



BOARD OF PSYCHOLOGY – Administration
1625 N. Market Blvd., Suite N-215, Sacramento, CA 95834
P 916.574.7720 F 916.574.8672 www.psychology.ca.gov

BOARD MEETING MINUTES

4
5
6
7 Doubletree Hotel
8 1646 Front Street
9 San Diego, CA 92101
10 (619) 239-6800

11
12 **Thursday, November 20, 2014**

13
14 Michael Erickson, PhD, Board President called the open session meeting to order at
15 9:37 a.m. A quorum was present and due notice had been sent to all interested parties.

16 17 **Members Present:**

18 Michael Erickson, PhD, President
19 Miguel Gallardo, PhD, Vice-President
20 Lucille Acquaye-Baddoo, Public Member
21 Johanna Arias-Bhatia, Public Member
22 Andrew Harlem, PhD
23 Jacqueline Horn, PhD
24 Nicole J. Jones, Public Member
25 Stephen Phillips, PsyD, JD
26 Linda Starr, Public Member

27 28 **Others Present:**

29 Antonette Sorrick, Executive Officer
30 Jeffrey Thomas, Assistant Executive Officer
31 Sandra Monterrubio, Enforcement Program Manager
32 Karen Johnson, Licensing Coordinator
33 Colette McDowell, Continuing Education/Renewals Coordinator
34 Norine Marks, DCA Legal Counsel
35 Raymond J. Trybus, PhD, President, Walden University, & San Diego
36 Psychology Association
37 Erin Parks, PhD, University of California, San Diego
38 June Liang, PhD, University of California, San Diego
39 Jo Linder-Crow, PhD, California Psychological Association (CPA)
40 Talia Cortese, University of San Diego Center for Public Interest Law
41 Pamela McCrory, PhD, Los Angeles County Psychological Association

42 43 **Agenda Item #1: President's Welcome**

44
45 Dr. Erickson welcomed the public, Board members, and Board staff and gave a brief
46 statement about the mission of the Board of Psychology.

1 Dr. Erickson stated that while public comment is welcome, issues brought before the
2 Board would not be addressed, if not related to an item on the agenda.

3
4 **Agenda Item #2: Approval of Minutes: August 21-22, 2014 Board Meeting**

5
6 Dr. Horn noticed the word “mailed” was used twice on line 24, page 5 and suggested
7 removing the second word.

8
9 Ms. Jones asked that the sentence on page 17, line 25 be re-worded to more accurately
10 reflect the comment that she had made at the last Board meeting. Line 25 was changed
11 to “this is helpful in advancing the goals of the Policy and Advocacy Committee.”

12
13 Ms. Jones also pointed out that “Advocacy Committee” should be listed as “Policy and
14 Advocacy Committee” on page 17, line 18.

15
16 Dr. Horn asked that a sentence stating that she suggested an educational program for
17 Administrative Law Judges be removed on page 18, line 3.

18
19 It was M (Phillips)/S (Arias-Bhatia)/C to approve the minutes as amended.

20
21 Vote: 9 yea (Erickson, Gallardo, Acquaye-Baddoo, Arias-Bhatia, Harlem, Horn, Jones,
22 Phillips, Starr) – 0 nay.

23
24 **CLOSED SESSION**

25
26 The Board adjourned into **closed session** pursuant to Government Code Section
27 11126(c)(3) to discuss disciplinary matters, including stipulations and proposed
28 decisions.

29
30 **Return to Open Session**

31
32 Dr. Erickson called the meeting back to order and invited Mr. Thomas to begin the
33 budget report.

34
35 **Agenda Item #3: Budget Report**

36
37 Mr. Thomas presented the budget report and referred to the budget materials provided
38 in the Board packets.

39
40 Ms. Arias-Bhatia asked about licensing fee reductions and Mr. Thomas stated that once
41 the loan from the general fund is repaid, the Board would then be able to consider
42 licensing fee reductions.

43
44 Dr. Phillips asked why the revenue has decreased and expenditure has increased. Mr.
45 Thomas stated that the chart is only a projection and will probably not reflect the same
46 trend later in the year. Ms. Sorrick added that the chart only reflects the spending of the
47 governor’s budget that is allotted to the Board each year in the Board’s budget rather
48 than its fund.

1 Dr. Linder-Crow asked whether the budget for salaries and wages would allow the
2 Board to increase staffing.

3
4 Mr. Thomas stated that the Board is fully staffed and that a Budget Change Proposal
5 would need to be submitted to further augment the staff.

6
7 Dr. Erickson thanked Mr. Thomas for his report.

8
9 **Agenda Item #4: Enforcement Report**

10
11 Ms. Monterrubio presented the enforcement report and referred to the materials
12 provided in the Board packets.

13
14 Dr. Erickson asked how target dates are established. Ms. Monterrubio replied that the
15 Department of Consumer Affairs determines the established target dates.

16
17 Dr. Erickson thanked Ms. Monterrubio for her report.

18
19 **LICENSING COMMITTEE**

20
21 The Licensing Committee met to discuss and formulate its recommendations to the
22 Board.

23
24 **Agenda Item #5: Licensing Committee Report – Dr. Jacqueline Horn**

25
26 **a) Application Report**

27
28 Ms. Johnson referred the Board to the application statistics provided in the Board
29 packets.

30
31 **b) Examination Report**

32
33 Ms. Johnson referred the Board to the examination statistics provided in the Board
34 packets.

35
36 **c) Overview of the Examination Development Process (Office of Professional
37 Examination Services)**

38
39 Dr. Horn invited the Office of Professional Examination Services (OPES) to provide an
40 overview of the examination development process.

