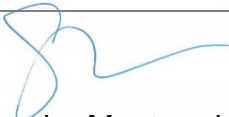


MEMORANDUM

DATE	May 1, 2018
TO	Psychology Board Members
FROM	 Sandra Monterrubio, Enforcement Program Manager Board of Psychology
SUBJECT	Enforcement Committee Report and Consideration of Committee Recommendations, Agenda Item 15

Background

The Enforcement Committee and Board staff met in March to review and make final proposed changes to the Disciplinary Guidelines. The Committee also reviewed and made recommended changes to the complaint form, acknowledgment letters, and closure letters.

Attachments

Disciplinary Guidelines
Complaint form
Acknowledgement letters
Closure letters

Action Requested

Review and consider Enforcement Committee's recommendations to the Disciplinary Guidelines, complaint form, acknowledgment letters, and closure letters.

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§ 1395.2. Disciplinary Guidelines and Uniform Standards Related to Substance-Abusing Licensees.

(a) In reaching a decision on a disciplinary action under the administrative adjudication provisions of the Administrative Procedure Act (Government Code Section 11400 et seq.), the Board of Psychology shall consider and apply the “Disciplinary Guidelines and Uniform Standards Related to Substance Abusing Licensees (4/15),” which is hereby incorporated by reference.

(b) If the conduct found to be grounds for discipline involves drugs and/or alcohol, the licensee shall be presumed to be a substance-abusing licensee for purposes of section 315 of the Code. If the licensee does not rebut that presumption, in addition to any and all other relevant terms and conditions contained in the Disciplinary Guidelines, the terms and conditions that incorporate the Uniform Standards Related to Substance Abusing Licensees shall apply as written and be used in the order placing the license on probation.

(c) Deviation from the Disciplinary Guidelines, including the standard terms of probation, is appropriate where the Board of Psychology in its sole discretion determines that the facts of the particular case warrant such a deviation; for example: the presence of mitigating or aggravating factors; the age of the case; or evidentiary issues.

NOTE: Authority cited: Section 2930, Business and Professions Code. Reference: Sections 315, 315.2, 315.4, 2936, 2960, 2960.05, 2960.1, 2960.5, 2960.6, 2961, 2962, 2963, 2964, 2964.3, 2964.5, 2964.6, 2965, 2966 and 2969, Business and Professions Code; and Section 11425.50(e), Government Code.

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STATE OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
BOARD OF PSYCHOLOGY



**DISCIPLINARY GUIDELINES AND
UNIFORM STANDARDS RELATED TO
SUBSTANCE-ABUSING LICENSEES**

**ADOPTED 11/92 - EFFECTIVE 1/1/93 –
AMENDED 7/1/96, AMENDED 4/1/99, AMENDED 9/1/02,
AMENDED 2/07, AMENDED 4/15, AMENDED**

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TABLE OF CONTENTS

§ 1395.2. Disciplinary Guidelines and Uniform Standards Related to Substance-Abusing Licensees Page 2

I. Introduction Page 3

II. Disciplinary Guidelines Page 4

 A. General Considerations Page 4

 B. ~~Penalty~~ Guidelines for Disciplinary Actions Page 5

III. Terms and Conditions of Probation Page 13

 A. Optional Terms and Conditions of Probation (1-13) Page 13

 B. Standard Terms and Conditions of Probation (14-~~31~~32) Page 25

 C. Standard Terms and Conditions for Revocations or Stipulations for Surrender or Revocation (~~32-33-34~~) Page 29

IV. Proposed Decisions Page 30

 A. Contents Page 20

 B. ~~Recommended Language for Issuance and Placement of a License on Probation, and Reinstatement of License~~
 Model Disciplinary Orders Page 31

V. Rehabilitation Criteria for Reinstatement/~~Penalty~~ Discipline Relief Hearings Page 32

VI. Uniform Standards for Substance-Abusing Licensees Page 33

118
119
120 **DISCIPLINARY GUIDELINES AND UNIFORM STANDARDS**
121 **RELATED TO SUBSTANCE-ABUSING LICENSEES**
122

123
124 **Article 7. Standards Related to Denial, Discipline, and Reinstatement of Licenses**
125

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127 **§ 1395.2. Disciplinary Guidelines and Uniform Standards Related to Substance-Abusing**
128 **Licensees.**

129 (a) In reaching a decision on a disciplinary action under the administrative adjudication
130 provisions of the Administrative Procedure Act (Government Code Section 11400 et seq.), the
131 Board of Psychology shall consider and apply the “Disciplinary Guidelines and Uniform
132 Standards Related to Substance-Abusing Licensees (4/15)[Date Board approves language],”
133 which is hereby incorporated by reference.

134 (b) If the conduct found to be grounds for discipline involves drugs and/or alcohol, the licensee
135 shall be presumed to be a substance-abusing licensee for purposes of section 315 of the Code. If
136 the licensee does not rebut that presumption, in addition to any and all other relevant terms and
137 conditions contained in the Disciplinary Guidelines, the terms and conditions that incorporate the
138 Uniform Standards Related to Substance Abusing Licensees shall apply as written and be used in
139 the order placing the license on probation.

140 (c) Deviation from the Disciplinary Guidelines, including the standard terms of probation, is
141 appropriate where the Board of Psychology in its sole discretion determines that the facts of the
142 particular case warrant such a deviation; for example: the presence of mitigating or aggravating
143 factors; the age of the case; or evidentiary issues.

144
145 NOTE: Authority cited: Section 2930, Business and Professions Code. Reference: Sections 315,
146 315.2, 315.4, 2936, 2960, 2960.05, 2960.1, 2960.5, 2960.6, 2961, 2962, 2963, 2964, 2964.3,
147 2964.5, 2964.6, 2965, 2966 and 2969, Business and Professions Code; and Section 11425.50(e),
148 Government Code.

151 **I. INTRODUCTION**

152
153 The Board of Psychology of the California Department of Consumer Affairs (hereinafter “the
154 Board”) is a ~~consumer protection regulatory agency with the priority of~~ responsible for
155 protecting consumers of psychological services from unsafe, incompetent, or negligent
156 practitioners, ~~in exercising its licensing, regulatory, and disciplinary functions.~~ By statute,
157 protection of the public is the Board’s highest priority in exercising its licensing, regulatory, and
158 disciplinary functions. In keeping with its statutory mandate, ~~to this particularly vulnerable~~
159 ~~population,~~ the Board has adopted the following recommended guidelines for disciplinary orders
160 and conditions of probation for violations of the Psychology Licensing Law (Business and
161 Professions Code section 2900 et seq. and Title 16 of the California Code of Regulations section
162 1380 et seq.). This document, designed for use by administrative law judges, attorneys,
163 psychologists, registered psychologists, psychological assistants, others involved in the
164 disciplinary process, and ultimately the Board, may be revised from time to time.

165
166 For purposes of this document, in addition to licensure as a psychologist, the term “license”
167 includes a psychological assistant registration and registered psychologist registration. The term
168 “Board” refers to the Executive Officer, Assistant Executive Officer, Enforcement Program
169 Manager, and Probation Monitor, of the Board of Psychology. The terms and conditions of
170 probation are divided into two general categories:

- 171
172 (1) Standard Terms and Conditions are those conditions of probation ~~which~~ that will
173 ~~generally~~ appear in all cases involving probation ~~as a standard term and condition;~~ and
174 (2) Optional Terms and Conditions are those conditions that address the specific
175 circumstances of the case and require discretion to be exercised depending on the nature
176 and circumstances of a particular case.

177
178 The Board of Psychology’s Uniform Standards Related to Substance-Abusing Licensees, which
179 are derived from the Department of Consumer Affairs’ Substance Abuse Coordination
180 Committee’s “Uniform Standards Regarding Substance-Abusing Healing Arts Licensees (4/11)”
181 pursuant to section 315 of the Business and Professions Code (Code), describe those terms or
182 conditions that shall be applied to a substance-abusing licensee, and are incorporated into the
183 terms and conditions of probation. These standards and the rationale therefore appear in the
184 optional terms and conditions of probation and are fully set forth in section VI of these
185 guidelines.

186
187 The Board recognizes that an individual case may necessitate a departure from these guidelines
188 for disciplinary orders. However, in such a case, the mitigating or aggravating circumstances
189 must be detailed in the “Finding of Fact,” which is in every Proposed Decision, so that the
190 circumstances can be better understood and evaluated by the Board before final action is taken.

191
192 If at the time of hearing, the Administrative Law Judge finds that ~~the~~ respondent, for any reason,
193 is not capable of safe practice, the Board expects outright revocation or denial of the license.
194 This is particularly true in any case of patient client sexual abuse or sexual misconduct. In less
195 egregious cases, a stayed revocation with probation pursuant to the attached Penalty Disciplinary
196 Guidelines would be appropriate.

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II. DISCIPLINARY GUIDELINES

A. GENERAL CONSIDERATIONS

~~Factors to be considered~~— In determining whether revocation, suspension, or probation is to be imposed in a given case, factors such as the following should be considered:

1. Nature and severity of the act(s), offense(s), or crime(s) under consideration.
2. Actual or potential harm to any consumer, client, or the public.
3. Prior record of discipline or citations.
4. Number and/or variety of current violations.
5. ~~Mitigation~~ng and ~~aggravation~~ng evidence.
6. ~~Rehabilitation evidence~~Evidence of rehabilitation.
7. In the case of a criminal conviction, compliance with terms of sentence and/or court-ordered probation.
8. ~~Overall~~eCriminal record.
9. Time passed since the act(s) or offense(s) occurred.
10. Whether or not ~~the~~respondent cooperated with the Board’s investigation, other law enforcement or regulatory agencies, and/or the injured parties.
11. Recognition by respondent of his or her wrongdoing and demonstration of corrective action to prevent recurrence.

Pursuant to section 2960.1 of the Code (~~set out below in the Penalty Guidelines~~), any ~~p~~Proposed ~~d~~Decision or ~~d~~Decision that contains any ~~f~~Finding of ~~f~~Fact that ~~the licensee~~respondent or ~~registrant~~ engaged in any act of sexual contact, when that act is with a ~~patient~~client, or with a former ~~patient~~client within two (2) years following termination of ~~therapy~~psychotherapy, ~~shall~~must contain an order of revocation. The revocation ~~shall~~ must not be stayed by the Administrative Law Judge.

Pursuant to section 2964.3 of the Code, any person required to register as a sex offender pursuant to ~~S~~section 290 of the Penal Code is not eligible for licensure ~~or registration~~ by the Board.

Except where an order is required by statute, deviation from the Disciplinary Guidelines, including the standard terms of probation, is appropriate where the Board determines that the facts of the particular case warrant such a deviation. The Board may impose more restrictive terms and conditions if necessary to protect the public.

243 **B. PENALTY GUIDELINES FOR DISCIPLINARY ACTIONS**

244
245 The ~~general statutory~~ bases for discipline are listed ~~below, along with by statute number in the~~
246 ~~Business & Professions Code. An a~~Accusation, ~~s~~Statement of ~~i~~ssues, or other charging
247 document may also allege violations of other related statutes or regulations. The bases are
248 followed by the Board ~~determined penalty~~discipline, including the names and numbers for the
249 ~~applicable~~ optional terms and conditions. The standard terms of probation as stated shall be
250 included in all ~~d~~Decisions and ~~orders~~. An Accusation, Statement of Issues, or other charging
251 document may also allege violations of other statutes or regulations. Except where there is a
252 finding that respondent is a substance-abusing licensee, the Board recognizes that the
253 ~~penalties~~terms and conditions of probation listed are merely guidelines and that individual cases
254 will necessitate variations that take into account unique circumstances.

255
256 ~~If there are deviations or omissions from the guidelines in formulating a Proposed Decision, the~~
257 ~~Board requires that t~~The Administrative Law Judge hearing the case must include an explanation
258 of the any deviations or omissions from the Disciplinary Guidelines in the Proposed Decision so
259 that the circumstances can be better understood by the Board during its review and consideration
260 of the Proposed Decision ~~for final action.~~

261
262 **Business and Professions Code § 2960**

263
264 **2960 GENERAL UNPROFESSIONAL CONDUCT**

265
266 MAXIMUM: Revocation; denial of license ~~or registration.~~

267
268 ~~MINIMUM:—~~Revocation stayed, depending upon the circumstances, up to 5-year
269 probation, psychological evaluation and/or therapy if appropriate (2) and
270 (6), California Psychology Law and Ethics Examination (CPLÉE) (7), and
271 standard terms and conditions (14-31)

272
273 MINIMUM: Revocation stayed, standard terms and conditions (14-32), and depending
274 on the circumstances, five (5) years probation, and California Psychology
275 Law and Ethics Examination (CPLÉE)(6).

276
277 **2960(a) CONVICTION OF A CRIME SUBSTANTIALLY RELATED TO THE**
278 **PRACTICE OF PSYCHOLOGY**

279
280 MAXIMUM: Revocation; denial of license ~~or registration.~~

281
282 ~~MINIMUM:—~~Revocation stayed, 5-year probation, billing monitor (if financial crime)
283 (3), ~~therapypsychotherapy~~ (6), CPLÉE (7), restitution (if appropriate) (8);
284 and standard terms and conditions (14-31).

285
286 MINIMUM: Revocation stayed, standard terms and conditions (14-32), and depending
287 on the circumstances, five (5) years probation, billing monitor (if financial

crime)(3), restitution (if appropriate)(7), psychotherapy(5), and California Psychology Law and Ethics Examination (CPLÉE)(6)

2960(b) USE OF CONTROLLED SUBSTANCE OR ALCOHOL IN A DANGEROUS MANNER

MAXIMUM: Revocation; denial of license ~~or registration~~.

~~**MINIMUM:** Revocation stayed, 5 year probation, physical examination (if appropriate) (3), practice monitor (4), psychological evaluation and ongoing therapy psychotherapy (if appropriate) (2) and (6), clinical diagnostic evaluation (9), participation in an alcohol/drug abuse treatment program (10) and ongoing support group (11), abstain from all non prescribed, controlled drugs and alcohol, /biological fluid and specimen testing [required for substance-abusing licensees] (12), and standard terms and conditions (14-31).~~

MINIMUM: Revocation stayed, standard terms and conditions (14-32), and depending on the circumstances, five (5) years probation, physical examination (if appropriate)(2), worksite monitor(3), psychotherapy (if recommended by psychological evaluator)(5), clinical diagnostic evaluation(8), participation in an alcohol/drug abuse treatment program(9), ongoing support group(10), abstain from drugs and alcohol, and submit to tests and samples(11).

2960(c) FRAUDULENTLY OR NEGLECTFULLY MISREPRESENTING THE TYPE OR STATUS OF LICENSE OR REGISTRATION ACTUALLY HELD

MAXIMUM: Revocation; denial of license ~~or registration~~.

~~**MINIMUM:** Revocation stayed, 5 years probation, and standard terms and conditions (14-31).~~

MINIMUM: Revocation stayed, standard terms and conditions (14-32), and depending on the circumstances, five (5) years probation, and California Psychology Law and Ethics Examination (CPLÉE)(6).

2960(d) IMPERSONATING ANOTHER PERSON HOLDING A PSYCHOLOGY LICENSE OR ALLOWING ANOTHER PERSON TO USE HIS OR HER LICENSE OR REGISTRATION

334 MAXIMUM: Revocation; denial of license ~~or registration~~.

335
336 MINIMUM: Revocation stayed, standard terms and conditions (14-32), and depending
337 on the circumstances, five (5)-years probation, psychological evaluation
338 (2), CPLEE (7-6); and standard terms and conditions (14-31).

339
340 **2960(e) PROCURING APPLYING FOR A LICENSE OR PASSING AN**
341 **EXAMINATION BY FRAUD OR DECEPTION**

342
343 ~~Penalty~~Discipline: Revocation is the only suitable ~~penalty~~discipline inasmuch as the
344 license would not have been issued but for the fraud or deception. If the
345 fraud is substantiated prior to issuance of the license ~~or registration~~, then
346 denial of the application is the only suitable ~~penalty~~discipline.

