ *organizations* approved by the board.

(e) The board may ~~establish a policy for exceptions from the continuing education~~ *grant an exemption, or an extension of the time for compliance with, from the continuing professional development* requirement of this section.

~~(f) The board may recognize continuing education courses that have been approved by one or more private nonprofit organizations that have at least 10 years' experience managing continuing education programs for psychologists on a statewide basis, including, but not limited to:~~

~~(1) Maintaining and managing related records and data.~~

~~(2) Monitoring and approving courses.~~

~~(g) The board shall adopt regulations as necessary for implementation of this section.~~

~~(h) A licensed psychologist shall choose continuing education instruction that is related to the assessment, diagnosis, and intervention for the client population being served or to the fields of psychology in which the psychologist intends to provide services, that may include new theoretical approaches, research, and applied techniques. Continuing education instruction shall include required courses specified in subdivision (d).~~

~~(i) A psychologist shall not practice outside his or her particular field or fields of competence as established by his or her education, training, continuing education, and experience.~~

~~(j)~~

(f) The administration of this section may be funded through professional license fees and continuing education provider and course approval fees, or both. The fees related to the administration of this section shall not exceed the costs of administering the corresponding provisions of this section.

~~(k)~~

(g) Continuing ~~education~~ *professional development* credit may be approved for those licensees who serve as ~~commissioners on any examination pursuant to Section 2947, subject to limitations established by the board.~~ *selected participants in an exam development or enforcement related function for the board.*

~~(f) This section shall become operative on January 1, 2004.~~

~~SECTION 1.~~

SEC. 6. Section 2920 of the Business and Professions Code is amended to read:

2920. (a) The Board of Psychology shall enforce and administer this chapter. The board shall consist of nine members, four of whom shall be public members.

(b) This section shall remain in effect only until January 1, 2021, and as of that date is repealed.

(c) Notwithstanding any other law, the repeal of this section renders the board subject to review by the appropriate policy committees of the Legislature.

~~SEC. 2.~~

SEC. 7. Section 2933 of the Business and Professions Code is amended to read:

2933. (a) Except as provided by Section 159.5, the board shall employ and shall make available to the board within the limits of the funds received by the board all personnel necessary to carry out this chapter. The board may employ, exempt from the State Civil Service Act, an executive officer to the Board of Psychology. The board shall make all expenditures to carry out this chapter. The board may accept contributions to effectuate the purposes of this chapter.

(b) This section shall remain in effect only until January 1, 2021, and as of that date is repealed.

SEC. 8. Section 2934.1 is added to the Business and Professions Code, to read:

2934.1. (a) The board may post on its Internet Web site the following information on the current status of the license for all current and former licensees:

(1) Whether or not the licensee has a record of a disciplinary action.

(2) Any of the following enforcement actions or proceedings against the licensee:

(A) Temporary restraining orders.

(B) Interim suspension orders.

(C) Revocations, suspensions, probations, or limitations on practice ordered by the board or by a court with jurisdiction in the state, including those made part of a probationary order, cease practice order, or stipulated agreement.

(D) Accusations filed by the board, including those accusations that are on appeal, excluding ones that have been dismissed or withdrawn where the action is no longer pending.

(E) Citations issued by the board. Unless withdrawn, citations shall be posted for five years from the date of issuance.

(b) The board may also post on its Internet Web site all of the following historical information in its possession, custody, or control regarding all current and former licensees:

(1) Institutions that awarded the qualifying educational degree and type of degree awarded.

(2) A link to the licensee's professional Internet Web site.

(c) The board may also post other information designated by the board in regulation.

SEC. 9. Section 2947 of the Business and Professions Code is repealed.

~~2947. The board may appoint qualified persons to give the whole or any portion of any examination provided for in this chapter, who shall be designated as commissioners on examination. A commissioner on examination need not be a member of the board but he or she shall have the same qualifications as a member of the board, including those set forth in Chapter 6 (commencing with Section 450) of Division 1. The board may also appoint occasional professional commissioners for short-term specified periods to assist in its nonpolicy workload.~~

~~Public commissioners may examine and evaluate candidates in areas of knowledge such as the law, ethics, and awareness of community resources.~~

SEC. 10. Section 2988.5 is added to the Business and Professions Code, to read:

2988.5. (a) The board may issue, upon an application prescribed by the board and payment of a fee not to exceed seventy-five dollars ($75), a retired license to a psychologist who holds a current license issued by the board, or one capable of being renewed, and whose license is not suspended, revoked, or

otherwise restricted by the board or subject to discipline under this chapter.

(b) The holder of a retired license issued pursuant to this section shall not engage in any activity for which an active license is required. A psychologist holding a retired license shall be permitted to use the title "psychologist, retired" or "retired psychologist." The designation of retired shall not be abbreviated in any way.

(c) A retired license shall not be subject to renewal.

(d) The holder of a retired license may apply to obtain an active status license as follows:

(1) If that retired license was issued less than three years prior to the application date, the applicant shall meet all of the following requirements:

(A) Has not committed an act or crime constituting grounds for denial or discipline of a license.

(B) Pays the renewal fee required by this chapter.

(C) Completes the continuing professional development required for the renewal of a license within two years of the date of application for restoration.

(D) Complies with the fingerprint submission requirements established by the board.

(2) Where the applicant has held a retired license for three or more years, the applicant shall do all of the following:

(A) Submit a complete application for a new license.

(B) Take and pass the California Psychology Law and Ethics Examination.

(C) Pay all fees required to obtain a new license.

(D) Comply with the fingerprint submission requirements established by the board.

(E) Be deemed to have met the educational and experience requirements of subdivisions (b) and (c) of Section 2914.

(F) Establish that he or she has not been subject to denial or discipline of a license.

SEC. 11. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of

1 *the Government Code, or changes the definition of a crime within*
2 *the meaning of Section 6 of Article XIII B of the California*
3 *Constitution.*

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