41
42 Amy Welch-Gandy and Heidi Lincer-Hill from OPES personnel provided an overview of
43 the examination development process and referred to an informational PowerPoint
44 presentation that addressed the recent problems associated with the CPSE.

45
46 **d) Discussion and Consideration of Questions Regarding the February CPSE
47 Examination**

1 Dr. Linder-Crow, Executive Director, California Psychological Association (CPA),
2 thanked the OPES for its presentation. She asked if it was acceptable for less than half
3 of participants to fail the examination and how such a phenomenon could be explained.
4 She also asked if the results have been correlated in any way with the participants'
5 descriptive statistics or individual educational background.
6

7 The OPES representatives replied that the pass rate on an exam can fluctuate due to
8 variables, such as applicant populations and educational qualifications, even though the
9 examination process has remained constant. She added that the pass rates vary across
10 the other boards and it is hard to pinpoint factors that directly affect the pass rates.
11

12 Dr. Raymond Trybus asked to what extent that they examine the demographic
13 information of the examination applicants and if that is taken into account.
14

15 The OPES representatives stated that they do not have access to that information
16 because it is not collected. Therefore, they are unable to analyze or establish a
17 correlation between demographics and passing rates.
18

19 Dr. Linder-Crow pointed out that if the exam is measuring "minimal competence" as
20 OPES has previously stated, then the student training programs may interpret that
21 information as an indicator that something is wrong with their program when no problem
22 is actually present.
23

24 The OPES representatives stated that from their perspective, the passing rates are not
25 low because the exams are made to differentiate between competent applicants and
26 those who are not competent.
27

28 Dr. Erin Parks suggested that the distribution of scores be examined by OPES.
29

30 Dr. Parks also asked if a change in the examination location could be looked into due to
31 her own negative testing experience. She added that Dr. June Liang also had a
32 negative testing experience.
33

34 Dr. Liang asked how a repeat of the low passing scores can be avoided in the future.
35

36 The OPES representatives stated that making comments at the end of the testing
37 session would have been the best way to provide input, but writing a letter to the Board
38 and having it forwarded to OPES would now be the best way to provide public input.
39

40 Dr. Horn thanked the OPES representatives for providing information about the
41 examination process.
42

43 Dr. Horn stated that the Committee believes the examination process was fair and that
44 sufficient efforts were made to assist participants who did not pass the exam.
45

46 Dr. Gallardo asked what the Board's role is in trying to impact the curriculum or process
47 of training programs. He expressed concern for possible discrepancies between what
48 students are being trained to do in graduate programs and what skills are needed in
49 real-world applications.

1
2 Dr. Horn suggested making the issue an agenda item for the Outreach and Education
3 Committee.

4
5 Ms. Sorrick stated that the Board staff can provide the occupational analysis to training
6 programs which would help prepare test applicants.

7
8 Ms. Jones thanked OPES for the helpful presentation on the examination development
9 process and agreed that providing the occupational analysis would be helpful for test
10 applicants.

11
12 Dr. Harlem asked at what point the variations in the examination passing rates become
13 statistically significant and expressed desire to have that information provided.

14
15 Dr. Linder-Crow asked if the Board receives any trend information from OPES, such as
16 the types of questions missed. She expressed concern that OPES would consider a
17 passing rate of 10 percent to be not out of the ordinary.

18
19 Dr. Trybus indicated that from a training program perspective, he is very supportive of
20 the Board communicating what they should be teaching their students based on the
21 evolution of the profession.

22
23 Dr. Erickson thanked OPES for the presentation and the public for their comment.

24
25 It was M(Erickson)/S(Arias-Bhatia)/C to send an e-mail to OPES regarding “what is a
26 significant variation (Applicant pool/something wrong with the test, various over
27 threshold that shows trends, etc.)” Ms. Sorrick was given the authority to work with Dr.
28 Harlem on the e-mail to OPES.

29
30 Vote: 9 aye (Erickson, Gallardo, Acquaye-Baddoo, Arias-Bhatia, Harlem, Horn, Jones,
31 Phillips, Starr) – 0 nay.

32
33 **e) Renewal Report**

34
35 Ms. McDowell referred to an informational PowerPoint presentation and renewal
36 statistics provided in the Board packets.

37
38 **f) Continuing Education Report**

39
40 Ms. McDowell referred to an informational PowerPoint presentation and continuing
41 education statistics provided in the Board packets.

42
43 **g) Discussion and Consideration of Supervised Professional Experience (SPE)**
44 **16, CCR Section 1387 – accruing SPE for the Activity of “Supervision”**

45
46 Dr. Horn summarized the issue of accruing SPE for the activity of “supervision” and
47 referred to the draft proposed language provided in the hand carry items.

1 Dr. Horn reported the Licensing Committee’s recommendation to approve the language
2 for agenda item G.

3
4 It was M/(Horn)/S(Phillips)/C that the Board approve the language for noticing.

5
6 Vote: 9 aye (Erickson, Gallardo, Acquaye-Baddoo, Arias-Bhatia, Harlem, Horn, Jones,
7 Phillips, Starr) – 0 nay.

8
9 It was M/(Phillips)/S(Starr)/C to delegate the authority to staff to make technical non-
10 substantive changes.

11
12 Vote: 9 aye (Erickson, Gallardo, Acquaye-Baddoo, Arias-Bhatia, Harlem, Horn, Jones,
13 Phillips, Starr) – 0 nay.