347
348 **2960(f) ACCEPTING REMUNERATION OR PAYING FOR REFERRALS TO**
349 **OTHER PROFESSIONALS OFFERING OR ACCEPTING PAYMENT,**
350 **MONETARY OR OTHERWISE, FOR REFERRAL OF CLIENTS**

351
352 MAXIMUM: Revocation; denial of license ~~or registration~~.

353
354 MINIMUM: Revocation stayed, standard terms and conditions (14-32), depending on
355 the circumstances, up to five (5)-years probation, billing monitor (43),
356 CPLEE (7-6); and standard terms and conditions (14-31).

357
358 **2960(g) VIOLATING SECTION 17500 OF THE BUSINESS AND PROFESSIONS**
359 **CODE REGARDING ADVERTISING**

360
361 ~~Penalty~~DISCIPLINE: Revocation stayed, standard terms and conditions (14-32),
362 depending on the circumstances, up to five (5)-years probation, and
363 standard terms and conditions (14-31).

364
365 **2960(h) VIOLATION OF CONFIDENTIALITY**

366
367 MAXIMUM: Revocation; denial of license ~~or registration~~.

368
369 MINIMUM: Revocation stayed, standard terms and conditions (14-32), depending on
370 the circumstances, up to five (5)-years probation, practice monitor (43),
371 CPLEE (7-6); and standard terms and conditions (14-31).

372
373 **2960(i) VIOLATION OF RULES OF PROFESSIONAL CONDUCT**

374
375 MAXIMUM: Revocation; denial of license ~~or registration~~.

376
377 MINIMUM: Revocation stayed, standard terms and conditions (14-32), and depending
378 upon the circumstances, up to five (5)-years probation, psychological

379 evaluation and/or therapy if appropriate (2) and (6), CPLEE (76), and
380 standard terms and conditions (14-31).

381
382 **2960(j) GROSS NEGLIGENCE IN THE PRACTICE OF PSYCHOLOGY**

383
384 MAXIMUM: Revocation; denial of license or registration.

385
386 MINIMUM: Revocation stayed, standard terms and conditions (14-32), and depending
387 on the circumstances, up to five (5)-years probation, psychological
388 evaluation prior to resumption of practice (condition precedent) (2),
389 practice monitor/billing monitor (43), patient population restriction of
390 practice (if appropriate recommended) (54), therapy psychotherapy (65),
391 examination(s) CPLEE (76), and standard terms and conditions (14-31).

392
393 **2960(k) VIOLATING ANY PROVISION OF THE PSYCHOLOGY LICENSING**
394 **LAW OR RELATED REGULATIONS THIS CHAPTER OR**
395 **REGULATIONS DULY ADOPTED THEREUNDER**

396
397 Refer to underlying statute or regulation.

398
399 **2960(l) AIDING OR ABETTING UNLICENSED PRACTICE**

400
401 MAXIMUM: Revocation; denial of license or registration.

402
403 MINIMUM: Revocation stayed, standard terms and conditions (14-32), and depending
404 on the circumstances, up to five (5)-years probation, CPLEE (76), and
405 standard terms and conditions (14-31).

406
407 **2960(m)/2960.6 DISCIPLINARY ACTION BY ANOTHER AGENCY, STATE, OR**
408 **COUNTRY AGAINST A LICENSE OR REGISTRATION**

409
410 DISCIPLINE: In evaluating the appropriate penalty discipline, identify the
411 comparable California statute(s) or regulation(s), and corresponding penalty(s)
412 discipline.

413
414 **2960(n) DISHONEST, CORRUPT, OR FRAUDULENT ACT**

415
416 MAXIMUM: Revocation; denial of license or registration.

417
418 MINIMUM: Revocation stayed, standard terms and conditions (14-32), and depending
419 on the circumstances, up to five (5)-years probation, psychological
420 evaluation and ongoing therapy psychotherapy if appropriate (2)(5), billing
421 monitor (43), CPLEE (76), full restitution (87), and standard terms and
422 conditions (14-31).

423

424 **2960(o); 726; 729** ~~ANY ACT OF SEXUAL ABUSE, OR SEXUAL RELATIONS WITH~~
425 ~~A PATIENTCLIENT OR FORMER PATIENTCLIENT WITHIN~~
426 ~~TWO YEARS FOLLOWING TERMINATION OF THERAPY,~~
427 ~~SEXUAL EXPLOITATION, OR SEXUAL MISCONDUCT THAT IS~~
428 ~~SUBSTANTIALLY RELATED TO THE QUALIFICATIONS,~~
429 ~~FUNCTIONS OR DUTIES OF A PSYCHOLOGIST OR~~
430 ~~PSYCHOLOGICAL ASSISTANT OR REGISTERED~~
431 ~~PSYCHOLOGIST.~~

432
433 ~~Penalty~~DISCIPLINE: ~~When a finding of sexual misconduct occurs, r~~Revocation or
434 ~~surrender of license/registration and/or denial of license or registration~~ MUSTmust be the
435 ~~penalty~~ discipline ordered by the Administrative Law Judge.

436
437 **NO MINIMUM PENALTY.**

438
439 NOTE: ~~Business and Professions Code~~ Section 2960.1 of the Code states: “Notwithstanding
440 Section 2960, any proposed decision or decision issued under this chapter in accordance with the
441 procedures set forth in Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of
442 Title 2 of the Government Code, that contains any finding of fact that the licensee or registrant
443 engaged in any acts of sexual contact, as defined in Section 728, when that act is with a
444 patientclient, or with a former patientclient within two years following termination of therapy,
445 shall contain an order of revocation. The revocation shall not be stayed by the Administrative
446 Law Judge.”

447
448 **2960(p) FUNCTIONING OUTSIDE FIELD(S) OF COMPETENCE**

449
450 MAXIMUM: Revocation; denial of license ~~or registration~~.

451
452 MINIMUM: Revocation stayed, standard terms and conditions (14-32), and depending
453 on the circumstances, up to five (5)-years probation, practice monitor (43),
454 ~~patient population restriction (5)~~ restriction of practice (4), CPLEE
455 examination(s) (76), and standard terms and conditions (14-31).

456
457 **2960(q) WILLFUL FAILURE TO VERIFY AN APPLICANT’S SUPERVISED**
458 **EXPERIENCE**

459
460 ~~Penalty~~DISCIPLINE: Revocation stayed, standard terms and conditions (14-32), five (5)-
461 years probation ~~and standard terms and conditions (14-31).~~

462
463 **2960(r) REPEATED NEGLIGENT ACTS**

464
465 MAXIMUM: Revocation; denial of license ~~or registration~~.

466
467 MINIMUM: Revocation stayed, standard terms and conditions (14-32), and depending
468 on the circumstances, up to five (5)-years probation, psychological
469 evaluation prior to resumption of practice (condition precedent) (2),

practice monitor (4-3), CPLEE examination(s) (76), and standard terms and conditions (14-31).

III. TERMS AND CONDITIONS OF PROBATION

Terms and conditions of probation are divided into two categories. The first category consists of **optional terms and conditions** that may be appropriate as demonstrated in the ~~Penalty~~ Disciplinary Guidelines depending on the nature and circumstances of each particular case. The second category consists of the **standard terms and conditions**, which must appear in all Proposed Decisions and Stipulated Settlements.

To enhance the clarity of a Proposed Decision or Stipulation, the Board requests that all optional terms and conditions (1-13) that are being imposed be listed first in sequence followed immediately by all of the standard terms and conditions, which includes cost recovery (15-31-34-33).

A. **OPTIONAL TERMS AND CONDITIONS OF PROBATION**

Listed below are optional terms and conditions of probation that the Board would expect to be included in any Proposed Decision or Stipulation ~~and Settlement~~ as appropriate.

1. **Actual Suspension**

As part of probation, respondent is suspended from the practice of psychology for _____ days beginning with the effective date of this Decision. During the suspension, any probation period is tolled and will not commence again until the suspension is completed.

RATIONALE: A suspension longer than six (6) months is not effective, and a violation or violations warranting a longer suspension should result in revocation, not stayed.

2. ~~Psychological Evaluation~~

~~Within ninety (90) days of the effective date of this Decision and on a periodic basis thereafter as may be required by the Board or its designee, respondent shall undergo a psychological evaluation (and psychological testing, if deemed necessary) by a Board-appointed California-licensed psychologist. Respondent shall sign a release that authorizes the evaluator to furnish the Board a current DSM V diagnosis and a written report regarding the respondent's judgment and/or ability to function independently as a psychologist with safety to the public, and whatever other information the Board deems relevant to the case. The completed evaluation is the sole property of the Board. The evaluation should not be disclosed to anyone not authorized by the Board or by court order.~~

~~If the Board concludes from the results of the evaluation that respondent is unable to practice independently and safely, upon written notice from the Board, respondent shall immediately cease accepting new patients and, in accordance with professional standards, shall appropriately refer/terminate existing patients within thirty (30) days and shall not~~

516 resume practice until a Board-appointed evaluator determines that respondent is safe to
517 practice. The term of probation shall be extended by this period of time that he or she was
518 ordered to cease practice.

519
520 If not otherwise ordered herein, if ongoing psychotherapy is recommended in the
521 psychological evaluation, the Board will notify respondent in writing to submit to such
522 therapy and to select a psychotherapist for approval by the Board or its designee within
523 thirty (30) days of such notification. The therapist shall (1) be a California-licensed
524 psychologist with a clear and current license; (2) have no previous business, professional,
525 personal or other relationship with respondent; (3) not be the same person as respondent's
526 practice or billing monitor. Frequency of psychotherapy shall be determined upon
527 recommendation of the treating psychotherapist with approval by the Board or its designee.
528 Respondent shall continue psychotherapy until released by the approved psychologist and
529 approved by the Board or its designee. The Board or its designee may order a re-evaluation
530 upon receipt of the therapist's recommendation.

531
532 Respondent shall execute a release authorizing the therapist to provide to the Board any
533 information the Board or its designee deems appropriate, including quarterly reports of
534 respondent's therapeutic progress. Respondent shall furnish a copy of this Decision to the
535 therapist. If the therapist determines that the respondent cannot continue to independently
536 render psychological services, with safety to the public, he/she shall notify the Board
537 immediately.

538
539 Respondent shall pay all costs associated with the psychological evaluation and ongoing
540 psychotherapy. Failure to pay costs will be considered a violation of the probation order.

541

542 **Option of Evaluation as a Condition Precedent:**

543

544 **In some cases, the psychological evaluation may be imposed as either a condition**
545 **precedent to the continued practice of psychology, or to the issuance or reinstatement**
546 **of a license, so that the respondent or petitioner is not entitled to begin or continue**
547 **practice until found to be safe to do so. In such cases, the following language shall be**
548 **used as the first sentence of the first paragraph of this term:**

549

550 As a condition precedent to the [continued practice of psychology][issuance of a license]
551 [reinstatement of a license], within ninety (90) days of the effective date of this Decision,
552 and on a periodic basis thereafter as may be required by the Board or its designee,
553 Respondent shall undergo a psychological evaluation (and psychological testing, if deemed
554 necessary) by a Board-appointed California-licensed psychologist. The term of probation
555 shall be extended by the period of time during which respondent is not entitled to practice.

556

557 **In addition, the following language shall also be used as the first sentence of the second**
558 **paragraph of this term:**

559

560 If the Board concludes from the results of the evaluation that [respondent][petitioner] is
561 unable to practice independently and safely, upon written notice from the Board [respondent

562 shall, in accordance with professional standards, appropriately refer/terminate existing
563 patients within thirty (30) days and shall not resume practice until a Board-appointed
564 evaluator determines that respondent is safe to practice][respondent or petitioner shall not be
565 issued or have reinstated a license until a Board-appointed evaluator determines that
566 respondent or petitioner is safe to practice].

567
568 **~~RATIONALE: Psychological evaluations shall be utilized when an offense calls into~~**
569 **~~question the judgment and/or emotional and/or mental condition of the respondent or~~**
570 **~~where there has been a history of abuse or dependency of alcohol or controlled~~**
571 **~~substances. When appropriate, respondent shall be barred from rendering~~**
572 **~~psychological services under the terms of probation until he or she has undergone an~~**
573 **~~evaluation, the evaluator has recommended resumption of practice, and the Board has~~**
574 **~~accepted and approved the evaluation.~~**

575 576 23. Physical Examination

577
578 Within ~~ninety (90)~~ forty-five (45) days of the effective date of this Decision, respondent
579 shall undergo a physical examination by a ~~physician and surgeon (physician)~~ medical
580 evaluator licensed in California and approved by the Board.

581
582 For purposes of these guidelines, a “medical evaluator” means a physician and surgeon, a
583 physician’s assistant or a nurse practitioner holding a current license in good standing, as
584 issued by the appropriate agency within the Department of Consumer Affairs.

585
586 The medical evaluator shall have no current or former financial, personal, familial, or other
587 relationship with respondent that could reasonably be expected to compromise the ability of
588 the medical evaluator to render impartial and unbiased reports to the Board.

589
590 Respondent shall sign a release authorizing the ~~physician~~ medical evaluator to furnish the
591 Board with a report that shall provide an assessment of respondent’s physical condition and
592 ~~capability~~ ability to safely provide psychological services to the public. If the ~~evaluating~~
593 ~~physician~~ medical evaluator determines that respondent’s physical condition prevents safe
594 practice, or that ~~he or she~~ respondent can only practice with restrictions, the ~~physician~~
595 medical evaluator shall notify the Board, in writing, within five (5) working days.

596
597 The Board shall notify respondent in writing of the ~~physician’s~~ medical evaluator’s
598 determination of unfitness to practice, and shall order ~~the~~ respondent to cease practice or
599 place restrictions on respondent’s practice. Respondent shall comply with any order to cease
600 practice or restriction of ~~his or her~~ their practice, and shall immediately cease accepting new
601 ~~patients~~ clients and, in accordance with professional standards, shall appropriately
602 refer/terminate existing ~~patients~~ clients within thirty (30) days. Respondent shall not resume
603 practice until a Board-~~appointed~~ approved evaluator determines that respondent is safe to
604 practice, and the Board is satisfied of respondent’s fitness to practice safely and has so
605 notified respondent in writing. The term of probation shall be extended by the period of time
606 during which respondent is ordered to cease practice. If the ~~evaluating physician~~ medical
607 evaluator determines it to be necessary, a recommended treatment program will be instituted

608 and followed by ~~the~~ respondent with ~~the physician~~ an appropriately-licensed healthcare
609 practitioner providing written progress reports to the Board on a quarterly basis, or as
610 otherwise determined by the Board ~~or its designee~~.

611
612 It shall be ~~the~~ respondent's responsibility to assure that the required quarterly progress
613 reports are filed by ~~the treating physician~~ the appropriately-licensed healthcare practitioner
614 in a timely manner. Respondent shall pay all costs of such examination(s). Failure to pay
615 these costs shall be considered a violation of probation.

616
617 **RATIONALE: This condition permits the Board to require ~~the probationer~~ respondent**
618 **to obtain appropriate treatment for physical problems/disabilities/conditions that could**
619 **affect the safe practice of psychology. The physical examination can also be conducted**
620 **to ensure that there is no physical evidence of alcohol/drug abuse.**

621
622 **34. Practice Monitor/Billing Monitor/Worksite Monitor**

623
624 Within ~~ninety (90)~~ thirty (30) days of the effective date of this Decision, respondent shall
625 submit to the Board ~~or its designee~~ for prior approval; the name and qualifications of a
626 psychologist who has agreed to serve as a [practice monitor][billing monitor][worksite
627 monitor]. The [practice monitor][billing monitor] shall (1) be a California-licensed
628 psychologist with a clear and current license of at least five (5) years duration; (2) ~~have no~~
629 ~~prior business, professional, personal, or other relationship with respondent~~ current or
630 former financial, personal, familial, or other relationship with respondent that could
631 reasonably be expected to compromise the ability of the monitor to render fair and unbiased
632 reports to the Board; and (3) ~~not be the same person as respondent's therapist~~ have
633 completed six (6) hours of supervision coursework. The monitor's education and experience
634 shall be in the same field of practice as that of ~~the~~ respondent. The [practice monitor][billing
635 monitor] may also serve as a worksite monitor, **if ordered for a substance-abusing**
636 **licensee**, as long as ~~he or she~~ the monitor also meets the requirements for a worksite monitor.

