

## MEMORANDUM

<b>DATE</b>	October 31, 2017
<b>TO</b>	Board of Psychology
<b>FROM</b>	 Jason Glasspiegel Central Services Coordinator
<b>SUBJECT</b>	Agenda Item #19(a)(1) – AB 89 (Levine) - Suicide Assessment and Intervention Coursework/Training Requirements

### **Background:**

This item provides a brief history and synopsis of the Board's Suicide Assessment and Intervention Coursework/Training Requirement Bill AB 89 (Levine).

In response to the Governor's veto message of AB 2198 (Levine, 2014) relating to mandated one-time continuing education (CE) coursework in suicide prevention, assessment and training, the Board conducted surveys of doctoral programs and pre- and post-doctoral internship and practicum programs and reviews of licensure requirements for licensed psychologists in 2015. The Board's Licensing Committee then reviewed the issue, survey data and national research, and determined that there was a need for vigilance in insuring that all licensees have basic exposure to suicide assessment and intervention training and for that reason proposed a minimal one-time requirement for coursework or training in suicide assessment and intervention for all licensed psychologists. In 2016, the Licensing Committee, in coordination with Board staff and Legal Counsel, worked on draft language and background materials for presentation to the Board. During the Licensing Committee meetings in 2016, multiple stakeholders provided input on the draft language, and Assembly Member Levine's office watched committee hearings and periodically checked in with Board staff on the progress of the Committee. In anticipation of the Board's consideration of the Licensing Committee's proposed language at its November 2016 meeting, Assembly Member Levine's office submitted the Licensing Committee's draft language to Legislative Counsel to be drafted into un-backed draft bill language. Legislators can submit multiple drafts of un-backed draft text to Legislative Counsel and create multiple drafts of a bill that can later be introduced in the Legislature as a bill backed by an author.

At the November 2016 Board Meeting, the Licensing Committee and Policy and Advocacy Committee jointly presented the Suicide Assessment and Intervention Coursework/Training Requirement Legislative Proposal. This proposal would, effective January 1, 2020, require all applicants for licensure as a psychologist with the Board of Psychology (Board) to have completed a minimum of six (6) hours of coursework and/or

applied experience under supervision in suicide assessment and intervention. This requirement could be met through coursework in their qualifying degree program, continuing education courses, or as part of their applied experience in any of the following settings: practicum, internship, or formal post-doctoral placement that meets the requirement of section 2911, or other qualifying Supervised Professional Experience. Additionally, this proposal would, effective January 1, 2020, require a licensee prior to the time of his or her first renewal, or an applicant for reactivation or reinstatement, to meet a one-time requirement of six (6) hours of coursework and/or applied experience under supervision in suicide assessment and intervention. This requirement could be fulfilled with past coursework, applied experience, or continuing education courses in suicide assessment and intervention.

During the Board's deliberation of the legislative proposal, some amendments to the statutory language were made and Board members expressed a desire to have the statutory language reflect the Board's intentions with proposing the legislation and urge other healing arts boards to be aware of the need for this training. At the November 2016 Board Meeting, the Board approved the Suicide Assessment and Intervention Coursework Requirement Legislative Proposal and instructed Board staff to move forward with the language and work with Assembly Member Levine's office, who prior to the meeting had informed staff of their desire to author the bill if the proposal was approved.

On January 9, 2017, Assembly Member Levine introduced AB 89 (Attachment B), which includes the Suicide Assessment and Intervention Coursework Requirement text as approved by the Board at its November 2016 meeting.

At the February 2017 Board Meeting, the Board reviewed legislative intent language developed by staff for inclusion in future bill text. The Board determined that the proposed legislative intent language required further review and revision and requested that the language be reviewed by the Policy and Advocacy Committee at its March 2017 meeting.

At its March 2017 Committee meeting, the Policy and Advocacy Committee reviewed the revised legislative intent language and discussed the necessity of adding intent language to AB 89. The Policy and Advocacy Committee determined that the legislative intent language was not necessary and that the Board's intentions and messaging regarding the bill's necessity and purpose would be better conveyed through advocacy materials sent to the members of the Legislature.

On March 16, 2017 the Board sent a letter of support to the Assembly Committee on Business and Professions (Assembly B&P) in preparation for its March 28 hearing of the bill. This letter detailed the necessity and purpose of the bill, as well as some history on Board actions relating to the creation of the bill.

On March 28, 2017, the AB 89 was heard at the Assembly B&P hearing. Stephen Phillips, JD, PsyD, testified on behalf of the Board at the hearing, detailing the necessity of the bill's requirements and the Board's reasons for sponsoring AB 89. There was a great dialogue between the Assembly B&P Members and Dr. Phillips and others

testifying in support and opposition to the bill. AB 89 was passed out of Assembly B&P on a 14-1-1 vote (Aye-No-Abstained) and referred to the Assembly Committee on Appropriations (Assembly Appropriations).

On April 5, 2017, the Assembly Appropriations Committee heard AB 89. The Board sent a revised letter of support detailing the operational and fiscal impacts of AB 89 to Assembly Appropriations members on April 4, 2017. The hearing went very quickly as Assembly Appropriations members had no concerns with the minor and absorbable costs of the bill, and Assembly Member Marc Levine and Cherise Burns testified in support of the bill. AB 89 was unanimously passed out of the Committee on a 17-0-0 vote and referred to the Assembly Floor.