14
15 **Board Approved Language**

16 **1387. Supervised Professional Experience.**

17
18 This section applies to all trainees, pre- or post-doctoral, who intend for hours of
19 supervised professional experience (SPE) to count toward meeting the licensing
20 requirement stated in section 2914(c) of the Business and Professions Code. Those
21 trainees accruing hours of supervised experience in areas of psychology that do not
22 include direct ~~mental health~~ services should refer to section 1387.3 for information on
23 establishing an alternate plan for SPE. SPE is defined as an organized program that
24 consists of a planned, structured, and administered sequence of professionally
25 supervised comprehensive ~~clinical~~ applied training experiences. SPE shall have a
26 logical training sequence that builds upon the skills and competencies of trainees to
27 prepare them for the independent practice of psychology once they become licensed.
28 SPE shall include socialization into the profession of psychology and shall be
29 augmented by integrated modalities including mentoring, didactic exposure,
30 ~~role modeling, enactment~~ observational/ vicarious learning, and consultative guidance.
31 SPE shall include activities ~~which~~ that address the integration of psychological concepts
32 and current and evolving competencies, scientific knowledge, principles, and theories to
33 the professional delivery of psychological services to the ~~consumer~~ public. SPE shall
34 include only the time spent by the trainee engaged in psychological activities that
35 directly serve to prepare the trainee for the independent practice of psychology once
36 licensed. SPE shall not include custodial tasks such as filing, transcribing, or other
37 clerical duties. The term “trainee” as used in these regulations means a psychology

1 trainee working under one of the conditions listed in subsections (a)(1) and (a)(2) of this
2 section.

3
4

5 **h) Licensing Action Plan – Proposed Improvements to the Licensing Process -**
6 **Update**

7
8
9

Ms. Johnson presented the Licensing Action Plan and referred to the informational statistics and survey results provided in the Board packets.

10
11
12
13

Ms. Sorrick referred to an informational PowerPoint to explain the online process of application that will be provided for consumers on the Board’s website.

14 **i) Discussion and Consideration of Business & Professions Code Section 2903 -**
15 **Rendering Services for a Fee**

16
17
18
19

Dr. Horn summarized the issue of rendering services for a fee and referred to the proposed language changes provided in the hand carry items.

20
21
22
23

Dr. Harlem expressed concern about individuals being perceived to be providing services when that was not the intention. He suggested modifying the language “professional relationship” for clarification. Dr. Phillips expressed agreement with Dr. Harlem’s concern.

24
25
26

Drs. Erickson and Harlem suggested adding pro bono language rather than removing the fee language.

27
28
29

Ms. Jones suggested reviewing Dr. Alban’s language that he presented at the August Board meeting.

30
31

Members of the public then commented.

32
33
34

Dr. Trybus suggested adding the term “formal” to the language in order to help define psychological services.

35
36
37

Dr. Linder-Crow expressed agreement with Ms. Jones’s suggestion to review Dr. Alban’s language.

38
39
40

Dr. McCrory stated that she provides pro bono services and expressed concern that her patients would not have recourse. She thanked the Board for addressing the issue.

41
42
43

It was M/(Horn)/S(Erickson)/W to pursue legislative changes to section 2903 regarding psychology fee for services.

44
45
46

It was M/(Horn)/S(Erickson)/C to withdraw the motion and that the language for section 2903 regarding psychology fee for services be brought back to the Board at the January Meeting.

47
48

1 Vote: 9 aye (Erickson, Gallardo, Acquaye-Baddoo, Arias-Bhatia, Harlem, Horn, Jones,
2 Phillips, Starr) – 0 nay.
3
4

5 **j) YouTube Video – Psychological Assistant Application**
6

7 Dr. Horn presented the psychological assistant application YouTube video. Ms. Johnson
8 stated that the video is now available on the Board’s website.
9

10 **k) Public comment for items not on the agenda**
11

12 Dr. Horn invited the Committee members, Board members, and public for comments or
13 questions.
14

15 It was M(Horn)/S(Phillips)/C for the Board to accept the informational items of the
16 Licensing Committee including a, b, e, f, h, and j.
17

18 Vote: 9 aye (Erickson, Gallardo, Acquaye-Baddoo, Arias-Bhatia, Harlem, Horn, Jones,
19 Phillips, Starr) – 0 nay.
20

21 **l) Closed Session – the Licensing Committee will meet in Closed Session**
22 **Pursuant to Government Code Section 11126 (c)(2)**
23

24 Dr. Horn reported that the Committee had received an application from E.V. to accrue
25 SPE in the area of non-mental health services. The attachment was provided describing
26 the plan for accruing the supervision hours.
27

28 Dr. Horn reported that the Committee recommends the Board approve the plan.
29

30 It was M/(Horn)/S(Phillips)/C to approve the plan for SPE in non-mental health area.
31

32 Vote: 9 aye (Erickson, Gallardo, Acquaye-Baddoo, Arias-Bhatia, Harlem, Horn, Jones,
33 Phillips, Starr) – 0 nay.
34

35 Dr. Horn reported that an individual (E.M.) requested an extension of the thirty (30)
36 consecutive months required to accrue SPE.
37

38 It was M/(Horn)/S(Acquaye-Baddoo)/C to not extend the time past thirty (30) months.
39

40 Vote: 8 aye (Erickson, Gallardo, Acquaye-Baddoo, Arias-Bhatia, Harlem, Horn, Phillips,
41 Starr) – 1 nay (Jones).
42

43 Dr. Horn reported that an individual (J.G.) is requesting that the Board accept his or her
44 doctorate degree in Applied Behavioral Sciences from Union Institute and University as
45 a degree in psychology. The Committee recommends that the Board accepts the
46 doctorate degree as a degree in psychology because this specific doctorate degree was
47 previously accepted by the Board.
48

1 It was M/(Horn)/S(Erickson)/C to accept the degree to qualify for licensure as a
2 psychologist.

3
4 Vote: 8 aye (Erickson, Gallardo, Acquaye-Baddoo, Arias-Bhatia, Harlem, Horn, Jones,
5 Phillips) – 1 nay (Starr).