637
638 Once approved, the monitor(s) shall submit to the Board ~~or its designee~~ a plan by which
639 respondent's [practice][billing] shall be monitored. The Board may amend the plan to
640 increase or decrease the frequency of monitoring sessions with notice to both the monitor
641 and respondent. Monitoring frequency shall consist of at least one hour per week of
642 individual in person face-to-face meetings and shall continue during the entire probationary
643 period unless modified or terminated by the Board ~~or its designee~~. ~~The R~~respondent shall
644 provide the [practice][billing] monitor with a copy of this Decision and access to
645 respondent's fiscal and/or ~~patient~~ client records. Respondent shall obtain any necessary
646 patient client releases to enable the [practice][billing] monitor to review records and to make
647 direct contact with ~~patients~~ clients. Respondent shall execute a release authorizing the
648 monitor to divulge any information that the Board may request. It shall be respondent's
649 responsibility to assure that the monitor submits written reports to the Board ~~or its designee~~
650 on a quarterly basis verifying that monitoring has taken place and providing an evaluation of
651 respondent's performance.

653 Respondent shall secure releases from the clients for second-party review of the entirety of
654 their clients records, consistent with the releases obtained, including, but not limited to,
655 billing and charge records. Records for review are presented in their original format so the
656 monitor may select and review records at respondent's worksite. If respondent has more
657 than one worksite, all worksites shall be made available for review. It may be necessary for
658 respondent to have more than one monitor in some instances.

659
660 Respondent shall notify all current and potential ~~patients~~clients of any term or condition of
661 probation that will affect their ~~therapy~~psychotherapy or the confidentiality of their records
662 (such as this condition, which requires a [practice monitor][billing monitor]). Such
663 notifications shall be signed by each ~~patient~~client prior to continuing or commencing
664 treatment.

665
666 **The following paragraph regarding billing monitoring must be included in the Order,**
667 **if a billing monitor has been ordered:**

668
669 The Board may require an annual audit of respondent's billings. Within sixty (60) days of a
670 notice requiring an audit, respondent shall provide the Board with the names and
671 qualifications of three (3) auditors, who must be certified public accountants authorized to
672 practice in this State; the auditor will be selected by the Board. The auditor shall not have a
673 current or former financial, personal, familial, or other relationship with respondent that
674 could reasonably be expected to compromise the ability of the auditor to render an impartial
675 audit. Respondent shall obtain any necessary client releases to enable the auditor to perform
676 the audit. The audit shall include randomly selected client billing records. Within one
677 hundred-eighty (180) days of the Board's approval of the auditor, a final audit report shall
678 be completed and submitted to the billing monitor and the Board. The cost of the audits
679 shall be borne by respondent. Failure to timely complete, report, or pay for an audit shall
680 constitute a violation of probation.

681
682 **The following paragraphs ~~Add the language of the next 3 paragraphs~~ regarding**
683 **reporting by a worksite monitor, if one is ordered, for a substance-abusing licensee**
684 **must be included in the Order:**

685
686 The worksite monitor shall not have a ~~current or former financial, personal, or familial~~
687 ~~relationship with the licensee, or other relationship~~ current or former financial, personal,
688 familial, or other relationship with respondent that could reasonably be expected to
689 compromise the ability of the monitor to render impartial and unbiased reports to the Board.
690 All other requirements for a worksite monitor shall meet the requirements of a worksite
691 monitor under Uniform Standards #7. Reporting by the worksite monitor to the Board shall
692 be as follows:

693
694 Any suspected substance abuse must be orally reported to the Board and ~~the~~
695 ~~licensee's~~respondent's employer within one (1) business day of occurrence. If the
696 occurrence is not during the Board's normal business hours, the oral report must be
697 within one (1) hour of the next business day. A written report shall be submitted to the
698 Board within forty-eight (48) hours of occurrence.

699
700 The worksite monitor shall complete and submit a written report every monthly or as
701 directed by the Board. The report shall include: ~~the licensee's~~respondent's name; license
702 number; worksite monitor's name and signature; worksite monitor's license number;
703 worksite location(s); dates ~~licensee~~respondent had in-person face-to-face contact with
704 monitor; worksite staff interviewed as applicable; attendance report; any change in
705 behavior and/or personal habits; and any indicators that can lead to suspected substance
706 abuse.

707
708 ~~The licensee~~Respondent shall complete the required consent forms and sign an
709 agreement with the worksite monitor and the Board to allow the Board to communicate
710 with the worksite monitor.

711
712 If the monitor(s) quit(s) or is otherwise no longer available, respondent shall notify the
713 Board within ten (10) days and get approval from the Board for a new monitor within
714 thirty (30) days. If no new monitor is approved within thirty (30) days, respondent shall
715 not practice until a new monitor has been approved by the Board ~~or its designee~~. The
716 term of probation shall be extended by the period of time during which respondent is
717 ordered to cease practice. Respondent shall pay all costs associated with this monitoring
718 requirement. Failure to pay these costs shall be considered a violation of probation.

719
720 **RATIONALE and APPLICATION OF UNIFORM STANDARD #7: Monitoring shall**
721 **be utilized when respondent's ability to function independently is in doubt or when**
722 **fiscal improprieties have occurred, as a result of a deficiency in knowledge or skills, or**
723 **as a result of questionable judgment. A worksite monitor may be ordered where the**
724 **Uniform Standards Related to a Substance-Abusing Licensee apply, if necessary, for**
725 **the protection of the public.**

726
727 **45. Restriction of Patient Population Practice Restriction**

728
729 Respondent's practice shall be [~~limited to~~][restricted to exclude ~~patients~~clients who are
730 _____] for [months/years]. Within thirty (30) days from the effective date of the
731 ~~d~~Decision, respondent shall submit to the Board ~~or its designee~~, for prior approval, a plan to
732 implement this restriction. Respondent shall submit ~~proof~~ satisfactory proof to the Board ~~or~~
733 ~~its designee~~ of compliance with this term of probation. Respondent shall notify their
734 supervisor, if they have one, of the restrictions imposed on their practice.

735
736 **RATIONALE: In cases wherein some factor of the respondent's patient/client population at**
737 **large (e.g. age, gender, practice setting) may put a expose a patient/client to at risk if in**
738 **therapy with the respondent, language appropriate to the case may be developed to restrict**
739 **such a population, or setting, or psychological service. The language would be tailored to**
740 **each specific case. vary greatly by case.**

741
742 **56. Psychotherapy**

743

744 Within ~~ninety (90)~~ thirty (30) days of the effective date of this Decision, a psychotherapist
745 shall be selected by ~~the~~ respondent for approval by the Board. The psychotherapist shall (1)
746 be a California-licensed psychologist with a clear and current license; (2) have no ~~previous~~
747 ~~business, professional, personal, or other relationship with respondent~~ current or former
748 financial, personal, familial, or other relationship with respondent; and (3) not be the same
749 person as respondent's practice, billing, or worksite monitor. Respondent shall furnish a
750 copy of this Decision to the psychotherapist. Psychotherapy shall, at a minimum, consist of
751 one (1) hour per week over a period of fifty-two (52) consecutive weeks after which it may
752 continue or terminate upon the written recommendation of the psychotherapist with written
753 approval by the Board ~~or its designee~~. The Board ~~or its designee~~ may order a psychological
754 evaluation upon receipt of the psychotherapist's recommendation.

755
756 Respondent shall execute a release authorizing the psychotherapist to provide to the Board
757 ~~or its designee~~ any information the Board deems appropriate, including quarterly reports of
758 respondent's therapeutic progress. It shall be respondent's responsibility to assure that the
759 required quarterly reports are filed by the psychotherapist in a timely manner. If the
760 psychotherapist notifies the Board that ~~the therapist believes the~~ respondent cannot continue
761 to safely render psychological services, ~~upon notification from the Board,~~ the Board shall
762 order respondent shall to immediately cease accepting new patientsclients and, in
763 accordance with professional standards, ~~shall~~ appropriately refer/terminate existing
764 patientsclients within thirty (30) days and shall not resume practice until a Board-
765 ~~appointed~~approved evaluator determines that respondent is again safe to practice. The term
766 of probation shall be extended by the period of time during which respondent is ordered to
767 cease practice.

768
769 If, prior to the termination of probation, respondent is found not to be mentally fit to resume
770 the practice of psychology without restrictions, the Board shall retain continuing jurisdiction
771 over ~~the~~ respondent's license and the term of probation shall be extended until the Board ~~or~~
772 ~~its designee~~ determines that ~~the~~ respondent is mentally fit to resume the practice of
773 psychology without restrictions.

774 Cost of psychotherapy is to be paid by ~~the~~ respondent.

775
776 **RATIONALE: The need for psychotherapy may be determined pursuant to a**
777 **psychological evaluation or as evident from the facts of the case. The frequency of**
778 **psychotherapy shall be related to the offense involved and the extent to which the**
779 **offense calls into question the judgment, motivation, and emotional and/or mental**
780 **condition of ~~the~~ respondent.**

781 782 783 **67. Examination(s)**

784
785 **Examination for Professional Practice in Psychology (EPPP) or California Psychology**
786 **Law and Ethics Examination (CPLÉE) Term ~~MUST INCLUDE~~ must include either**
787 **Option 1 or Option 2:**

788
789 Option 1 (Condition Subsequent)

790
791 Within ninety (90) days of the effective date of the ~~Decision~~ Decision, respondent shall take and
792 pass the [EPPP][CPLÉE]. If respondent fails to take or fails such examination, the Board
793 shall order respondent to cease practice and upon such order respondent shall immediately
794 cease practice, refrain from accepting new ~~patients~~clients and, in accordance with
795 professional standards, shall appropriately refer/terminate existing ~~patients~~clients within
796 thirty (30) days and shall not resume practice until the re-examination has been successfully
797 passed, as evidenced by written notice to respondent from the Board ~~or its designee~~. The
798 term of probation shall be extended by the period of time during which respondent's
799 practice was ordered ceased. It is respondent's responsibility to contact the Board in writing
800 to make arrangements for such examination. Respondent shall pay the established
801 examination fee(s). Re-examination after a failure shall be consistent with Title 16 of the
802 California Code of Regulations (CCR)~~C.C.R.~~ section 1388(~~§~~), and any applicable sections of
803 the Business & Professions Code.

804
805 Option 2 (Condition Precedent to either continued practice; or ~~to~~ reinstatement of a license)

806
807 Respondent [is ordered to cease the practice of psychology][shall not be reinstated] until
808 respondent has taken and passed the [EPPP][CPLÉE]. The term of probation shall be
809 extended by the period of time during which respondent is ordered to cease practice. The
810 term of probation shall be extended by the period of time during which respondent's
811 practice was ordered ceased. It is respondent's responsibility to contact the Board in writing
812 to make arrangements for such examination(s). Respondent shall pay the established
813 examination fee(s). Re-examination after a failure must be consistent with 16 C.C.R. ~~section~~
814 1388(~~§~~), and any applicable sections of the Business & Professions Code.

815
816 **RATIONALE: In cases involving evidence of serious deficiencies in the body of**
817 **knowledge required to be minimally competent to practice independently, it may be**
818 **appropriate to require the respondent to take and pass the EPPP, the national**
819 **examination for psychologists, ~~because the Board no longer administers an~~**
820 **~~examination that tests knowledge of the field, during the course of the probation~~**
821 **~~period. In some instances, it may be appropriate to order that practice be ceased until~~**
822 **~~the examination has been taken and passed (condition precedent). In cases involving~~**
823 **deficiencies in knowledge of laws and ethics, the CPLÉE may be ordered. Either one or**
824 **both examinations may be appropriate, depending on the nature of the violation(s). It**
825 **may be appropriate to order that practice be ceased until the examination(s) has been**
826 **taken and passed (condition precedent).**

827
828 **78. Restitution**

829
830 Within ninety (90) days of the effective date of this Decision, respondent shall provide proof
831 to the Board ~~or its designee~~ of restitution in the amount of \$_____ paid to
832 _____. Failure to pay restitution shall be considered a
833 violation of probation. Restitution is to be paid regardless of ~~the tolling of probation~~.
834

835 **RATIONALE: In ~~offenses~~cases involving economic exploitationharm or injury,**
836 **restitution is a necessary term of probationmay be ordered.** For example, restitution
837 **would be a standard termordered** in any case involving Medi-Cal or other insurance
838 **fraud. The amount of restitution shall be, at a minimum, the amount of money that**
839 **was fraudulentlywrongfully obtained by the licenseerespondent. Evidence**
840 **Documentation relating to the amount of restitution would have to be introduced at**
841 **the Administrative ~~H~~Hearing or submitted to the Board.**

842
843 **89. Clinical Diagnostic Evaluation**
844

845 Within thirty (30) days of the effective date of the Decision and at any time upon order of
846 the Board, respondent shall undergo a clinical diagnostic evaluation by a Board-approved
847 evaluator. Respondent shall provide the evaluator with a copy of the Board's Decision prior
848 ~~to the clinical diagnostic evaluation being performed.~~

849
850 The evaluator shall be a licensed practitioner who holds a valid, unrestricted license to
851 conduct clinical diagnostic evaluations, and has three (3) years² of experience in providing
852 evaluations of health-care professionals with substance abuse disorders. The evaluator shall
853 not have a current or former financial, personal, familial, or other relationship with
854 respondent or ever had a financial, personal, business, or other relationship with the licensee
855 that could reasonably be expected to compromise the ability of the Board-approved
856 evaluator to render impartial and unbiased reports to the Board. Respondent shall cause the
857 evaluator to submit to the Board a written clinical diagnostic evaluation report within ten
858 (10) days from the date the evaluation was completed, unless an extension, not to exceed
859 thirty (30) days, is granted to the evaluator by the Board.

860
861 Respondent shall pay all costs associated with the clinical diagnostic evaluation. Failure to
862 pay costs will be considered a violation of the probation order.

863
864 **The following language is mandatory for a cease practice order where the evaluation is**
865 **ordered under the Uniform Standards Related to Substance-Abusing Licensees-is**
866 **mandatory, and discretionary in other cases where it may be relevant:**

867
868 Respondent is ordered to cease any practice of psychology, beginning on the effective date
869 of the Decision, pending the results of the clinical diagnostic evaluation. During this time,
870 ~~R~~respondent shall submit to random drug testing at least two (2) times per week. At any
871 other time that respondent is ordered to undergo a clinical diagnostic evaluation, ~~he or~~
872 ~~she~~respondent shall be ordered to cease any practice of psychology for a minimum of thirty
873 (30) days pending the results of a clinical diagnostic evaluation and shall, during such time,
874 submit to drug testing at least two (2) times per week.

875
876 Upon any order to cease practice, respondent shall not practice psychology until the Board
877 determines that ~~he or she~~respondent is able to safely practice either full-time or part-time
878 and has had at least thirty (30) days of negative drug test results. The term of probation shall
879 be extended by the period of time during which respondent is ordered to cease practice.

880 Respondent shall comply with any terms or conditions made by the Board as a result of the
881 clinical diagnostic evaluation.

882

883 **RATIONALE and APPLICATION OF UNIFORM STANDARD #s 1, 2, and 3: This**
884 **condition is to be considered in cases where the grounds for discipline involve drugs**
885 **and/or alcohol, or where the Uniform Standards Related to a Substance-Abusing**
886 **Licensee apply. The cease practice order pending the evaluation is mandatory where**
887 **the evaluation is ordered for a substance-abusing licensee, and discretionary in other**
888 **cases ~~where ordered.~~**

889

890 **910. Alcohol and/or Drug Abuse Treatment Program**

891

892 Within thirty (30) days from the effective date of the Decision, respondent shall enter an
893 inpatient or outpatient alcohol or other drug abuse recovery program or an equivalent
894 program as approved by the Board ~~or its designee~~. Components of the treatment program
895 shall be relevant to the violation and to ~~the~~ respondent's current status in recovery or
896 rehabilitation. Respondent shall provide the Board ~~or its designee~~ with proof that the
897 approved program was successfully completed. Terminating the program without
898 permission or being expelled for cause shall constitute a violation of probation by
899 respondent. If respondent so terminates or is expelled from the program, respondent shall be
900 ordered by the Board to immediately cease any practice of psychology, and may not practice
901 unless and until notified by the Board. The term of probation shall be extended by the period
902 of time during which respondent is ordered to cease practice.