Assembly Member Levine decided to present AB 89 on the Assembly Floor on April 20, 2017. Board staff promptly alerted supporters of the bill to the impending Floor Vote and prepared a Floor Alert that was distributed to all members of the Assembly on April 19, 2017. Board staff also made phone calls to all Assembly offices to discuss the merits of the bill with Assembly Member's policy staff. AB 89 was overwhelmingly passed off of the Assembly Floor on a 72-1-7 vote and sent to the Senate to proceed through the legislative process in the second house.

During the Assembly B&P hearing on March 28, the Committee Members expressed a desire that the Author and the Board meet with the opposition to discuss concerns. On April 26, 2017, this meeting occurred at Assembly Member Levine's Capitol office.

On June 5, 2017, AB 89 was heard in the Senate Committee on Business, Professions, and Economic Development (Senate BP&ED); Dr. Phillips testified at the hearing on behalf of the Board and there was a spirited discussion of the bill with Senate BP&ED members. Prior to the hearing, board staff notified organizations and individuals in support of the bill of the upcoming hearing and sent a letter of support on May 26 to Senate BP&ED members. Board staff also held meetings with the legislative staff of Senate BP&ED members to discuss the bill in preparation for the June 5 hearing. AB 89 was passed out of Senate BP&ED on a unanimous vote of 9-0-0.

After the Senate BP&ED hearing, AB 89 was sent straight to the Senate Floor by the Senate Committee on Appropriations pursuant to Senate Rule 28.8 due to the negligible costs associated with AB 89.

AB 89 was originally scheduled to be heard on the Senate Floor on July 6 and then on July 13, but the Floor vote was delayed both times due to other Senate business unrelated to AB 89, and the Legislature was on Summer Recess from July 21 to August 20. AB 89 was heard on the Senate Floor on August 21 and sent back to the Assembly for engrossing and enrolling. On August 25, AB 89 was enrolled and presented to Governor Brown, who signed the bill on September 1, 2017.

**Location:** Secretary of State

**Status:** 9/1/2017 Chaptered by Secretary of State - Chapter 182, Statutes of 2017.  
8/25/2017 Enrolled and presented to the Governor at 3 p.m.

**Votes:** 8/21/2017 Senate Floor (37-1-2)  
6/5/2017 Senate Committee on Business, Professions, and Economic  
Development  
4/20/2017 Assembly Floor (72-1-7)  
4/5/2017 Assembly Committee on Appropriations (17-0-0)  
3/28/2017 Assembly Committee on Business and Professions (14-1-1)

**Action Requested:**

This item is for informational purposes only. No action is requested at this time.

Attachment A: AB 89 Advisory

**LEGISLATIVE ADVISORY: AB 89 (LEVINE) – PSYCHOLOGISTS: SUICIDE PREVENTION TRAINING**

On September 1, 2017, Governor Brown signed into law Assembly Bill 89 (Levine). This law adds section 2915.4 to the Business and Professions Code, which will become effective January 1, 2020.

**SUMMARY OF CHANGES:**Applicants:

Effective January 1, 2020, an applicant for licensure as a psychologist with the Board of Psychology (Board) shall show completion of a minimum of six (6) hours of coursework or applied experience in suicide assessment and intervention.

Licensees:

At the time of his or her first renewal after January 1, 2020, a licensee will be required to attest on the renewal form to meeting a one-time, six (6) hour suicide risk assessment and intervention coursework or applied experience requirement. For a licensee with an expired or inactive license, the six (6) hour requirement must be completed prior to renewing or reactivating his or her license.

Implementation:

Licensees and applicants can meet this requirement in one of the following ways:

- Obtained as part of his or her qualifying graduate degree program.
  - To satisfy this requirement, an applicant shall submit to the board a written certification from the registrar or training director of the educational institution or program from which the applicant graduated stating that the coursework required by this section is included within the institution's curriculum required for graduation at the time the applicant graduated, or within the coursework that was completed by the applicant.  
*Upon request, a licensee may also be required to provide the same documentation.*
- Obtained as part of his or her applied experience. Applied experience can be met in any of the following settings: practicum, internship, or formal postdoctoral placement that meets the requirement of Section 2911, or other qualifying supervised professional experience.
  - To satisfy this requirement, an applicant/licensee shall submit to the board a written certification from the director of training for the program or primary supervisor where the qualifying experience has occurred stating that the training required by this section was included within the applied experience. *Upon request, a licensee may also be required to provide the same documentation.*
- Obtained by taking any approved, structured, sequenced learning activity, whether conducted in-person or online. The continuing education (CE) course must be approved by organizations approved by the Board:
  - American Psychological Association (APA),
  - California Psychological Association (CPA),
  - Continuing Medical Education courses that are specifically applicable and pertinent to the practice of psychology, and are accredited by the California Medical Association (CMA) or Accreditation Council for Continuing Medical Education (ACCME)
  - American Medical Association (AMA)
  - Association of Black Psychologists (ABPsi)
- To satisfy this requirement, an applicant shall submit to the board a CE certificate of completion. *Upon request, a licensee may also be required to provide the same documentation.*

Although licensees must attest to compliance with the six (6) hour requirement upon his or her first renewal after January 1, 2020, if satisfying the requirement by taking a qualifying CE course, the course may be taken at any time prior to the application for that renewal, and the course may be applied to the continuing education requirements in the renewal cycle during which the course was actually taken.

For example, if a license is due to expire March 31, 2018, and the licensee takes a qualifying course in 2017, the licensee can apply the six (6) hours to the continuing education requirements for his or her 2018 renewal. He or she can then use the same course to attest to meeting the suicide risk assessment requirement for his or her 2020 renewal (but without again counting the hours towards the 36-hour requirement).