6
7 Dr. Horn reported that an individual (J.R.) is requesting exemption from the continuing
8 education requirements. The Committee determined that the individual is providing
9 direct mental services and recommends that the Board does not approve the request.

10
11 It was M/(Horn)/S(Erickson)/C to accept the Committee's recommendation to not
12 approve the request.

13
14 Vote: 9 aye (Erickson, Gallardo, Acquaye-Baddoo, Arias-Bhatia, Harlem, Horn, Jones,
15 Phillips, Starr) – 0 nay.

16
17 Dr. Horn reported that an individual (L.O.) is seeking approval for a plan to accrue SPE.
18 The Committee recommends that the plan is not accepted due to a lack of information
19 and specificity.

20
21 It was M/(Horn)/S(Erickson)/C to accept the Committee's recommendation.

22
23 Dr. Gallardo suggested to the Board that the plan includes enough specificity and
24 information to be approved.

25
26 Dr. Horn withdrew her motion and Dr. Erickson withdrew his second.

27
28 It was M/(Horn)/S(Phillips)/C to approve the plan to accrue SPE.

29
30 Vote: 9 aye (Erickson, Gallardo, Acquaye-Baddoo, Arias-Bhatia, Harlem, Horn, Jones,
31 Phillips, Starr) – 0 nay.

32
33
34 Dr. Gallardo asked that the Board readdress the closed session Licensing Committee's
35 item concerning the individual requesting an extension of the 30-consecutive months
36 allowed for the accrual of SPE.

37
38 It was M/(Gallardo)/S(Jones)/C to reconsider the vote on E.M.'s request of the thirty (30)
39 month extension.

40
41 Vote: 8 aye (Erickson, Gallardo, Arias-Bhatia, Harlem, Horn, Jones, Phillips, Starr) – 0
42 nay, 1 abstaining (Acquaye-Baddoo).

43
44 Dr. Gallardo stated that the individual's reasons for not completing the SPE hours are
45 legitimate. He added that the individual is asking to include accrued SPE hours from five
46 years ago and he does not see that circumstance being any different from the Board
47 allowing individuals in exempt settings five years to accrue hours for licensure. He
48 expressed desire for granting the individual's request.

49

1 Dr. Horn stated that she agrees with Dr. Gallardo.

2
3 Ms. Acquaye-Baddoo expressed concern regarding the fairness in allowing the
4 individual more time to gain knowledge that would help him or her pass examinations to
5 become licensed.

6
7 Dr. Phillips stated that the individual requesting the extension made the decisions that
8 led to her situation and does not appear to be a victim of circumstance.

9
10 Mr. Thomas stated that the 30- consecutive month policy is also applied to exempt
11 settings.

12
13 It was M/(Gallardo)/S(Erickson)/C to accept the request to grant the extension.

14
15 Votes: 6 aye (Harlem, Arias-Bhatia, Gallardo, Jones, Horn) – 2 nay (Phillips, Starr), 1
16 abstaining (Acquaye-Baddoo).

17
18
19 **Agenda #6: Policy and Advocacy Committee Report – Nicole J. Jones**

20
21 **a) Legislation Update, Review and Action, as Necessary**

22
23 The Policy and Advocacy Committee met to formulate its recommendations to the
24 Board.

25
26 Ms. Jones stated that she would be presenting each bill from the past legislative
27 session during the full Board meeting.

28
29 Dr. Linder-Crow stated that she wanted to update the Board on AB 1775 that added
30 language to CANRA in an attempt to modernize it and accommodate new technologies
31 by adding terms such as “download” and “stream.” She stated that the authors do not
32 believe that adding language changed the reporting mandate of the bill. The governor
33 signed this bill and, as a result, CPA has been receiving questions regarding the new
34 law. She stated that there appears to be confusion regarding the law and differing
35 opinions on whether or not there has been a change to mandated reporting. She added
36 that CPA will be seeking the opinions from legislative counsel and encouraged the
37 Board to do so as well.

38
39 Ms. Jones thanked Dr. Linder-Crow for the update and suggested analyzing AB 1775.

40
41 **1) AB 186 (Maienschein) – Professions and Vocations: Military Spouses:
42 Temporary Licenses**

43
44 Ms. Jones reported that the Board voted to take an “Oppose” position on AB 186 at the
45 August Board meeting and this bill was signed by the Governor.

46
47 **2) AB 809 (Logue) – Healing Arts: Telehealth**

1 Ms. Jones reported that the Board voted to take a “Support” position on AB 809 at the
2 August Board meeting and this bill was signed by the Governor.

3
4 Ms. Sorrick stated that AB 809 was an urgency bill and, therefore, became effective
5 immediately after it was signed on September 18th. The Board put out a notice
6 regarding AB 809 which was posted on the Board’s website.

7
8 **3) AB 1702 (Maienschein) – Professions and Vocations: Incarceration**

9
10 Ms. Jones reported that the Board voted to take an “Oppose” position on AB 1702 and
11 the bill was signed by the Governor.

12
13 **4) AB 1843 (Gordon/Jones) – Child Custody Evaluations**

14
15 Ms. Jones reported that the Board voted to take a “Support” position at the June Board
16 meeting on AB 1843 and the bill was signed by the Governor.