903

904 Respondent shall pay all costs associated with the program. Failure to pay costs will be
905 considered a violation of the probation order.

906

907 ~~However, if~~ respondent has already ~~attended~~ completed such an inpatient or outpatient
908 alcohol or other drug abuse recovery program, as described above, commencing with or
909 during the current period of sobriety, respondent shall provide the Board ~~or its designee~~ with
910 proof that the program was successfully completed and this ~~shall~~ may, at the Board's
911 discretion, suffice to comply with this term of probation.

912

913 **RATIONALE and APPLICATION OF UNIFORM STANDARD # 6: This condition is**
914 **to be considered in cases where the grounds for discipline involve drugs and/or alcohol,**
915 **or where the Uniform Standards Related to a Substance-Abusing Licensee apply.**

916

917 **1011. Ongoing Support Group Program**

918

919 Within thirty (30) days of the effective date of the Decision, respondent shall begin and
920 continue attendance at a support/recovery group (e.g., Twelve Step meetings or the
921 equivalent, or a facilitated support group meeting ~~with a psychologist trained in alcohol and~~
922 ~~drug abuse treatment~~) as ordered by the Board ~~or its designee~~.

923

924 When determining the type and frequency of required support group meeting attendance, the
925 Board shall give consideration to the following:

926
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971

- the licensee’s history;
- the documented length of sobriety/time that has elapsed since substance use;
- the recommendation of the clinical evaluator;
- the scope and pattern of use;
- the licensee’s treatment history; and,
- the nature, duration, and severity of substance abuse.

Verified documentation of attendance shall be submitted by respondent with each quarterly report. Respondent shall continue attendance in such a group for the duration of probation unless notified by the Board that attendance is no longer required.

If a facilitated ~~support group~~ support meeting is ordered for a substance-abusing licensee, add the following language regarding the facilitator:

The group facilitator shall meet the following qualifications and requirements:

- a. The meeting facilitator must have a minimum of three (3) years of experience in the treatment and rehabilitation of substance abuse, and shall be licensed or certified by the state or other nationally ~~certified~~ organizations.
- b. The meeting facilitator must not have had a financial, personal, familial, or other relationship with respondent ~~financial relationship, personal relationship, or business relationship with the licensee~~ in the last five (5) years.
- c. The meeting facilitator shall provide to the ~~b~~Board a signed document showing the licensee’s name, facilitator’s qualifications, the group name, the date and location of the meeting, the licensee’s attendance, and the licensee’s level of participation and progress.
- d. Respondent shall provide the facilitator with a copy of the Decision.
- ~~d~~e. The facilitator shall report any unexcused absence within twenty-four (24) hours.

RATIONALE and APPLICATION OF UNIFORM STANDARD # 5: Alcohol and/or other drug abuse treatment shall be required in addition to other terms of probation in cases where the use of alcohol or other drugs by respondent has impaired respondent’s ability to safely provide psychological services. This condition must be accompanied by condition ~~#12-9~~ 9. This term is to be considered in cases where the grounds for discipline involve drugs and/or alcohol, or where the Uniform Standards Related to a Substance-Abusing Licensee apply. ~~If the Uniform Standards do not apply, where relevant, non-facilitated support group attendance, such as Twelve Step meetings, may be ordered instead of a facilitated group support meeting, or in addition to it.~~

1112. Abstain from Drugs and Alcohol and Submit to Tests and Samples

Respondent shall abstain completely from the personal use or possession of controlled substances as defined in the California Uniform Controlled Substances Act, and dangerous drugs as defined by ~~S~~section 4022 of the ~~Business and Professions~~ Code, or any drugs

972 requiring a prescription unless respondent provides the Board ~~or its designee~~ with
973 documentation from the prescribing healthcare professional that the prescription was
974 legitimately issued and is a necessary part of the treatment of respondent.

975
976 Respondent shall abstain completely from the intake of alcohol in any form.

977
978 Respondent shall undergo random and directed biological fluid or specimen testing as
979 determined by the Board ~~or its designee~~. ~~Respondent shall be subject to [a minimum of~~
980 ~~fifty two (52)] random tests [per year within the first year of probation, and a minimum of~~
981 ~~thirty six (36) random tests per year thereafter,] for the duration of the probationary term.~~

982
983 **Testing Frequency Schedule:**

984

Level	Segments of Probation	Minimum Range of Number of Random Tests
I	Year 1	52-104 per year
II	Year 2+	36-104 per year

985
986 **After five (5) years, administration of biological fluid or specimen testing as**
987 **determined by the Board, may be reduced to one (1) time per month if there have been**
988 **no positive drug tests in the previous five (5) consecutive years of probation.**

989
990 Nothing precludes the Board from increasing the number of random tests for any reason.

991
992 Any confirmed positive finding will be considered a violation of probation. Respondent
993 shall pay all costs associated with such testing. If respondent tests positive for a banned
994 substance, respondent shall be ordered by the Board to immediately cease any practice of
995 psychology and to suggest alternative service providers to their clients as appropriate, and
996 may not practice unless and until notified by the Board. Respondent shall make daily
997 contact as directed by the Board to determine if ~~he or she~~ respondent must submit to alcohol
998 and/or drug testing. Respondent shall submit to his or her alcohol and/or drug test on the
999 same day that ~~he or she~~ respondent is notified that a test is required. All alternative testing
1000 sites due to vacation or travel outside of California must be approved by the Board prior to
1001 the vacation or travel. The term of probation shall be extended by the period of time during
1002 which respondent is ordered to cease practice.

1003
1004 **Drugs - Exception for Personal Illness**

1005
1006 Orders forbidding respondent from personal use or possession of controlled substances or
1007 dangerous drugs do not apply to medications lawfully prescribed to respondent for a bona
1008 fide illness or condition by a licensed health-care professional and used for the purposes for
1009 which they were prescribed. Respondent shall provide the Board ~~or its designee~~ with written
1010 documentation from the treating licensed health-care professional who prescribed
1011 medication(s) within fourteen (14) days. The documentation shall identify the medication,
1012 dosage, number of refills, if any; the date the medication was prescribed, ~~the~~ respondent's

1013 prognosis, the date the medication will no longer be required, and the effect on the recovery
1014 plan, if appropriate.

1015
1016 **RATIONALE and APPLICATION OF UNIFORM STANDARD #s 4 and 8: This**
1017 **condition provides documentation that the ~~probationer~~respondent is ~~substance or~~**
1018 **~~chemical-free. not using drugs or alcohol.~~ It also provides the Board with a mechanism**
1019 **through which to require additional laboratory analyses for the presence of narcotics,**
1020 **alcohol and/or dangerous drugs when the ~~probationer~~respondent appears to be in**
1021 **violation of the terms of probation or appears to be under the influence of mood**
1022 **altering substances. The Board will consider the following factors in making an**
1023 **exception to the testing frequency:**

- 1024
1025 ● **PREVIOUS TESTING/SOBRIETY: In cases where the Board has evidence**
1026 **that a licensee has participated in a treatment or monitoring program**
1027 **requiring random testing prior to being subject to testing by the Board, the**
1028 **Board may give consideration to that testing in altering the testing**
1029 **frequency schedule so that it is equivalent to this standard.**
- 1030
1031 ● **VIOLATION(S) OUTSIDE OF EMPLOYMENT: An individual whose**
1032 **license is placed on probation for a single conviction or incident, or two (2)**
1033 **convictions or incidents, spanning greater than seven (7) years from each**
1034 **other, where those violations did not occur at work or while on the licensee’s**
1035 **way to work, where alcohol or drugs were a contributing factor, may bypass**
1036 **level I and participate in level II of the testing frequency schedule.**
- 1037
1038 ● **SUBSTANCE USE DISORDER NOT DIAGNOSED: In cases where no**
1039 **current substance use disorder diagnosis is made, a lesser period of**
1040 **monitoring and toxicology screening may be adopted by the Board, but not**
1041 **to be ~~less~~fewer than twenty-four (24) times per year.**

1042
1043 **The ~~Term 11~~ is mandatory in cases where the Uniform Standards Related to a**
1044 **Substance-Abusing Licensee apply. Where the Uniform Standards do not apply, where**
1045 **relevant, the respondent should be ordered to submit to random and directed testing,**
1046 **but need not be ordered to submit to the minimum frequency of random tests.**

1047 1048 1049 **12. Request for Modification Pursuant to Uniform Standards**

1050
1051 “Request” as used in this condition is a request under the Uniform Standards made to the
1052 probation monitor, and not under the Administrative Procedure Act.

1053
1054 Before the request is considered, respondent shall demonstrate that the following criteria
1055 have been met:

- 1056
1057 a. Sustained compliance with current recovery program.
- 1058 b. The ability to practice safely as evidenced by current worksite monitor reports,

1059 evaluations, and any other information relating to respondent's substance abuse.
1060 c. Negative alcohol and drug screening reports for at least six (6) months, two (2)
1061 positive worksite monitor reports, and complete compliance with other terms and
1062 conditions of the program.
1063

1064 **RATIONALE and APPLICATION OF UNIFORM STANDARD #11: This term is a**
1065 **standard term for all substance-abusing licensees, and applies to a request for a**
1066 **modification of terms and conditions that are within the purview of the Board's**
1067 **probation monitor.**
1068

1069

1070 **13. Educational Review**

1071

1072 Respondent shall submit to an educational review concerning the circumstances that
1073 resulted in this administrative action. Within the first ninety (90) days from the effective
1074 date of the Decision, the educational review shall be conducted and submitted to the Board
1075 by a Board-appointed approved California licensed psychologist, expert familiar with the
1076 case. Educational reviews are informational only and intended to benefit respondent's
1077 practice. Respondent shall pay all costs associated with this educational review. If a
1078 reviewer makes recommendations for essential training, consultation, experiential
1079 opportunities, techniques or technologies to enhance respondent's professional competency
1080 in the discipline of psychology and its application in serving the public, respondent shall
1081 develop and submit the plan to the Board for approval within thirty (30) days after receiving
1082 the results of the educational review. The plan shall have measurable goals by which
1083 enhancement to areas of competency will be addressed within the probationary period.
1084 Respondent shall have met the requirements of the plan no later than six (6) months prior to
1085 the end of probation. Respondent shall pay all costs associated with this educational review
1086 and any recommendations.
1087

1088 **RATIONALE: In cases involving evidence of deficiencies in the body of knowledge**
1089 **required to be minimally competent to practice independently, it may be appropriate**
1090 **to require the respondent to submit to an educational review during the course of the**
1091 **probation period.**
1092

1093

1094 **B. STANDARD TERMS AND CONDITIONS OF PROBATION**

1095 **(To be included in ALL Proposed Decisions and Stipulations)**

1096

1097 **14. Psychological Evaluation**

1098

1099 Within ninety (90) days of the effective date of this Decision and on a periodic basis
1100 thereafter as may be required by the Board, respondent shall undergo a psychological
1101 evaluation (and psychological testing, if deemed necessary) by a Board-approved California-
1102 licensed psychologist. Respondent shall sign a release that authorizes the evaluator to
1103 furnish the Board with a Diagnostic and Statistical Manual of Mental Disorders, 5th Edition,
1104 (DSM-5) diagnosis and a written report regarding respondent's judgment and/or ability to

1105 practice independently and safely, and any additional information the Board deems relevant
1106 to the case. The completed evaluation is the sole property of the Board.

1107
1108 If the Board concludes from the results of the evaluation that respondent is unable to
1109 practice independently and safely, upon written notice from the Board, respondent shall
1110 immediately cease accepting new clients and, in accordance with professional standards,
1111 shall appropriately refer/terminate existing clients within thirty (30) days and shall not
1112 resume practice until a Board-approved evaluator determines that respondent is safe to
1113 practice. The term of probation shall be extended by this period of time that respondent was
1114 ordered to cease practice. Recommendations for treatment made as a result of the evaluation
1115 will be instituted and followed by respondent.

1116
1117 If not otherwise ordered herein, if ongoing psychotherapy is recommended in the
1118 psychological evaluation, the Board will notify respondent in writing to submit to such
1119 psychotherapy and to select a psychologist for approval by the Board within thirty (30) days
1120 of such notification. The qualifications, restrictions, and reporting responsibilities of the
1121 psychologist shall be the same as found in Condition [5], Psychotherapy. Frequency of
1122 psychotherapy shall be determined upon recommendation of the treating psychologist with
1123 approval by the Board. Respondent shall continue psychotherapy until released by the
1124 approved psychologist and approved by the Board. The Board may order a re-evaluation
1125 upon receipt of the psychologist's recommendation.

1126
1127 If not otherwise ordered herein, if a client population or psychological service restriction is
1128 recommended in the psychological evaluation, the Board will notify respondent in writing as
1129 to the limitation and its duration.

1130
1131 Respondent shall pay all costs associated with the psychological evaluation and ongoing
1132 psychotherapy. Failure to pay costs will be considered a violation of the probation order.

1133
1134 In the Board's discretion, a previous psychological evaluation of respondent by a Board-
1135 approved psychologist as part of a Board investigation may fulfill this condition.

1136
1137 **Option of Evaluation as a Condition Precedent:**

1138
1139 In some cases, including but not limited to gross negligence or dishonest, corrupt, or
1140 fraudulent acts, the psychological evaluation may be imposed as either a condition
1141 precedent to the continued practice of psychology, or to the issuance or reinstatement of a
1142 license, so that respondent or petitioner is not allowed to begin or continue practice until
1143 found to be safe to do so. In such cases, the following language shall be used as the first
1144 sentence of the first paragraph of this condition:

1145
1146 As a condition precedent to the [continued practice of psychology][issuance of a license]
1147 [reinstatement of a license], within ninety (90) days of the effective date of this Decision,
1148 and on a periodic basis thereafter as may be required by the Board ~~or its designee,~~
1149 respondent shall undergo a psychological evaluation (and psychological testing, if deemed

necessary) by a Board-approved California-licensed psychologist. The term of probation shall be extended by the period of time during which respondent is not allowed to practice.

In addition, the following language shall also be used as the first sentence of the second paragraph of this condition:

If the Board concludes from the results of the evaluation that [respondent][petitioner] is unable to practice independently and safely, upon written notice from the Board [respondent shall, in accordance with professional standards, appropriately refer/terminate existing clients within thirty (30) days and shall not resume practice until a Board-approved evaluator determines that respondent is safe to practice][respondent or petitioner shall not be issued or have a reinstated license until a Board-approved evaluator determines that respondent or petitioner is safe to practice].

15 14. Notification to Employer

When currently employed, applying for employment or negotiating a contract, or contracted to provide psychological services, respondent shall provide to each employers, supervisor, or contractor, or prospective employer or contractor where respondent is providing or would provide psychological services, a copy of ~~this Decision and the Accusation or Statement of Issues~~ before accepting or continuing employment. Notification to ~~the~~ respondent's current employer shall occur no later than the effective date of the Decision. Respondent shall submit, upon request by the Board ~~or its designee~~, satisfactory evidence of compliance with this ~~term~~condition of probation.

~~The R~~espondent shall provide to the Board the names, physical addresses, mailing addresses, email addresses, and telephone numbers of all employers and supervisors, or contractors, and shall inform the Board in writing of the facility or facilities at which the person is providing psychological services, and the name(s) of the person(s) to whom the Board's ~~d~~Decision was provided. Respondent shall not interfere with the Board's authority to communicate with their employer, supervisor, or where contracted to provide psychological services.

If respondent offers psychological services through court appointment, respondent must provide a copy of the Decision to the Court.