17
18 **5) AB 2058 (Wilk) – Open Meetings**

19
20 Ms. Jones reported that the Board voted to take a “Watch” position on AB 2058 and the
21 bill was vetoed by the Governor.

22
23 **6) AB 2198 (Levine) – Mental Health Professionals and Suicide Prevention**

24
25 Ms. Jones reported that the Board voted to take an “Oppose” position on AB 2198 and
26 the bill was vetoed by the governor. She summarized the Governor’s veto letter.

27
28 **7) AB 2396 (Bonta) – Convictions: Expungement: Licenses**

29
30 Ms. Jones reported that the Board voted to take an “Oppose” position on AB 2396 and
31 the bill was signed by the Governor.

32
33 **8) SB 1159 (Lara) – License Applicants: Federal Tax Identification**

34
35 Ms. Jones reported the Board voted to take a “Watch” position on SB 1159 and the bill
36 was signed by the Governor.

37
38 **9) SB 1466 (DeSaulnier) – Health Care Coverage**

39
40 Ms. Jones reported that the Board voted to take a “Support” position on SB 1466 and
41 the bill was signed by the Governor.

42
43 **b) Exempt Settings Legislative Proposal (Business and Professions Code
44 Sections 2909, 2909.5, and 2910)**

45
46 Ms. Jones invited Mr. Thomas to present the legislative proposal to the Committee.

47
48 Mr. Thomas reported that the Board is seeking a legislative proposal that would ensure
49 that employees in exempt settings are working towards accruing supervised

1 professional experience for licensure as a psychologist. He stated that the proposal
2 would also limit the exemption period to five (5) years. He added that the requested
3 motion is that the Committee recommends approving the bill proposal as written.

4
5 It was M/(Phillips)/S(Acquaye-Baddoo)/C to approve the bill proposal as written.

6
7 Vote: 9 aye (Erickson, Gallardo, Acquaye-Baddoo, Arias-Bhatia, Harlem, Horn, Jones,
8 Phillips, Starr) – 0 nay.

9
10 **c) Submission of Supervised Professional Experience Legislative Proposal**
11 **(Business and Professions Code Section 2914)**

12
13 Mr. Thomas referred to the hand carry items and reported that this legislative proposal
14 seeks to change the way that Supervised Professional Experience (SPE) forms are
15 submitted to the Board.

16
17 It was M/(Erickson)/S(Starr)/C to approve the language to seek a legislative change.

18
19 Vote: 9 aye (Erickson, Gallardo, Acquaye-Baddoo, Arias-Bhatia, Harlem, Horn, Jones,
20 Phillips, Starr) – 0 nay.

21
22 **d) 2014/15 Legislative Calendar**

23
24 Ms. Jones referred to the informational Legislative Calendar provided in the Board
25 packets.

26
27 **e) Update Regarding the California Child Abuse and Neglect Reporting Act**
28 **(CANRA) and Mandated Reporting - Penal Code Sections 261.5, 288, and**
29 **11165.1**

30
31 Ms. Jones stated that the Board voted at its February meeting to request Senator
32 Steinberg's Office send a request for clarification to the Office of the Attorney General
33 as to whether or not a psychologist who becomes aware of consensual acts of sodomy
34 and oral copulation between minors is reportable as abuse. There is a body of case law
35 that says it is not, but the language in the law and training manuals say that it is. This is
36 causing confusion regarding this very sensitive issue.

37
38 Board Member Linda Starr submitted the request to Senator Steinberg's staff and they
39 have indicated that the Office of the Attorney General has not yet released the opinion.

40
41 Ms. Jones reported that the Board is still waiting to hear a response regarding the
42 Board's request.

43
44 **f) Regulation Update, Review, and Action as Necessary**

45
46 **1) Title 16, CCR, Section 1397.12 – Uniform Standards Related to Substance**
47 **Abuse and Disciplinary Guidelines**

1 Mr. Thomas reported that the Board received input from the DCA legislative counsel
2 and the action request is that the Committee recommends approving the modified text.

3
4 Ms. Jones advised the Board that it is possible for psychology evaluations to come from
5 optional term to standard and suggested that this could be added as a future agenda
6 item.

7
8 Dr. Erickson suggested that the Board proceed with the standards as written and
9 reevaluate later, perhaps with an ad hoc committee.

10
11 It was M/(Jones)/S(Phillips)/C to adopt the modified text for the uniform standards
12 related to substance abuse and disciplinary guidelines.

13
14 Vote: 9 aye (Erickson, Gallardo, Acquaye-Baddoo, Arias-Bhatia, Harlem, Horn, Jones,
15 Phillips, Starr) – 0 nay.

16
17 It was M/(Jones)/S(Erickson)/C to delegate authority to the Executive Officer to make
18 any non-substantive or technical changes in completing the rulemaking file.

19
20 Vote: 9 aye (Erickson, Gallardo, Acquaye-Baddoo, Arias-Bhatia, Harlem, Horn, Jones,
21 Phillips, Starr) – 0 nay.

22
23 **2) Title 16, CCR, Sections 1388, 1388.6, 1389, 1392 – Examinations, License**
24 **Requirements and Waiver of Exemption, Reconsideration of Examinations,**
25 **Psychologists Fees**

26
27 Ms. Jones reported the Board voted to allow staff to make non-substantive changes at
28 the regulation hearing in August and that the Executive Officer was delegated authority
29 by the Board to approve the amended language in the absence of negative comments.
30 and referred to the revised language provided in the Board packets. She added that this
31 agenda item is informational and no action is requested.