~~Respondent shall complete the required consent forms and sign an agreement with the employer and supervisor, or contractor, and the Board to allow the Board to communicate with the employer and supervisor, or contractor.~~

1615. Coursework

Respondent shall take and successfully complete not less than _____ hours each year of probation in the following area(s) _____ and/or as approved by the Board. Coursework ~~must~~shall be pre-approved by the Board and be taken from a continuing

1196 education provider approved by American Psychological Association (APA), California
1197 Psychological Association (CPA), California Medical Association (CMA), Accreditation
1198 Council for Continuing Medical Education (ACCME), or Association of Black
1199 Psychologists (ABPsi) or its designee. Coursework shall be taken in real time, with live
1200 interaction with the course instructor. On-demand, recorded courses, or home study
1201 coursework will not count toward meeting this requirement. All coursework shall be taken
1202 at the graduate level at an accredited educational institution, or by an approved continuing
1203 education provider. Classroom attendance correspondence or home study coursework shall
1204 not count toward meeting this requirement. The coursework must be in addition to any
1205 continuing education courses that may be required for license renewal. Respondent shall
1206 provide proof of completion of the required coursework to the Board.

1207
1208 ~~Within ninety (90) days of the effective date of this Decision, respondent shall submit to the~~
1209 ~~Board or its designee for its prior approval a plan for meeting the educational requirements.~~
1210 ~~All costs of the coursework shall be paid by the respondent.~~

1211

1212 **1716. Law and Ethics Course**

1213

1214 Respondent shall take and successfully complete a course in law and ethics of not less than
1215 six (6) hours, within the first year from the effective date of the Decision. Coursework shall
1216 be pre-approved by the Board and be taken from a continuing education provider approved
1217 by American Psychological Association (APA), California Psychological Association
1218 (CPA), California Medical Association (CMA), Accreditation Council for Continuing
1219 Medical Education (ACCME), or Association of Black Psychologists (ABPsi). Coursework
1220 shall be taken in real time, with live interaction with the course instructor. On-demand,
1221 recorded courses, or home study coursework will not count toward meeting this
1222 requirement. The coursework must be in addition to any continuing education courses that
1223 may be required for license renewal. Respondent shall provide proof of completion of the
1224 required coursework to the Board. The cost associated with the law and ethics course shall
1225 be paid by respondent.

1226

1227 ~~Within ninety (90) days of the effective date of this Decision, shall submit to the Board or~~
1228 ~~its designee for prior approval a course in laws and ethics as they relate to the practice of~~
1229 ~~psychology. Said course must be successfully completed at an accredited educational~~
1230 ~~institution or through a provider approved by the Board's accreditation agency for~~
1231 ~~continuing education credit. Said course must be taken and completed within one year from~~
1232 ~~the effective date of this Decision. This course must be in addition to any continuing~~
1233 ~~education courses that may be required for license renewal. The cost associated with the law~~
1234 ~~and ethics course shall be paid by the respondent.~~

1235

1236 **1817. Investigation/Enforcement Cost Recovery**

1237

1238 Respondent shall pay to the Board its costs of investigation and enforcement in the amount
1239 of \$ _____ within the first year of ~~probation~~ from the effective date of the Decision
1240 unless an alternative payment plan is approved by the Board. Such costs shall be payable to

1241 the Board of Psychology and are to be paid regardless of whether the probation is tolled.
1242 ~~Failure to pay such costs shall be considered a violation of probation.~~

1243
1244 ~~Any and all requests for a payment plan shall be submitted in writing by respondent to the~~
1245 ~~Board. However, f~~Full payment of any and all costs required by this condition must be
1246 received by the Board no later than six (6) months prior to the scheduled termination of
1247 probation.

1248
1249 The filing of bankruptcy by respondent shall not relieve respondent of the responsibility to
1250 repay investigation and enforcement costs.

1251
1252 **1918. Probation Costs**

1253
1254 Respondent shall pay the costs associated with probation monitoring each and every year of
1255 probation as designated by the Board, which may be adjusted on an annual basis. Such costs
1256 shall be payable to the Board of Psychology at the end of each fiscal year (June 30). ~~Failure~~
1257 ~~to pay such costs shall be considered a violation of probation.~~

1258
1259 The filing of bankruptcy by respondent shall not relieve respondent of the responsibility to
1260 repay probation monitoring costs.

1261
1262 **2019. Obey All Laws**

1263
1264 Respondent shall obey all federal, state, and local laws and all regulations governing the
1265 practice of psychology in California including the eEthical Principles of Psychologists and
1266 Code of Conduct ~~guidelines~~ of the American Psychological Association. A full and detailed
1267 account of any and all violations of law shall be reported by ~~the~~ respondent to the Board ~~or~~
1268 ~~its designee~~ in writing within seventy-two (72) hours of occurrence.

1269
1270 CRIMINAL COURT ORDERS: If respondent is under criminal court orders by any
1271 governmental agency, including probation or parole, and the orders are violated, this shall
1272 be deemed a violation of probation and may result in the filing of an aAccusation or
1273 pPetition to rRevoke pProbation or both.

1274
1275 OTHER BOARD OR REGULATORY AGENCY ORDERS: If respondent is subject to any
1276 other disciplinary order from any other health-care related board or any professional
1277 licensing or certification regulatory agency in California or elsewhere, and violates any of
1278 the orders or terms and conditions imposed by other agencies, this shall be deemed a
1279 violation of probation and may result in the filing of an aAccusation or pPetition to rRevoke
1280 pProbation or both.

1281
1282 **2120. Quarterly Reports**

1283
1284 Respondent shall submit quarterly declarations under penalty of perjury on forms provided
1285 by the Board ~~or its designee, stating whether there has been compliance with all the~~

1286 ~~conditions of probation.~~ Quarterly reports attesting to non-practice status are to be submitted
1287 if probation is tolled.

1288
1289 Respondent shall submit a quarterly report no later than seven (7) calendar days ~~from~~after
1290 ~~the beginning of the assigned quarter ends.~~

1291
1292 **2221. Probation Compliance**

1293
1294 Respondent shall comply with the Board’s probation program and shall, upon reasonable
1295 notice, report to the assigned Board of Psychology probation monitor. Respondent shall
1296 contact the assigned probation monitor regarding any questions specific to the ~~probation~~
1297 ~~order~~Decision. As it relates to the Decision, Respondent shall not have any unsolicited or
1298 unapproved contact with (1) complainants associated with the case; (2) Board members ~~or~~
1299 ~~members of its staff;~~ or (3) persons serving the Board as expert evaluators.

1300
1301 **2322. Interview with Board or Its Designee**

1302
1303 Respondent shall appear in person for interviews and/or meetings as directed by ~~with~~ the
1304 Board ~~or its designee~~ upon request at various intervals and with reasonable notice.

1305
1306 **2423. Changes of Employment/Address**

1307
1308 Respondent shall, at all times, keep the Board informed of respondent’s business and
1309 residence addresses. Respondent shall notify the Board in writing, through the assigned
1310 probation monitor, of any and all changes of employment, location, and address within
1311 ~~thirty (30)~~ ten (10) days of such change.

1312
1313 **2524. Tolling for Out-of-State Practice, Residence or Extension of Probation for In-State**
1314 **Non-Practice**~~Tolling for Non-Practice and Out-of-State Practice~~

1315
1316 Respondent shall notify the Board in writing within ten (10) days of any periods of non-
1317 practice lasting more than thirty (30) days and within ten (10) days of respondent’s return to
1318 practice.

1319
1320 Non-practice is any period that respondent is not rendering those psychological services
1321 identified in section 2903 of the Code for at least forty (40) hours in a calendar month in the
1322 State of California.

1323
1324 If respondent resides in California and is in non-practice, respondent shall comply with all
1325 of the terms and conditions of probation.

1326
1327 Periods of non-practice for a respondent residing outside of California will relieve
1328 respondent of the responsibility to comply with the probationary terms and conditions, with
1329 the exception of this condition and the following terms and conditions:

- 1330
1331
 - Restitution,

- 1332 ● Abstain from Drugs and Alcohol, and Submit to Tests and Samples,
- 1333 ● Cost Recovery,
- 1334 ● Probation Costs,
- 1335 ● Obey all Laws,
- 1336 ● Quarterly Reports,
- 1337 ● Probation Compliance,
- 1338 ● Changes of Employment/Address,
- 1339 ● Violation of Probation,
- 1340 ● License Surrender

1341
1342 Periods of non-practice will not apply to reduction of the probationary term.

1343
1344 A Board-ordered suspension of practice shall not be considered a period of non-practice.

1345
1346 Respondent's cumulative, total time of non-practice while on probation shall not exceed two
1347 (2) years. Absent a showing of good cause to the Board, a cumulative period of non-practice
1348 exceeding two (2) years constitutes a violation of probation and subjects respondent's
1349 license to revocation.

1350
1351 ~~In the event respondent should leave California to reside or to practice outside the State for~~
1352 ~~any reason, respondent shall notify the Board or its designee in writing within ten (10) days~~
1353 ~~of the dates of departure and return to California. All provisions of probation other than the~~
1354 ~~quarterly report requirements, restitution, cost recovery, and coursework requirements, shall~~
1355 ~~be held in abeyance until respondent resumes practice in California. All provisions of~~
1356 ~~probation shall recommence on the effective date of resumption of practice in California,~~
1357 ~~and the term of probation shall be extended for the period of time respondent was out of~~
1358 ~~state.~~

1359
1360 ~~Unless by Board order, in the event respondent is not engaging in the practice of psychology~~
1361 ~~while residing in California, respondent shall notify the Board or its designee in writing~~
1362 ~~within ten (10) days of the dates of cessation of practice and expected return to practice.~~
1363 ~~Non-practice is defined as any period of time exceeding thirty (30) days in which~~
1364 ~~respondent is not engaging in any activities defined in Sections 2902 and 2903 of the~~
1365 ~~Business and Professions Code. All provisions of probation shall remain in effect, and the~~
1366 ~~term of probation shall be extended for the period of time respondent was not engaged in the~~
1367 ~~practice of psychology as required by other employment requirements of this order.~~

1368
1369 **26. Tolling for Ceased Practice**

1370
1371 The term of probation shall be extended by any period of time during which respondent is
1372 ordered to cease practice. Respondent's cumulative, total time of ceased practice while on
1373 probation shall not exceed two (2) years. A cumulative period of ceased practice exceeding
1374 two (2) years constitutes a violation of probation and subjects respondent's license to
1375 revocation.

1376
1377 **2725. Employment and Supervision of Trainees**

1378
1379 If respondent is licensed as a psychologist, he/she/undersigned shall not employ or supervise
1380 or apply to employ or supervise psychological assistants, interns, or trainees. Any such
1381 supervisorial relationship in existence on the effective date of this Decision and Order shall
1382 be terminated by respondent and/or the Board.
1383

1384 **2826. Instruction of Coursework Qualifying for Continuing Education**

1385
1386 Respondent shall not be an instructor of any coursework for continuing education credit
1387 required by any license issued by the Board.
1388

1389 **2927. Future Registration or Licensure**

1390
1391 If respondent is registered as a psychological assistant or registered psychologist and
1392 subsequently obtains other psychological assistant or registered psychologist registrations or
1393 becomes licensed as a psychologist during the course of this probationary order, These
1394 Decision shall remain in full force and effect through any registration or license issued by
1395 the Board until the probationary period is successfully ~~terminated~~completed. Future
1396 registrations or licensure shall not be approved, ~~however~~, unless respondent is currently in
1397 compliance with all of the terms and conditions of probation.
1398

1399 **28. Request for Modification**

1400
1401 ~~“Request” as used in this condition is a request made to the Board’s designee, and not under~~
1402 ~~the Administrative Procedure Act.~~
1403

1404 The licensee shall demonstrate that he or she has met the following criteria before being
1405 granted a request to modify a practice restriction ordered by the Board staff pursuant to the
1406 Uniform Standards:
1407

- 1408 a. ~~Demonstrated sustained compliance with current recovery program.~~
- 1409 b. ~~Demonstrated the ability to practice safely as evidenced by current work site reports,~~
1410 ~~evaluations, and any other information relating to the licensee’s substance abuse.~~
- 1411 c. ~~Negative alcohol and drug screening reports for at least six (6) months, two (2)~~
1412 ~~positive worksite monitor reports, and complete compliance with other terms and~~
1413 ~~conditions of the program.~~

1414
1415 **RATIONALE and APPLICATION OF UNIFORM STANDARD #11: This term is a**
1416 **standard term for all substance abusing licensees. It applies to request for a**
1417 **notification of terms and conditions that are within the purview of the Board’s**
1418 **Probation Monitor.**
1419

1420 **3029. Violation of Probation**

1421
1422 If respondent violates probation in any respect, the Board may, after giving respondent
1423 notice and the opportunity to be heard, revoke probation and carry out the disciplinary order

1424 that was stayed. If an Accusation or Petition to Revoke Probation is filed against respondent
1425 during probation, the Board shall have continuing jurisdiction until the matter is final, and
1426 the term of probation shall be extended until the matter is final. No ~~P~~petition for
1427 ~~M~~modification or ~~T~~termination of ~~P~~probation shall be considered while there is an
1428 Accusation or Petition to Revoke Probation pending against respondent.
1429

1430 **3130. Completion of Probation**

1431
1432 Upon successful completion of probation, respondent's license shall be fully restored.
1433

1434 **3231. License Surrender**

1435
1436 Following the effective date of this Decision, if respondent ceases practicing due to
1437 retirement, health reasons or is otherwise unable to satisfy the terms and conditions of
1438 probation, respondent may request the voluntary surrender of ~~his or her~~their license ~~or~~
1439 ~~registration~~. The Board of Psychology ~~or its designee~~ reserves the right to evaluate
1440 respondent's request and to exercise its discretion whether or not to grant the request, or to
1441 take any other action deemed appropriate and reasonable under the circumstances. Upon
1442 formal acceptance of the surrender, respondent shall, within fifteen (15) calendar days,
1443 deliver respondent's pocket and/or wall certificate to the Board ~~or its designee~~ and
1444 respondent shall no longer practice psychology. Respondent will no longer be subject to the
1445 terms and conditions of probation and the surrender of respondent's license shall be deemed
1446 disciplinary action. If respondent reapplies for a psychology license ~~or registration~~, the
1447 application shall be treated as a petition for reinstatement of a revoked license ~~or~~
1448 ~~registration~~.
1449
1450

1451 **C. STANDARD TERMS AND CONDITIONS FOR REVOCATIONS OR**
1452 **STIPULATIONS FOR SURRENDER**

1453 (To be included in ~~ALL~~all Revocations or Stipulations for Surrender or Revocation)
1454

1455 **3332. Reinstatement and Investigation/Enforcement Cost Recovery**

1456
1457 Respondent may not petition for reinstatement of a revoked or surrendered
1458 license/~~registration~~ for three (3) years from the effective date of this Decision. If the Board
1459 grants future reinstatement, respondent agrees to reimburse the Board for its costs of
1460 investigation and enforcement of this matter in the amount of \$_____ payable to the
1461 Board upon the effective date of such reinstatement Decision.
1462

1463 **3433. Relinquish License**

1464
1465 Respondent shall ~~deliver respondent's pocket and/or wall certificate~~ relinquish his/her wall
1466 and pocket certificate of licensure or registration to the Board ~~or its designee~~ once this
1467 Decision becomes effective ~~and upon request~~.
1468
1469

1470 **IV. PROPOSED DECISIONS**

1471

1472 **A. Contents: ~~The Board requests that Proposed Decisions include the following:~~**

1473 **Proposed Decisions must include the following:**

- 1474 a. Specific code section(s) violated ~~with the definition of the code(s)~~ in the Determination
- 1475 of Issues.
- 1476 b. Clear description of the acts or omissions which caused the violation.
- 1477 c. Respondent’s explanation of the violation(s) in the Findings of Fact if ~~he/she~~respondent
- 1478 was present at the hearing.
- 1479 d. Description of all evidence of mitigation, rehabilitation and aggravation presented at the
- 1480 hearing.
- 1481 e. Explanation of any deviation from the Board’s Disciplinary Guidelines.

1482

1483 When a probation order is imposed, ~~the Board requests that the Decision order first~~ must list any
1484 combination of the Optional Terms and Conditions (1-13) as they may pertain to the particular
1485 case followed by all of the Standard Terms and Conditions (14-342).