32
33 **g) Discussion and consideration of amending Title 16, CCR, Section 1380.5 –**
34 **Filing of Addresses**

35
36 Ms. Jones reported that the proposed regulatory amendments would require licensees
37 to provide their email addresses to the Board if applicable.

38
39 It was M/(Jones)/S(Starr)/C to approve the language for noticing and set for a regulatory
40 hearing.

41
42 **Approved Language**

43 **§ 1380.5. Filing of Address.**

44 (a) Each person holding a license as a psychologist shall file with the board his or
45 her residential address and proper and current mailing address, if different and
46 shall report immediately to the board at its Sacramento office any and all
47 changes of address, giving both his old and new address. In addition to the

1 residential and mailing addresses, the licensee may provide the Board with an
2 alternative address of record. If an alternative address is the address of record,
3 the licensee may request that his or her residential address not be disclosed to
4 the public.

5 (b) Each applicant and licensee who has an electronic mail address shall report to
6 the board that electronic mail address no later than July 1, 2015, and shall
7 maintain a current electronic address with the Board. The electronic mail address
8 shall be considered confidential and not subject to public disclosure.

9 (c) Within 30 days after a change of any address, the applicant or licensee shall
10 report to the Board any and all changes, giving both his or her old and new
11 address(es).

12
13
14 **h) Public Comment for Items Not on the Agenda**

15
16 There was no public comment.

17
18 **Agenda Item #7: Applied Behavior Analysis (ABA) Task Force Report – Johanna**
19 **Arias-Bhatia**

20
21 Ms. Arias-Bhatia began her report of the Applied Behavior Analysis (ABA) Task Force
22 by summarizing the goals of the Task Force. She stated that the ABA Task Force
23 meeting was held on October 13th and specifically thanked Drs. Don Crowder, Elizabeth
24 Winkleman, Jim Carr, Gina Green, and Daniel Shabani for attending the meeting.

25
26 Ms. Arias-Bhatia reported that the Task Force determined that the goal of the Task
27 Force was to identify where Behavioral Analysis licensure would be housed. She added
28 that the California Association for Behavior Analysis (CalABA) submitted a Sunrise
29 Application and a response questionnaire would be published in mid-December.

30
31 Ms. Arias-Bhatia stated that the Task Force will address how the licensure of Behavioral
32 Analysis will impact boards and provide input during the process.

33
34 Dr. Gallardo stated that he believes consumers, psychologists, and behavioral analysts
35 would benefit from the Board housing the licensure of Behavioral Analysis.

36
37 Dr. Harlem expressed concern in showing too much support for the ABA issue early in
38 the process when it may evolve into a situation that the Board no longer supports.

39
40 Dr. Gallardo commented that this issue is gaining momentum and that it is important for
41 the Board to be at the table and participating when the discussion is happening. Dr.
42 Horn expressed agreement with Dr. Gallardo's comment.

43
44 It was M/(Starr)/S(Acquaye-Baddoo)/C to approve the Task Force recommendation that
45 its goal be to determine where ABA practitioners be housed.

46
47 Vote: 9 aye (Erickson, Gallardo, Acquaye-Baddoo, Arias-Bhatia, Harlem, Horn, Jones,
48 Phillips, Starr) – 0 nay.

1
2 Dr. Erickson thanked the Board members, Board staff, and public.

3
4 The open session meeting was adjourned at 6:01 p.m.

5
6 **Friday, November 21, 2014**

7
8 Michael Erickson, Ph.D, Board President called the open session meeting to order at
9 9:00 a.m. A quorum was present and due notice had been sent to all interested parties.

10
11 **Members Present:**

12 Michael Erickson, PhD, President
13 Miguel Gallardo, PhD, Vice-President
14 Lucille Acquaye-Baddoo, Public Member
15 Johanna Arias-Bhatia, Public Member
16 Andrew Harlem, PhD
17 Jacqueline Horn, PhD
18 Nicole J. Jones, Public Member
19 Stephen Phillips, PsyD, JD
20 Linda Starr, Public Member

21
22 **Others Present:**

23 Antonette Sorrick, Executive Officer
24 Jeffrey Thomas, Assistant Executive Officer
25 Sandra Monterrubio, Enforcement Program Manager
26 Karen Johnson, Licensing Coordinator
27 Colette McDowell, Continuing Education/Renewals Coordinator
28 Norine Marks, DCA Legal Counsel
29 Raymond J. Trybus, PhD, President, Walden University, San Diego Psychology
30 Association
31 Jo Linder-Crow, PhD, California Psychological Association
32 Talia Cortese, University of San Diego Center for Public Interest Law
33 Pamela McCrory, PhD, Los Angeles County Psychological Association
34 Hugh Pates, PhD, San Diego Psychological Association
35 Katherine Quinn, San Diego Psychological Association

36
37 **Agenda Item #8: Regulatory Hearing – Title 16, CCR, Sections 1397.60, 1397.61,**
38 **1397.62, 1397.67 – Definitions, Continuing Education Requirements, Continuing**
39 **Education Exemptions and Exceptions, Renewal after Inactive or Delinquent**
40 **Status**

41
42 Dr. Erickson commenced the regulatory hearing. He stated that the regulation proposal
43 was filed with the Office of Administrative Law and has been duly noticed to interested
44 parties.

45
46 Dr. Trybus commended the Board for their attention to the matter. He stated that he was
47 planning to comment on the definitions regarding academic course provided in
48 previously drafted language, but the official language has his concerns addressed.

1 Dr. Linder-Crow commended the Board for their work and stated that other regulatory
2 boards are also looking into the matter, but acknowledged that California is moving very
3 quickly on this. She stated that CPA has been very happy to attend meetings and
4 discussions.