1486

1487 ~~If the respondent fails to appear for his/her scheduled hearing or does not submit a Notice of~~
1488 ~~Defense form, **such inaction shall result in a default decision to revoke licensure or deny**~~
1489 ~~**application.**~~

1490

1491 **B. ~~Recommended Language for Issuance and Placement of a License on Probation, and~~**
1492 **Reinstatement of License Model Disciplinary Orders**

1493

1494 1. ~~Disciplining~~ Placement of a License on Probation/Registration:

1495

1496 “IT IS HEREBY ORDERED that the ~~{registration}~~{license} issued to respondent is
1497 REVOKED. However, the order of revocation is STAYED and the ~~{registration}~~{license} is
1498 placed on probation for [#] years subject to the following terms and conditions”:

1499

1500 2. ~~Applicant Placed on Probation~~ Issuance and Placement of a License on Probation:

1501

1502 “IT IS HEREBY ORDERED that the application for ~~{licensure}~~{registration} is GRANTED,
1503 and upon successful completion of all ~~{licensing}~~{registration} requirements a
1504 {license}{registration} shall be issued, provided that all ~~{licensing}~~{registration} requirements
1505 are completed within two (2) years of the effective date of this ~~d~~Decision. If a
1506 {license}{registration} is not issued within two (2) years of the effective date of this
1507 ~~d~~Decision, the application is ordered denied, and a new application will be required. Upon
1508 issuance, ~~however~~, said {license}{registration} shall immediately be REVOKED. However,
1509 the order of revocation shall be STAYED, and the {license}{registration} is placed on
1510 probation for [#] years subject to the following terms and conditions”:

1511

1512 3. Reinstatement of a License:

1513

1514 “The petition of [name], [Ph-D:][PsyD:][EdD], for reinstatement of licensure is hereby
1515 GRANTED. Psychologist license number [#] shall be reinstated provided that all licensing

1516 requirements are completed within two (2) years of the effective date of this ~~d~~Decision. If the
1517 license is not reinstated within two (2) years of the effective date of this ~~d~~Decision, the
1518 petition is ordered denied, and a new petition for reinstatement will be required. Upon
1519 reinstatement, ~~however~~, the license shall be immediately revoked. However, the order of
1520 revocation shall be ~~STAYED~~stayed, and petitioner's license shall be placed on probation for
1521 a period of [#] years subject to the following terms and ~~following~~ conditions:"

1522
1523 **V. REHABILITATION CRITERIA FOR REINSTATEMENT/PENALTYDISCIPLINE**
1524 **RELIEF HEARINGS**

1525
1526 The primary concerns of the Board at reinstatement or penaltydiscipline relief hearings are (1)
1527 the Rehabilitation Criteria for Denials and Reinstatements in ~~California Code of Regulations,~~
1528 ~~Title 16 CCR, section 1395;~~ and (2) the evidence presented by the petitioner of his/her/their
1529 rehabilitation. The Board will not retry the original ~~revocation or probation case~~disciplinary
1530 action.

1531
1532 The Board will consider, pursuant to ~~S~~section 1395, the following criteria of rehabilitation:

- 1533
- 1534 (1) The nature and severity of the act(s) or crime(s) that were the basis of the Decision
1535 ~~under consideration as grounds for denial~~.
 - 1536 (2) Evidence of any act(s) committed subsequent to the act(s) or crime(s) that were the basis
1537 ~~of the Decision under consideration as grounds for denial which~~ that also could be
1538 considered as grounds for denial of an application under section 480 of the Code.
 - 1539 (3) The time that has elapsed since commission of the act(s) or ~~crime(s)~~ referred to in
1540 subdivision (1) or (2).
 - 1541 (4) The extent to which the ~~applicant~~petitioner has complied with any terms of parole,
1542 probation, restitution, or any other sanctions lawfully imposed against the
1543 ~~applicant~~petitioner.
 - 1544 (5) Evidence, if any, of rehabilitation submitted by the ~~applicant~~petitioner.
- 1545

1546 The Board requests that comprehensive information be elicited from the petitioner regarding
1547 his/her/their rehabilitation. The petitioner should provide details that include:

- 1548 A. Why the penaltydiscipline should be modified or why the license should be reinstated.
 - 1549 B. Specifics of rehabilitative efforts and results which should include programs,
1550 psychotherapy, medical treatment, etc., and the duration of such efforts.
 - 1551 C. Continuing education pertaining to the offense and its effect on ~~his or her~~their practice
1552 of psychology.
 - 1553 D. If applicable, copies of court documents pertinent to conviction, including documents
1554 specifying conviction and sanctions, and proof of completion of sanctions.
 - 1555 E. If applicable, copy of Certificate of Rehabilitation or evidence of expungement
1556 proceedings.
 - 1557 F. If applicable, evidence of compliance with and completion of terms of probation, parole,
1558 restitution, or any other sanctions.
- 1559

1560 Rehabilitation is evaluated according to an internal subjective measure of attitude (state of mind)
1561 and an external objective measure of conduct (state of facts). The state of mind demonstrating

1562 rehabilitation is one that has a mature, measured appreciation of the gravity of the misconduct
1563 and remorse for the harm caused. Petitioner must take responsibility for the misconduct and
1564 show an appreciation for why it is wrong. Petitioner must also show a demonstrated course of
1565 conduct that convinces and assures the Board that the public would be safe if petitioner is
1566 permitted to be licensed to practice psychology. Petitioner must show a track record of reliable,
1567 responsible, and consistently appropriate conduct.

1568
1569 In the ~~Petition~~ Decision, the Board requests a summary of the offense and the specific codes
1570 violated that resulted in the Decision ~~revocation, surrender or probation of the license.~~

1571
1572 ~~If the Board should deny a request for reinstatement of licensure or penalty relief, the Board~~
1573 ~~requests that the Administrative Law Judge provide technical assistance in the formulation of~~
1574 ~~language clearly setting forth the reasons for denial. Such language would include methodologies~~
1575 ~~or approaches that demonstrate rehabilitation. Petitioners for reinstatement must wait three (3)~~
1576 ~~years from the effective date of their revocation decisions or one (1) year from the last petition~~
1577 ~~for reinstatement decisions before filing for reinstatement.~~

1578
1579 If a petitioner fails to appear for ~~his/her~~ their scheduled ~~reinstatement or penalty relief~~ hearing,
1580 such inaction shall result in a ~~d~~Default ~~d~~Decision to deny the petition ~~reinstatement of the license~~
1581 ~~or registration or reduction of penalty.~~

1582 **VI. UNIFORM STANDARDS RELATED TO SUBSTANCE ABUSING LICENSEES**

1583
1584
1585 The following Uniform Standards describe the conditions that apply to a substance-abusing
1586 applicant or licensee, and have been incorporated into the terms and conditions of probation. If
1587 the ground(s) for discipline involves drugs and/or alcohol, the applicant or licensee shall be
1588 presumed to be a substance-abusing applicant or licensee for purposes of section 315 of the
1589 Code. If the applicant or licensee does not rebut that presumption, there shall be a finding that he
1590 or she is a substance-abusing applicant or licensee, and the Uniform Standards for a substance
1591 abusing applicant or licensee shall apply as written and be used in the order placing the license
1592 on probation.

1593 **Clinical Diagnostic Evaluations [Uniform Standard #1]:** 1594 (Reflected in Optional Term # 98)

1595
1596
1597 Whenever a licensee is ordered to undergo a clinical diagnostic evaluation, the evaluator shall be
1598 a licensed practitioner who holds a valid, unrestricted license to conduct clinical diagnostic
1599 evaluations, and has three (3) years experience in providing evaluations of health care
1600 professionals with substance abuse disorders. The evaluator shall be approved by the Board, and
1601 unless permitted by the Board or its designee, shall be a California-licensed psychologist or
1602 physician and surgeon. The evaluations shall be conducted in accordance with acceptable
1603 professional standards for conducting substance abuse clinical diagnostic evaluations.

1604
1605 **Whether the clinical diagnostic evaluation is ordered is discretionary.**

1606 **Clinical Diagnostic Evaluation Report [Uniform Standard #1]:** 1607

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Clinical Diagnostic Evaluation/Cease Practice Order [Uniform Standard #2]:

(Reflected in Optional Term # 98)

Unless the presumption that the applicant or licensee is a substance-abusing applicant or licensee is rebutted, and the public can be adequately protected, the Board shall order the applicant or licensee to cease any practice of psychology pending the clinical diagnostic evaluation and a Board determination upon review of the diagnostic evaluation report that the applicant is safe to begin or the licensee is safe to return to practice.

If the evaluation is ordered, a cease practice order is mandatory.

Clinical Diagnostic Evaluation Report [Uniform Standard #3]:

(Reflected in Optional Term # 98)

The clinical diagnostic evaluation report shall set forth, in the evaluator’s opinion, whether the licensee has a substance abuse problem, whether the licensee is a threat to himself or herself or others, and recommendations for substance abuse treatment, practice restrictions, or other recommendations related to the licensee’s rehabilitation and safe practice.

The evaluator shall not have or have ever had a financial, personal, business or other relationship with the licensee. The evaluator shall provide an objective, unbiased, and independent evaluation.

If the evaluator determines during the evaluation process that a licensee is a threat to himself or herself or others, the evaluator shall notify the Board within twenty-four (24) hours of such a determination.

For all evaluations, a final written report shall be provided to the Board no later than ten (10) days from the date the evaluator is assigned the matter unless the evaluator requests additional information to complete the evaluation, not to exceed thirty (30) days.

The Board shall review the clinical diagnostic evaluation to help determine whether or not the licensee is safe to return to either part-time or full-time practice and what restrictions or recommendations should be imposed on the licensee based on the application of the following criteria:

- License type, licensee’s history, documented length of sobriety, scope and pattern of substance abuse, treatment history, medical history, current medical condition, nature, duration and severity of substance abuse problem, and whether the licensee is a threat to himself or herself or others.

When determining if the licensee should be required to participate in inpatient, outpatient or any other type of treatment, the Board shall take into consideration the recommendation of the clinical diagnostic evaluation, license type, licensee’s history, length of sobriety, scope and

1654 pattern of substance abuse, treatment history, medical history, current medical condition, nature,
1655 duration and severity of substance abuse and whether the licensee is a threat to himself or herself
1656 or others.

1657
1658 **If the evaluation is ordered, this standard is mandatory.**

1659
1660 **Communication with Employer [Uniform Standard # 43]:**
1661 (Reflected in Standard Term # 4415)

1662
1663 If the licensee whose license is on probation has an employer, the licensee shall provide to the
1664 Board the names, physical addresses, mailing addresses, and telephone numbers of all employers
1665 and supervisors and shall give specific, written consent that the licensee authorizes the Board and
1666 the employers and supervisors to communicate regarding the licensee's work status,
1667 performance, and monitoring.

1668
1669 **Facilitated Group Support Meetings [Uniform Standard #5]:**
1670 (Reflected in Optional Term # 104)

1671
1672 If the Board requires a licensee to participate in facilitated group support meetings, the following
1673 shall apply:

1674
1675 1. When determining the frequency of required group meeting attendance, the Board shall
1676 give consideration to the following:

- 1677
- 1678 • the licensee's history;
 - 1679 • the documented length of sobriety/time that has elapsed since substance use;
 - 1680 • the recommendation of the clinical evaluator;
 - 1681 • the scope and pattern of use;
 - 1682 • the licensee's treatment history; and,
 - 1683 • the nature, duration, and severity of substance abuse.

1684
1685 2. Group Meeting Facilitator Qualifications and Requirements:

- 1686
- 1687 a. The meeting facilitator must have a minimum of three (3) years' of experience in the
1688 treatment and rehabilitation of substance abuse, and shall be licensed or certified by
1689 the State or other nationally certified organizations.
 - 1690 b. The meeting facilitator must not have had a financial relationship, personal
1691 relationship, or business relationship with the licensee within the last five (5) years.
 - 1692 c. The meeting facilitator shall provide to the Board a signed document showing the
1693 licensee's name, the group name, the date and location of the meeting, the licensee's
1694 attendance, and the licensee's level of participation and progress.
 - 1695 d. The meeting facilitator shall report any unexcused absence within twenty-four (24)
1696 hours.
- 1697

1698 **Whether facilitated support group meetings are ordered is discretionary.** (Under the
1699 Disciplinary Guidelines, non-facilitated support group attendance, such as Twelve Step
1700 meetings, may also be ordered.)

1701
1702 **Treatment Program – Inpatient, Outpatient, or Other [Uniform Standard #6]**
1703 (Reflected in Optional Term #10)

1704
1705 In determining whether inpatient, outpatient, or other type of treatment is necessary, the board
1706 shall consider the following criteria:

- 1707 • recommendation of the clinical diagnostic evaluation (if any) pursuant to Uniform
1708 Standard #1;
- 1709 • license type;
- 1710 • licensee’s history;
- 1711 • documented length of sobriety/time that has elapsed since substance abuse;
- 1712 • scope and pattern of substance use;
- 1713 • licensee’s treatment history;
- 1714 • licensee’s medical history and current medical condition;
- 1715 • nature, duration, and severity of substance abuse, and
- 1716 • threat to himself/herself or the public.

1717
1718 **Whether a treatment program is ordered is discretionary.**

1719
1720 **Worksite Monitor Requirements [Uniform Standard # 7]:**
1721 (Reflected in Optional Term # 43)

1722
1723 If the Board determines that a worksite monitor is necessary for a particular licensee, the
1724 worksite monitor must meet the following requirements to be considered for approval by the
1725 Board:

1726
1727 The worksite monitor shall not have a current or former financial, personal, or familial
1728 relationship with the licensee, or other relationship that could reasonably be expected to
1729 compromise the ability of the monitor to render impartial and unbiased reports to the Board.
1730 If it is impractical for anyone but the licensee’s employer to serve as the worksite monitor,
1731 this requirement may be waived by the Board; however, under no circumstances shall a
1732 licensee’s worksite monitor be an employee or supervisee of the licensee.

1733
1734 The worksite monitor’s license scope of practice shall include the scope of practice of the
1735 licensee who is being monitored or be another health care professional if no monitor with
1736 like scope of practice is available, or, as approved by the Board, be a person in a position of
1737 authority who is capable of monitoring the licensee at work.

1738
1739 If the worksite monitor is a licensed healthcare professional he or she shall have an active
1740 unrestricted license, with no disciplinary action within the last five (5) years.

1741

1742 The worksite monitor shall sign an affirmation that he or she has reviewed the terms and
1743 conditions of the licensee's disciplinary order and agrees to monitor the licensee as set forth by
1744 the Board.

1745
1746 The worksite monitor must adhere to the following required methods of monitoring the licensee:
1747

- 1748 (1) Have face-to-face contact with the licensee in the work environment on as frequent a
1749 basis as determined by the Board, but at least once per week.
- 1750 (2) Interview other staff in the office regarding the licensee's behavior, if applicable.
- 1751 (3) Review the licensee's work attendance and behavior.

1752
1753 Reporting by the worksite monitor to the Board shall be as follows:
1754

1755 Any suspected substance abuse must be orally reported to the Board and the licensee's
1756 employer within one (1) business day of occurrence. If occurrence is not during the Board's
1757 normal business hours the oral report must be within one (1) hour of the next business day. A
1758 written report shall be submitted to the Board within forty-eight (48) hours of occurrence.
1759

1760 The worksite monitor shall complete and submit a written report monthly or as directed by
1761 the Board. The report shall include: the licensee's name; license number; worksite monitor's
1762 name and signature; worksite monitor's license number; worksite location(s); dates licensee
1763 had face-to-face contact with monitor; worksite staff interviewed, if applicable; attendance
1764 report; any change in behavior and/or personal habits; any indicators that can lead to
1765 suspected substance abuse.
1766

1767 The licensee shall complete the required consent forms and sign an agreement with the worksite
1768 monitor and the Board to allow the Board to communicate with the worksite monitor.
1769

1770 **Whether a worksite monitor is ordered is discretionary.**
1771

1772 **Major and Minor Violations [Uniform Standard # 8]:**

1773 (Reflected in Optional Term #s ~~10~~, 11, ~~13~~)
1774

1775 If a licensee commits a major violation, the Board may order the licensee to cease any practice of
1776 psychology, inform the licensee that he or she has been so ordered and that he or she may not
1777 practice unless notified by the Board, and refer the matter for disciplinary action or other action
1778 as determined by the Board.
1779

1780 Major Violations include, but are not limited to, the following:
1781

- 1782 1. Failure to complete a board-ordered program;
- 1783 2. Failure to undergo a required clinical diagnostic evaluation;
- 1784 3. Committing multiple minor violations of probation conditions and terms;
- 1785 4. Treating a patient while under the influence of drugs or alcohol;
- 1786 5. Committing any drug or alcohol offense that is a violation of the Business and
1787 Professions Code, or other state or federal law;

- 1788 6. Failure to obtain biological testing for substance abuse when ordered;
1789 7. Testing positive for a banned substance;
1790 8. Knowingly using, making, altering or possessing any object or product in such a way as
1791 to defraud a drug test designed to detect the presence of alcohol or a controlled substance.
1792

1793 If a licensee or registrant commits a major violation, the Board shall automatically suspend the
1794 license or registration and refer the matter for disciplinary action or other action as determined
1795 by the Board.