5
6 In the final review, CPA noticed one inconsistency in the language of section
7 1397.61(f)(2). Dr. Linder-Crow stated that the language in 1397.61(f)(2)(b) describes
8 how a person becomes approved as a provider. She points out that the narrowed
9 language differs from the broader definition of 1397.61(d). She added that the language
10 is not used in earlier versions and is inconsistent. She stated that CPA recommends
11 that the language of 1397.61(f)(2)(b) be deleted and the 1397.61(d) language be used
12 in place of subsection (b) and in later parts of the document.

13
14 Dr. Horn stated that she does not see any discrepancies or narrowing in language
15 between the two sections. She added that one of the issues the Board was concerned
16 about was CE being relevant to clinical practice.

17
18 The Board agreed on clarifying the language by adding the phrase “relevance to
19 practice” and adding a slash (/) between “CE” and “CPD” to decrease confusion and
20 indicate that the two terms are related.

21
22 Dr. Hugh Pates stated that the San Diego Psychological Association finds the document
23 to be encouraging and productive. He asked about who would be approving CEUs for
24 the activities that would be considered peer consultation and when peer consultation
25 can take place.

26
27 Dr. Horn stated that peer consultation would not necessarily be considered a sponsored
28 continuing education program, although it is allowed if people are a part of a
29 consultation group in which activities are logged. Each licensee would have to
30 demonstrate that he or she has taken part in peer consultation rather than an agency.
31 She added that January 1st, 2016, is when the new regulations regarding CE would go
32 into effect.

33
34 Dr. Horn addressed the submitted written comments.

35
36 Dr. Horn reported that the first written comment expressed concern for requiring a
37 person to receive credit in two (2) out of four (4) areas and asked what peer
38 consultation would require on the part of the licensee. She continued to the second
39 written comment which addressed the allowance of 75% of CE to be accumulated
40 through technological means and asked if that would be impacted by what the Board
41 now requires.

42
43 Dr. Gallardo stated that it appears as if the individuals are concerned about the
44 limitation of sponsored CE units and whether or not that will hinder their ability to earn
45 CE units.

46
47 Ms. Jones stated that providing a rationale and explanation of the Board’s decisions
48 would prove to be helpful.

1 Dr. Linder-Crow stated that when the change in ethics was made, there was a
2 surprising amount of opposition regarding the broadening of what an individual could
3 do. She added that the ethics situation is very similar to this CE situation. She offered
4 the help of CPA to educate other psychologists about what these changes mean. She
5 encouraged the Board to maintain a strong stance regarding their changes to CE.
6

7 Dr. Erickson thanked the staff, public, and Board members before closing the hearing.
8

9 **Agenda Item #9: Adoption of Amendments to Title 16, CCR, Sections 1397.60,**
10 **1397.61, 1397.62, 1397.67 – Definitions, Continuing Education Requirements,**
11 **Continuing Education Exemptions and Exceptions, Renewal after Inactive or**
12 **Delinquent Status**
13

14 It was M/(Erickson)S/(Jones)/C to approve the modified text for a 15-day public
15 comment period in which 1397.61(f)(2)(B) reads “programs that focus on non-traditional
16 or emerging practice or theory and can demonstrate relevance to practice,” “approving
17 agencies” is changed to “approving organization” in 1397.61(f)(2), 1397.61(d) reads
18 “CE/CPD,” and 1397.61(b) was amended to incorporate the CE Verification Log by
19 reference to read “incorporated herein by reference.”

20 Vote: 9 aye (Erickson, Gallardo, Acquaye-Baddoo, Arias-Bhatia, Harlem, Horn, Jones,
21 Phillips, Starr) – 0 nay.
22

23 It was M/(Starr)S/(Erickson)/C to delegate authority to the Executive Officer to make
24 non-substantive changes.
25

26 Vote: 9 aye (Erickson, Gallardo, Acquaye-Baddoo, Arias-Bhatia, Harlem, Horn, Jones,
27 Phillips, Starr) – 0 nay.
28

29 **Agenda Item #13: Outreach and Education Committee – Dr. Miguel Gallardo**
30

31 **a) Strategic Plan Update**
32

33 Ms. Sorrick referred the Board to the informational Strategic Plan Update provided in
34 the Board packets and stated that the status of completion for each goal has also been
35 provided.
36

37 **b) Communications Plan Update**
38

39 Ms. Sorrick referred the Board to the Communications Plan Update and stated that the
40 update will be an ongoing, informational item provided at each Board meeting.
41

42 **c) Social Media Update**
43

44 Ms. Sorrick referred the Board to the Social Media Update document that was provided
45 in the Board packets.
46

47 **d) Website Update**
48

1 Ms. Sorrick referred the Board to the Website Update document that was provided in
2 the Board packets.

3
4 **e) Newsletter**

5
6 Ms. Sorrick referred the Board to the Fall Journal that was provided as a hand-carry
7 item.

8
9 **f) Outreach Activities Update**

10
11 Ms. Sorrick referred the Board to the Outreach Activities update document that was
12 included in the Board packets. She summarized the discussion at the ASPPB meeting
13 and stated that she, Dr. Erickson, and Dr. Horn were present.

14
15 She added that she, Dr. Erickson, and Dr. Gallardo also had a meeting with CPA and
16 then asked Dr. Gallardo to summarize discussion topics of the meeting.

17
18 Dr. Gallardo stated that the goal of the meeting with CPA was to discuss and
19 collaborate on education and outreach, such as the implications and meaning of the CE
20 model. He summarized the discussion that took place during the meeting.