1796
1797 The consequences for a major violation include, but are not limited to, the following:
1798

- 1799 1. License or registration shall be suspended
1800 2. Licensee or registrant must undergo a new clinical diagnostic evaluation;
1801 3. Licensee or registrant must test negative for at least one month of continuous drug testing
1802 before being allowed to resume practice;
1803 4. Contract or agreement previously made with the Board shall be terminated; and
1804 5. Licensee or registrant shall be referred for disciplinary action, such as suspension,
1805 revocation, or other action determined appropriate by the Board.
1806

1807 If a licensee commits a minor violation, the Board shall determine what action is appropriate.
1808

1809 Minor Violations include, but are not limited to, the following:
1810

- 1811 1. Failure to submit required documentation in a timely manner;
1812 2. Unexcused absence from required meetings;
1813 3. Failure to contact a monitor as required;
1814 4. Any other violations that do not present an immediate threat to the licensee or to the
1815 public.
1816

1817 If a licensee or registrant commits a minor violation, the Board shall determine what action is
1818 appropriate.
1819

1820 The consequences for a minor violation include, but are not limited to, the following:
1821

- 1822 1. Removal from practice;
1823 2. Practice limitations;
1824 3. Required supervision;
1825 4. Increased documentation;
1826 5. Issuance of citation and fine or a warning notice;
1827 6. Required re-evaluation and/or testing.
1828

1829 **DRUG TESTING STANDARDS [Uniform Standard # 9]:**

1830 (Reflected in Optional Term #~~12~~11)
1831

1832 If a licensee tests positive for a banned substance, the Board shall order that the licensee cease
1833 any practice of psychology, and contact the licensee to inform him or her that he or she has been

1834 ordered to cease practice and that he or she may not practice until the Board determines that he
1835 or she is able to safely practice. The Board shall also notify the licensee's employer and worksite
1836 monitor, if any, that the licensee has been ordered to cease practice, and that he or she may not
1837 practice until the Board determines that he or she is able to safely practice. The Board shall
1838 determine whether the positive alcohol or drug test is, in fact, evidence of prohibited use, a major
1839 violation. If not, the Board shall immediately lift the cease practice order.

1840
1841 Nothing precludes the Board from increasing the number of random tests for any reason. If the
1842 Board finds or has suspicion that a licensee has committed a violation of the Board's testing
1843 program or who has committed any Major Violation referenced in the Disciplinary Guidelines,
1844 the matter shall be referred for disciplinary action to revoke the probation.

1845
1846 The following minimum drug testing standards shall apply to each licensee subject to drug
1847 testing:

- 1848
- 1849 1. Licensees shall be randomly alcohol or drug tested at least fifty-two (52) times per year
1850 for the first year of probation, and at any time as directed by the Board. After the first
1851 year, licensees who are practicing, shall be randomly alcohol or drug tested at least thirty-
1852 six (36) times per year, and at any time as directed by the Board.
 - 1853 2. Alcohol or drug testing may be required on any day, including weekends and holidays.
 - 1854 3. Licensees shall be required to make daily contact as directed to determine if alcohol or
1855 drug testing is required.
 - 1856 4. Licensees shall be alcohol or drug tested on the date of notification as directed by the
1857 Board.
 - 1858 5. Collection of specimens shall be observed.
 - 1859 6. Prior to vacation or absence, alternative alcohol or drug testing location(s) must be
1860 approved by the Board.

1861
1862 The Board may reduce testing frequency to a minimum of 12 times per year for any licensee who
1863 is not practicing OR working in any health care field. If a reduced testing frequency schedule is
1864 established for this reason, and if a licensee wants to return to practice or work in a health care
1865 field, the licensee shall notify and secure the approval of the licensee's board. Prior to returning
1866 to any health care employment, the licensee shall be subject to level I testing frequency for at
1867 least 60 days. At such time the licensee returns to employment (in a health care field), if the
1868 licensee has not previously met the level I frequency standard, the licensee shall be subject to
1869 completing a full year at level I of the testing frequency schedule, otherwise level II testing shall
1870 be in effect.

1871
1872 **Drug testing standards are mandatory and shall apply to a substance-abusing licensee, and**
1873 **the required testing frequency shall be ordered.**

1874
1875 **Petitioning for Modification to Return to Full Time Practice [Uniform Standard #10]:**
1876 (Reflected in Optional Term # ~~28~~30)

1877

1878 “Petition” as used in this standard is an informal request for any term or condition that is within
1879 the discretion of the Executive Officer or probation monitor to modify as opposed to a “Petition
1880 for Modification” under the Administrative Procedure Act.

1881
1882 The licensee shall meet the following criteria before submitting a request (petition) to return to
1883 full time practice:

- 1884
1885 1. Demonstrated sustained compliance with current recovery program.
1886 2. Demonstrated the ability to practice safely as evidenced by current work site reports,
1887 evaluations, and any other information relating to the licensee’s substance abuse.
1888 3. Negative drug screening reports for at least six (6) months, two (2) positive worksite
1889 monitor reports, and complete compliance with other terms and conditions of the
1890 program.

1891
1892 **Petitioning for Modification for Reinstatement of a Full and Unrestricted License [Uniform**
1893 **Standard #11]:**

1894 (Reflected in Rehabilitation Criteria for Reinstatement/Penalty Relief)

1895
1896 “Petition for Reinstatement of a Full and Unrestricted License” as used in this standard can only
1897 be considered as a formal Petition for Early Termination of Probation under the Administrative
1898 Procedure Act.

1899
1900 In addition to the factors set out in section V, Rehabilitation Criteria for Reinstatement/ Penalty
1901 Relief Hearings, the licensee must meet the following criteria to request (petition) for a full and
1902 unrestricted license:

- 1903
1904 1. Demonstrated sustained compliance with the terms of the disciplinary order, if
1905 applicable.
1906 2. Demonstrated successful completion of recovery program, if required.
1907 3. Demonstrated a consistent and sustained participation in activities that promote and
1908 support their recovery including, but not limited to, ongoing support meetings, therapy,
1909 counseling, relapse prevention plan, and community activities.
1910 4. Demonstrated that he or she is able to practice safely.
1911 5. Continuous sobriety for three (3) to five (5) years.

1912
1913 #####

Instructions for Filing Your Complaint

Print or type the full name, contact information, and license number (if known) of the person your complaint is against.

Print or type your information in the “Person Registering Complaint” section. Provide your complaint information and include as many specific details as possible (who, what, when, where, why). Include the date(s) of treatment and specific examples of the problem. Use extra sheets of paper, if needed. Send copies of any documents in support of your complaint, which may include patient records, photographs, correspondence, billing statements, proof of payment, etc.

Sign and date the Consumer Complaint Form at the bottom of the page.

Authorization for Release of Client/Patient Record Information

The Authorization for Release of Client/Patient Record Information is a legal authorization for the Board of Psychology’s (Board’s) staff to obtain information about the treatment and/or facility involved in the treatment. **ANY EXTRA COMMENTS, NOTATIONS, ETC., MAKE THE FORM VOID, AND YOU WILL BE REQUIRED TO FILL OUT ANOTHER RELEASE FORM.** If you wish to provide ~~us~~ the Board with additional information, please use a separate piece of paper. This form, when it is filled out and signed, allows the Board of Psychology/Investigation Unit to get records from ~~only~~ the healthcare provider(s) you list on this release form.

Print or type the client’s/patient’s name and date of birth. It is essential that the form be completed legibly, completely, and correctly. If ~~we~~ the Board needs to contact you to clarify the information, it could cause a delay in the review process.

Print or type the full name and address of the person your complaint is against.

Print or type the names and addresses of all of the client’s/patient’s health-care providers relevant to this complaint.

Note: The release form must be signed and dated by either the client/patient or the individual legally authorized to make healthcare decisions for the client/patient. If the client/patient is unable to sign the release, the form may be signed by: 1) the parent of a minor child (parent must have legal custody of the child) or 2) the person named by the client/patient in a signed “Power of Attorney” granting the person authority to make healthcare decisions for the client/patient (provide a copy of this document).

Providing Personal Information Is Voluntary

If you do not wish to provide personal information, such as your name, address, or telephone number, you may remain anonymous. ~~In that case, h~~ However, ~~we~~ the Board may not have sufficient information to investigate your complaint.

Possible Disclosure of Personal Information

~~We~~ The Board makes every effort to protect the personal information you provide ~~us~~. ~~In order to follow up on your complaint,~~ however, ~~we~~ the Board may need to share ~~the this~~ information you give ~~us~~ with the person you complained about licensee or with other government agencies. ~~This may include sharing any personal information you gave us.~~

The information you provide may also be disclosed in the following circumstances:

- In response to a Public Records Act request, as allowed by the Information Practices Act;
- To another government agency as required by State or Federal law; or
- In response to a court or administrative order, a subpoena, or a search warrant.



STATE OF CALIFORNIA

Governor edmund G. Brown Jr. Business,
Consumer serviCes And HousinG AGenCy



CONSUMER COMPLAINT FORM

Please Print or Type

1 ~~COMPLAINT REGISTERED~~ NAME OF PERSON YOU ARE FILING A COMPLAINT AGAINST

Last Name _____ First _____ M.I. _____ License no. (if known) _____

Office/Facility Name _____ E-mail _____ Phone Number _____

Street Address _____ City _____ County _____ State _____ Zip Code _____

2 ~~PERSON REGISTERING COMPLAINT~~ YOUR NAME AND CONTACT INFORMATION

Last Name _____ First _____ M. I. _____

Street Address _____ City _____ County _____ State _____ Zip Code _____

Home Phone _____ Daytime Phone _____ E-mail _____

Your Relationship to Client/Patient _____ Client's/Patient's Name _____ Client's/Patient's Date of Birth _____

3 COMPLAINT INFORMATION

	Yes	No
Does this complaint concern a child custody issue?	<input type="checkbox"/>	<input type="checkbox"/>
(a) Do you have joint <i>legal</i> custody of the child/children involved in this matter?	<input type="checkbox"/>	<input type="checkbox"/>
(b) Was the person named in this complaint appointed by the court to prepare a custody recommendation for the court?	<input type="checkbox"/>	<input type="checkbox"/>

4 Reason for Treatment _____ Treatment Date(s): _____

Details of your complaint (use additional paper if necessary):

5 **4** Signature _____ Date _____

AUTHORIZATION FOR RELEASE OF CLIENT/ PATIENT RECORD INFORMATION

Client/Patient Name _____

Date of Birth _____

I, the undersigned, hereby authorize:

- | | |
|---|------------------|
| 1. _____
Name of Healthcare Provider | 3. _____
Name |
| _____ | _____ |
| Address | Address |
| _____ | _____ |
| 2. _____
Name | 4. _____
Name |
| _____ | _____ |
| Address | Address |

to disclose ~~release~~ information and records made in the course of my evaluation, and/or diagnosis, and/or treatment, to include ~~including any and all~~ information related to the health history, medical, psychiatric, alcohol and drug abuse records drug/alcohol treatment, medical treatment, psychiatric treatment, psychotherapy, billing records, and all other healthcare-related documents, to the California Board of Psychology (Board) and its representatives, including, but not limited to, investigators and legal staff, upon their request. This disclosure of records authorized herein is required for official use including investigation and possible administrative proceedings regarding any violations of the laws of the State of California. This authorization shall remain valid until the California Board of Psychology completes its investigation and any proceedings arising out of the investigations.

I further agree that the Board and its representatives may release any and all of my records and treatment information to the Board of Behavioral Sciences and/or any other government agency which requests such information as part of an investigation into other possible violations of the laws of the State of California.

~~A copy of this authorization shall be as valid as the original.~~ I understand that I have a right to receive a copy of this authorization upon request if requested by me. I understand that I have the right to revoke this authorization by sending written notification to the Board of Psychology, 1625 N. Market Blvd., N-215, Sacramento, CA 95834. However, I understand that the board may still proceed with still pursuing with my original complaint. I understand that the recipient of my information is not a health plan or health care provider and the released information may no longer be protected by federal privacy regulations. A copy of this authorization shall be as valid as the original. I understand that I may request a copy of this authorization. I also understand that I may revoke this authorization by sending written notification to the Board at 1625 N. Market Blvd., N-215, Sacramento, CA 95834. The revocation would take effect upon receipt, but would not affect actions by the Board or its representatives in reliance on the authorization prior to receipt of the revocation. I further understand that the recipient of my information is not a health plan or healthcare provider and that the released information may no longer be protected by federal privacy statutes or regulations.

Priority Level	Complaint Category
Urgent (Highest Priority)	<p>Allegations which indicate the licensee poses an immediate danger to the public health, safety or welfare</p> <p>Imminent or ongoing criminal activity</p> <p>Unlicensed activity posing an immediate danger to the public health, safety or welfare</p> <p>Multiple complaints of fraud that affect a substantial number of people or a substantial amount of money</p> <p>Arrests or convictions substantially related to the area of practice of <u>psychology</u>. (Note: May be re-categorized based on the nature of the underlying acts)</p>
High	<p>Significant financial harm to a person which might be avoided or mitigated</p> <p>When evidence will likely be destroyed or unavailable</p> <p>When victim may not be available later as a witness</p> <p>Unlicensed activities not posing an immediate danger to the public health, safety or welfare</p> <p>Aiding and abetting unlicensed activity not posing an immediate danger to the public health, safety or welfare</p> <p>Exam subversion (where exam may be compromised)</p> <p>Complaints <u>Licensees</u> with multiple prior complaints</p> <p>Complaints about licenses on probation</p> <p>Project <u>Patient</u> abandonment</p> <p>Fraud</p>
Routine	<p>Quality of services</p> <p>Advertising (unlicensed and otherwise)</p> <p>Record keeping violations</p> <p>Non-Compliance with a citation</p> <p>Continuing education (exam not compromised)</p> <p>Applicant misconduct</p> <p>Reports of out-of-state discipline (Note: May be re-categorized based on the nature of the underlying acts)</p>

FREQUENTLY ASKED QUESTIONS REGARDING THE COMPLAINT PROCESS

Who May File a Complaint?

Anyone who thinks that a psychologist, psychological assistant, or registered psychologist has acted illegally, irresponsibly, or unprofessionally may file a complaint with the Board of Psychology (Board).

What Types of Complaints Does the Board Handle?

Complaints under the Board's jurisdiction include the following behavior by allegations against a psychologist, psychological assistant, or registered psychologist:

- sexual contact with a client/patient
- violating the client's/ patient's confidentiality
- providing services for which the individual has not been trained or licensed
- drug abuse
- fraud or other crimes
- false advertising
- paying or accepting payment for patient referral
- unprofessional, unethical, or negligent acts
- focusing therapy on the licensee's/registrant's own problems, rather than the client's/patient's
- serving in multiple roles; for example, having engaging in social relationships with clients/patients, lending them money, employing them, etc.

What Types of Complaints Are Outside the Board's Jurisdiction?

The Board has no authority over the following:

- fee or billing disputes
- general business practices
- personality conflicts
- persons who are licensed by other boards (for example, psychiatrists; licensed clinical social workers; licensed marriage, and family, and child counselors/therapists; licensed educational psychologists; licensed professional clinical counselors; psychiatrists; or psychiatric technicians)

Board of Behavioral Sciences
1625 N. Market Boulevard, Suite S-200
Sacramento, CA 95834

Medical Board of California
2005 Evergreen Street, Suite 1200
Sacramento, CA 95815

Board of Vocational Nursing and Psychiatric Technicians
2535 Capitol Oaks Drive, Suite 205
Sacramento, CA 95833

Complaint regarding a non-California licensed psychologist working in an **exempt setting** should be directed to the

agency overseeing the setting:

- ▲ State mental hospitals—Department of Mental Health
- ▲ Correctional facilities—Department of Corrections
- ▲ Educational institutions—Agency overseeing the particular institution

Complaints that are not within the Board's jurisdiction will be referred to the appropriate agency, and you will be notified.

Can I File an Anonymous Complaint?

~~While anonymous complaints will be reviewed, they may be impossible to pursue unless they contain documented evidence of the allegations made.~~

If you do not wish to provide personal information, such as your name, address, or telephone number, you may remain anonymous. In that case, however, we may not have sufficient information to investigate your complaint.

Should I Report Unlicensed Practice to the Board?

~~Yes. If you have evidence that an unlicensed person is participating in activities that require a license, you should report the individual to the Board. The Board will investigate the allegations and, if sufficient evidence is found, will forward the information to the local District Attorney for criminal prosecution.~~

How Will My Complaint Be Processed?

- You will be notified that we have received your complaint within 10 days of its arrival/receipt.
- An analyst will be assigned to ~~handle your case to~~ gather all the necessary documents needed to thoroughly review the case.
- Your case may be reviewed by a Board consultant psychologist to determine if a violation occurred.
- ▲ ~~If the complaint file is sent for consultant review, you will be notified.~~
- ▲ ~~If the review determines that the actions of the psychologist were not below the Standard of Care for psychologists, the Board has no authority to proceed, and the complaint will be closed.~~
- ▲ The case may be forwarded for further investigation.
- ▲ If the investigation finds sufficient evidence to support the allegations, the Board may submit the case to the Office of the Attorney General for consideration of formal disciplinary action.
- ▲ You will be notified of the outcome.

Minor Violations

~~If your complaint involves a *minor violation*, it may be handled in one of several ways. We may mediate an agreement between you and the licensee/registrant, issue the licensee/registrant a letter of warning, or set up an educational conference between the licensee/registrant and an expert case reviewer and/or Board staff.~~

Serious Violations

If your complaint involves a more serious violation, such as an allegation of sexual abuse, gross negligence, or incompetence, it will be immediately referred for formal investigation by a trained peace officer employed by the Medical Board of California. You will be informed of this step and may be interviewed by the investigator assigned to the

case.

Referral to Attorney General

If the investigation finds evidence to support your allegations, the Board will submit the case to the Attorney General for consideration of formal disciplinary action against the psychologist's license. You will be notified of this referral and the final outcome of any action taken.

If you have questions regarding the complaint process or if you need assistance in filing a complaint, or wish to discuss the possibility of filing a complaint, you may ~~call~~ contact the Board's ~~Complaint~~ Complaint Enforcement Unit at bopenforcement@dca.ca.gov or by calling toll-free at (866) 503-3221 (option 4).

Note: Everyone has the right to file a complaint without fear of harassment. If you feel you are being harassed by the licensee/registrant you've complained about, you should notify the Board immediately.

Collection and Use of Personal Information

The Department of Consumer Affairs and the ~~California~~ Board of Psychology collect the information requested on this form as authorized by Business and Professions Code sections 325 and 326 and the Information Practices Act.

Access to Your Information

You may review the records maintained by the ~~California~~ Board of Psychology that contain your personal information, as permitted by the Information Practices Act. See contact information below.

~~Possible Disclosure of Personal Information~~

~~We make every effort to protect the personal information you provide us. However, we may need to share the information you give us with other government agencies. This may include sharing any personal information you gave us.~~

~~The information you provide may also be disclosed in the following circumstances:~~

- ~~▲ In response to a Public Records Act request, as allowed by the Information Practices Act;~~
- ~~▲ To another government agency as required by State or Federal law; or~~
- ~~▲ In response to a court or administrative order, a subpoena, or a search warrant.~~

Contact Information

For questions about this notice or access to your records, you may contact the ~~California~~ Board of Psychology, 1625 North Market Boulevard, Suite N-215, Sacramento, CA 95834; by phone at (866) 503-3221(option 4); or by e-mail at ~~bopmail@dca.ca.gov~~ bopenforcement@dca.ca.gov. For questions about the Department's Privacy Policy, you may contact the Department of Consumer Affairs at 1625 North Market Boulevard, Sacramento, CA 95834; by phone at (800) 952-5210; or by e-mail at dca@dca.ca.gov.

May 1, 2018

[COMPLAINANT'S NAME
& MAILING ADDRESS

]

RE: [SUBJECT'S NAME]
Control Number: [COMPLAINT #]

Dear **COMPLAINANT**:

The Board of Psychology (Board) acknowledges receipt of the complaint you filed against the above-mentioned referenced subject. The enforcement team will review your complaint and any supporting documentation.

The allegations in your complaint, along with documents and statements collected from the subject and other parties involved, must be investigated to determine whether there has been a violation of the laws governing the practice of psychology in California. The Board's authority to investigate complaints is limited to determining administrative violations of the Laws and Regulations Relating to the Practice of Psychology. The Board's investigations are conducted within the parameters of the California Administrative Procedures Act (APA). Under the APA, the Board must meet a very high burden of proof to establish a violation of the laws and/or regulations ("clear and convincing evidence to a reasonable certainty"). Before initiating disciplinary action, the Board has an obligation to ensure that admissible and competent evidence exists to sustain a decision, judgment, or fine.

If it is established that there is sufficient evidence to indicate a possible violation, further formal or informal investigation may be initiated. Alleged violations are then reviewed by legal counsel to determine if the evidence is adequate to support disciplinary action. During formal review, or at any point in the review process, the complaint may be closed due to insufficient evidence to support a disciplinary action, or it may be determined that there is no violation of the Laws and Regulations Relating to the Practice of Psychology.

The entire complaint review is important and the determination of appropriate action may take an extended period of time. Please note the initial time frame involved in the complaint review process can range from three to six months. The overall disciplinary process including investigation and formal discipline through the Attorney General's office can take twelve (12) to ~~twenty-four~~ thirty-six (36) months.

After an initial review of the information submitted, it appears that the person is also licensed by the Board of Behavioral Sciences (BBS) in addition to the Board of

Psychology (~~BOP~~). A copy of the information you submitted will be forwarded to the ~~Board of Behavioral Sciences~~ BBS for further review. You may contact the BBS online at ~~www.bbs.ca.gov~~ bbs.info@dca.ca.gov, in writing at Board of Behavioral Sciences, 1625 North Market Blvd., Suite S-200, Sacramento, CA 95834, or by phone at (916) 574-7830.

Thank you for bringing your concerns to our attention. You will be notified of the results of the complaint review and any action taken by the Board. Please retain this letter and refer to the above-referenced case number when making inquiries regarding your complaint.

Sincerely,

Board of Psychology

May 1, 2018

[COMPLAINANT'S NAME
& MAILING ADDRESS

]

RE: [SUBJECT'S NAME]

Control Case Number: [COMPLAINT #]

Dear COMPLAINANT:

The Board of Psychology (Board) acknowledges receipt of the complaint you filed against the above-mentioned referenced subject. The enforcement team Unit will review your complaint and any supporting documentation.

The allegations in your complaint, along with documents and statements collected from the subject and other parties involved, must will be investigated to determine whether there has been a violation of the laws governing the practice of psychology in California. The Board's authority to investigate complaints is limited to determining administrative violations of the Laws and Regulations Relating to the Practice of Psychology laws and regulations relating to the practice of psychology. The Board's investigations are conducted within the parameters of the California Administrative Procedures Act (APA). Under the APA, the Board must meet a very high burden of proof to establish a violation of the laws and/or regulations ("clear and convincing evidence to a reasonable certainty"). Before initiating disciplinary action, the Board has an obligation to ensure that admissible and competent sufficient evidence exists to sustain a decision, judgment, or fine.

If it is established that there is sufficient evidence to indicate a possible violation, further formal or informal investigation may be initiated, and the evidence may be reviewed by a subject matter expert (a psychologist licensed by the Board). At any point in the review process, the complaint may be closed if there is insufficient evidence, or if there is no violation of the laws and regulations relating to the practice of psychology. Alleged violations are then reviewed by legal counsel to determine if the evidence is adequate to support disciplinary action. Before initiating disciplinary action, the Board, in consultation with the Office of the Attorney General, has an obligation to ensure that sufficient evidence exists to support a disciplinary decision. During formal review, or at At any point in the review process, the complaint may be closed due to insufficient evidence to support a disciplinary action, or it may be determined that there is no violation of the Laws and Regulations Relating to the Practice of Psychology laws and regulations relating to the practice of psychology.

If a proceeding is initiated, it is governed by the California Administrative Procedures Act (APA). Under the APA, the Board must meet a very high burden of proof to establish a violation of the laws and/or regulations ("clear and convincing evidence to a reasonable certainty").

The entire complaint review is important and the determination of appropriate action may take an extended period of time. Please note the initial time frame involved in the complaint review process can range from three to six months. The overall disciplinary process including investigation and formal discipline through the Office of the Attorney General's office can take twelve (12) to ~~twenty-four~~thirty-six (36) months.

Thank you for bringing your concerns to our attention. You will be notified of the results of the complaint review and any action taken by the Board. Please retain this letter and refer to the above-referenced case number when making inquiries regarding your complaint.

Sincerely,

Board of Psychology

DATE

COMPLAINANT'S NAME
ADDRESS

Re: **SUBJECT'S NAME**
~~Control~~Case No.: 600201#####

Dear **COMPLAINANT'S NAME**:

The California Board of Psychology (Board) has completed its investigation of the above-referenced complaint you filed against Dr. **SUBJECT'S NAME**.

After review of the information received from the parties involved, the Board has determined that there was insufficient evidence to establish a violation of the Laws and Regulations Relating to the Practice of Psychology with regard to Dr. **SUBJECT'S NAME**'s practice or conduct in this matter. Therefore, the Board has closed its file. However, your Your complaint case will remain on file with the Board for five years in the event we receive similar complaints concerning Dr. **SUBJECT'S NAME**.

~~We invite you to complete the enclosed Consumer Satisfaction Survey. The Department of Consumer Affairs' survey may be found at www.surveymonkey.com/consumeraffairs.~~

Thank you for bringing this matter to the Board's attention. We regret that we were unable to assist you further.

Sincerely,

Enforcement Unit
~~California~~ Board of Psychology

DATE

COMPLAINANT'S NAME
ADDRESS

Re: SUBJECT'S NAME
Control Case No.: 600201#####

Dear **COMPLAINANT'S NAME**:

This letter is concerning the complaint received by the Board of Psychology (Board) regarding Dr. **SUBJECT'S NAME**.

After a review of your complaint, it was determined that further information was needed to proceed with an investigation of this matter; ~~however, you failed to provide this~~ Since the Board never received the requested information, ~~Therefore,~~ this case has been closed.

The case will remain on file with the Board for one year; ~~in~~ In the event that you can provide the requested information, ~~To do so,~~ please write a letter submit it to the Board at the ~~letterhead address,~~ to the attention of Enforcement Analyst A, and reference the above-noted ~~control~~ case number on your correspondence.

Sincerely,

Enforcement Unit
California Board of Psychology

DATE

COMPLAINANT'S NAME
ADDRESS

Re: **SUBJECT'S NAME**
~~Control~~Case No.: 600201#####

Dear **COMPLAINANT'S NAME**:

The California Board of Psychology (Board) has completed its review of the complaint that you filed against **Dr. SUBJECT'S NAME**.

After a review of the information received ~~from the parties involved~~, the Board has determined that there was no evidence to establish a violation of the Laws and Regulations Relating to the Practice of Psychology with regard to **Dr. SUBJECT'S NAME**. practice or conduct in this matter. Therefore, your ~~complaint~~case has been closed.

~~We invite you to complete the enclosed Consumer Satisfaction Survey. The Department of Consumer Affairs' survey may be found at www.surveymonkey.com/consumeraffairs.~~

Thank you for bringing this matter to the Board's attention. We regret that we were unable to assist you further.

Sincerely,

Enforcement Unit
California Board of Psychology

DATE

COMPLAINANT'S NAME
ADDRESS

Re: SUBJECT'S NAME
Control No.: 600201#####

Dear **COMPLAINANT'S NAME**:

The Board of Psychology ("Board") has completed its review of the complaint you filed against Dr. **SUBJECT'S NAME**.

Section 2960.05 of the California Business and Professions Code prohibits the Board from pursuing ~~administrative~~ disciplinary action against a licensee based upon an incident that took place more than seven (7) years ago. Since the event described in your complaint occurred almost **nine (9)** years ago, the deadline established by the statute of limitations has passed. ~~run and~~ Accordingly, the Board can take no action in this matter. ~~Therefore, your and your~~ complaint has been closed.

Thank you for your bringing your concerns to ~~our~~ the Board's attention. We regret we are unable to assist you further.

Sincerely,

Enforcement Unit
California Board of Psychology

DATE

SUBJECT'S NAME
ADDRESS

Re: Arrest Notification
Board of Psychology Control No.: 600201#####

Dear Dr. SUBJECT'S NAME:

The California Board of Psychology has concluded its review of the above-referenced case ~~complaint~~.

At this time, no further action is anticipated and the casefile has been closed. ~~However,~~
This information will remain on file in the event of a reoccurrence further arrest(s).

Thank you for your cooperation in this matter. If you have any questions, please email Enforcement Analyst A at BOPEnforcement@dca.ca.gov.

Sincerely,

Enforcement Unit
California Board of Psychology

DATE

SUBJECT'S NAME

ADDRESS

Board of Psychology Control No.: 600201#####

Dear Dr. **SUBJECT'S NAME**:

~~The California Board of Psychology (“Board”) has completed its review of the above-referenced matter. After a thorough review of the information received from the parties involved, the Board of Psychology has determined that there was insufficient evidence to establish a violation of the Laws and Regulations Relating to the Practice of Psychology with regard to your practice or conduct in this matter. Therefore, this case has been closed.~~

Thank you for your cooperation in this matter. If you have any questions, please email Enforcement Analyst A at BOPEenforcement@dca.ca.gov.

Sincerely,

Enforcement Unit
~~California Board of Psychology~~

DATE

SUBJECT'S NAME
ADDRESS

Board of Psychology Control No.: 600201#####

Dear Dr. **SUBJECT'S NAME**:

The California Board of Psychology (Board) has completed its review of the complaint filed against you.

After a thorough review of the information received ~~from the parties involved~~, the Board has determined that there was no evidence to establish a violation of the Laws and Regulations Relating to the Practice of Psychology with regard to your practice or conduct in this matter. Therefore, this case has been closed.

Thank you for your cooperation in this matter. If you have any questions, please email Enforcement Analyst A at BOPEenforcement@dca.ca.gov.

Sincerely,

Enforcement Unit
California Board of Psychology

DATE

SUBJECT'S NAME
ADDRESS

Re: Arrest Notification
Board of Psychology Control No.: 600201#####

Dear Dr. **SUBJECT'S NAME**:

The California Board of Psychology has concluded its review of the above-referenced complaint.

At this time, the complaint file has been closed. However, the information will remain on file with the Board and we request that you forward certified copies of the court documents, including any court orders and evidence of completion of any court-ordered programs, immediately after they become available.

Please refer to the "Board of Psychology Control Number" listed above when replying, and address your response to the attention of Enforcement Analyst A at the letterhead address. If you have any questions, please email Enforcement Analyst A at BOPEenforcement@dca.ca.gov.

Thank you for your cooperation in this matter.

Sincerely,

Enforcement Unit
California Board of Psychology