21
22 **g) Public Comment for Items Not on the Agenda**

23
24 Dr. Linder-Crow suggested the possibility of CPA and the Board working together to
25 create a full-day, professional development workshop that would address ethical
26 practice. She stated that other states have done this and the workshops have been very
27 well received.

28
29 Dr. Gallardo summarized the Committee report with input from Ms. Sorrick as
30 applicable.

31
32 Ms. Jones suggested adding suicide resources and statistics in the next newsletter in
33 regards to AB 2198. She also expressed desire to ensure that the Board includes
34 various ethnic and cultural groups and organizations in outreach.

35
36 Dr. McCrory stated that the feedback for the Board's newsletters have been very
37 positive. In addition, she reported that LACPA receives many questions regarding
38 telepsychology and suggested adding facts or frequently asked questions regarding
39 telepsychology to the newsletter.

40
41 It was M/(Starr)S/(Acquaye-Baddoo)/C to accept the Outreach and Education
42 Committee report.

43
44 Vote: 9 aye (Erickson, Gallardo, Acquaye-Baddoo, Arias-Bhatia, Harlem, Horn, Jones,
45 Phillips, Starr) – 0 nay.

46
47 **Agenda Item #14: President's Report**

48
49 **a) Ad Hoc Committee Update**

1
2 1) Telepsychology Committee
3

4 Dr. Erickson stated that the Telepsychology Committee will consist of Dr. Phillips as the
5 Chair and Dr. Harlem.
6

7 2) Sunset Review Committee
8

9 Dr. Erickson stated that he and Dr. Horn will comprise the Sunset Review Committee
10 with Dr. Erickson serving as the Chair.
11

12 **b) 2014-15 Meeting Calendar and Locations**
13

14 Dr. Erickson referred the Board to the 2014 and 2015 calendars that were provided in
15 the Board packets.
16

17 **c) Other Informational Items**
18

19 None.
20

21 **Agenda Item #14: Executive Officer's Report**
22

23 **a) Organizational Update**
24

25 Ms. Sorrick discussed the Organizational Update document that was provided in the
26 Board packets.
27

28 Ms. Sorrick thanked public affairs and publications for their work with the newsletter,
29 website, videos, and other items.
30

31 **b) Annual Statistical Profile (ASP Report to the State Legislature)**
32

33 Ms. Sorrick referred the Board to the Annual Statistical Profile that was provided in the
34 Board packets.
35

36 Dr. Pates asked about the Board's income and allocation of funds and Ms. Sorrick
37 directed Dr. Pates to the Budget Report that was discussed the previous day.
38

39 **c) CPS Program Analysis Update**
40

41 Ms. Sorrick referred the Board to the CPS Program Analysis Update that was provided
42 in the Board packets.
43

44 **d) Other Informational Items**
45

46 None.
47

48 **Agenda Item #15: Election of Officers**
49

1 Dr. Erickson indicated that he was willing to continue as President of the Board and Dr.
2 Gallardo expressed his willingness to see another Board Member serve as Vice
3 President.
4
5 Ms. Arias-Bhatia indicated that the Board may want to consider giving others an
6 opportunity to serve.
7
8 Ms. Starr asked Dr. Erickson how long he has served as President of the Board and Dr.
9 Erickson replied that he has served two and a half (2.5) years.
10
11 Dr. Phillips nominated Dr. Erickson for President and Ms. Arias-Bhatia nominated Ms.
12 Jones for President.
13
14 Ms. Jones nominated Dr. Harlem for Vice President; however, Dr. Harlem declined the
15 nomination.
16
17 Dr. Phillips nominated Ms. Jones for Vice President.
18
19 Dr. Gallardo indicated that he likes the idea of having a public member in one of the
20 elected positions.
21
22 It was M (Horn)/S (Erickson)/C to accept the nominations by acclamation (9-0).
23
24 Vote: 9 aye (Erickson, Gallardo, Acquaye-Baddoo, Arias-Bhatia, Harlem, Horn, Jones,
25 Phillips, Starr) – 0 nay.
26
27 There was a vote and another motion as follows: It was M (Erickson)/S (Phillips)/C that
28 the terms of office become effective January 1, 2015, for one year.
29
30 **1) Closed Session – The Board will meet in Closed Session Pursuant to**
31 **Government Code Section 11126(a)(1) to conduct its annual evaluation of its**
32 **Executive Officer.**
33
34 The Board adjourned into **closed session** pursuant to Government code Section
35 11126(a)(1) to conduct its annual evaluation of its Executive Officer.
36
37 **Agenda Item #16: Recommendations for Agenda Items for Future Board Meetings**
38
39 Ms. Arias-Bhatia asked if the Board could provide information regarding passage rates
40 by demographic categories. Ms. Sorrick stated that the Board may not have authority to
41 do so.
42
43 Dr. Gallardo indicated that he did not believe that the role of the Board is to help people
44 pass the exam.
45
46 Dr. Phillips stated that it is a primary purpose of the Board to make sure that individuals
47 are competent to practice.
48

1 Ms. Jones requested that the Board members receive an advance copy of the draft
2 minutes in order to refresh their memories prior to reviewing the agenda.

3
4 Dr. Horn clarified that grammatical corrections could be provided to the Executive
5 Officer ahead of time. Ms. Marks indicated that this is allowed as long as it was to the
6 Executive Officer and not the full Board.

7
8 **Agenda Item #17: Public Comment for Items not on the Agenda**

9
10 There was no public comment.

11
12 **Agenda Item #18: Adjournment**

13
14 The Board adjourned at 12:50 p.m.

15
16
17
18
19
20
21

President

Date

22