


MEMORANDUM

DATE	July 26, 2017
TO	Board of Psychology
FROM	 Cherise Burns Central Services Manager
SUBJECT	Agenda Item #5(a)(1) – AB 89 (Levine) - Suicide Assessment and Intervention Coursework/Training Requirements

Background:

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

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

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

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

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

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

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

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

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

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

on a 14-1-1 vote (Aye-No-Abstained) and referred to the Assembly Committee on Appropriations (Assembly Appropriations).

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

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

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

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

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

AB 89 was originally scheduled to be heard on the Senate Floor on July 6 and then on July 13, but the Floor vote was delayed both times due to other Senate business unrelated to AB 89. Since the Legislature is on Summer Recess from July 21 to August 20, AB 89 will be heard on the Senate Floor upon the resumption of the legislative session. Staff will continue to keep the Board apprised of the progress of AB 89 through the legislative process.

Location: Senate Floor

Status: 6/27/2017 Read second time, ordered to third reading.

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

Action Requested:

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

Attachment A: AB 89 (Levine) Text

Attachment B: List of Support/Opposition

Attachment C: Board's Letter to Senate Committee on Appropriations

Attachment D: Board's Senate Floor Alert

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AB-89 Psychologists: suicide prevention training. (2017-2018)

SECTION 1. *Section 2915.4 is added to the Business and Professions Code, to read:*

2915.4. *(a) Effective January 1, 2020, an applicant for licensure as a psychologist shall show, as part of the application, that he or she has completed a minimum of six hours of coursework or applied experience under supervision in suicide risk assessment and intervention. This requirement shall be met in one of the following ways:*

(1) Obtained as part of his or her qualifying graduate degree program. To satisfy this requirement, the applicant shall submit to the board a written certification from the registrar or training director of the educational institution or program from which the applicant graduated stating that the coursework required by this section is included within the institution's curriculum required for graduation at the time the applicant graduated, or within the coursework that was completed by the applicant.

(2) Obtained as part of his or her applied experience. Applied experience can be met in any of the following settings: practicum, internship, or formal postdoctoral placement that meets the requirement of Section 2911, or other qualifying supervised professional experience. To satisfy this requirement, the applicant shall submit to the board a written certification from the director of training for the program or primary supervisor where the qualifying experience has occurred stating that the training required by this section is included within the applied experience.

(3) By taking a continuing education course that meets the requirements of subdivision (e) or (f) of Section 2915 and that qualifies as a continuing education learning activity category specified in paragraph (2) or (3) of subdivision (c) of Section 2915. To satisfy this requirement, the applicant shall submit to the board a certification of completion.

(b) Effective January 1, 2020, as a one-time requirement, a licensee prior to the time of his or her first renewal after the operative date of this section, or an applicant for reactivation or reinstatement to an active license status, shall have completed a minimum of six hours of coursework or applied experience under supervision in suicide risk assessment and intervention, as specified in subdivision (a). Proof of compliance with this section shall be certified under penalty of perjury that he or she is in compliance with this section and shall be retained for submission to the board upon request.

SEC. 2. *No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.*

AB 89 (Levine) Support and Opposition

Support

Organization/ Individual

Board of Psychology
American Foundation for Suicide Prevention
American Medical Response
Asian Americans for Community Involvement
California Mental Health Services Authority (CalMHSA)
California Professional Firefighters
California State Sheriffs' Association
Camarin for Mental Health, aka Family & Children Services of Silicon Valley
Children Now
County Behavioral Health Directors Association of California
Didi Hirsch Mental Health Services (Suicide Prevention Center)
Marin County Sheriff's Office
NAMI Santa Cruz
Project Safety Net, City of Palo Alto
San Francisco Suicide Prevention
Stanislaus County Sheriff's Department
The Trevor Project
The Steinberg Institute
Uplift Family Services
Young Minds Advocacy
CalTrain - Peninsula Corridor Joint Powers Board
11 Individuals

Opposition

Organization/ Individual

California Psychological Association

June 20, 2017

The Honorable Ricardo Lara
Chair, Senate Committee on Appropriations
State Capitol, Room 2206
Sacramento, CA 95814

RE: AB 89 (Levine) – Psychologists: suicide prevention training – SPONSOR

Dear Senator Lara:

The Board of Psychology (Board) is pleased to **SPONSOR** AB 89 (Levine).

This bill would, effective January 1, 2020, require all licensees and applicants for licensure as a psychologist to have completed a minimum of six (6) hours of coursework, or applied experience under supervision, in suicide assessment and intervention. This requirement could be met through coursework in a qualifying degree program, continuing education courses, or as part of supervised applied experience. For current licensees, this requirement could be fulfilled with new or past coursework, applied experience, or continuing education courses in suicide assessment and intervention.

AB 89 would use existing Board staff processes and resources to verify compliance with AB 89's one-time training requirement and would include a minor one-time cost for BreEZe updates required for verification and data collection. AB 89 would require a one-time minor redirection of funds, estimated at \$5,000, to have the Department of Consumer Affairs' Office of Information Services add data collection mechanisms within the BreEZe system to the initial application and renewal application for psychologists in order to verify compliance with the bill. The Board would also update its initial and renewal applications available online, including related instructional materials, to include appropriate certifications to capture compliance data in the BreEZe system for manually processed applications.

After January 1, 2020, AB 89 implementation would also include verification of compliance by Board staff during the initial and renewal application review process for psychologists and during the continuing education (CE) audit process for licensed psychologists. There would be no additional costs associated with the changes to the initial application review process, renewal application review process, or CE audit process required by this bill.

Verification of compliance for applicants would be added as a component of the initial license application review process, where applicants would be required to provide written documentation showing proof of completion of the six (6) hours of coursework, applied experience, or continuing education in suicide assessment and intervention. If an applicant failed to provide adequate documentation of completion, this would result in denial of a license for the applicant.

Verification of compliance for currently licensed psychologists would include certification under penalty of perjury on a licensee's renewal application that the licensee met the one-time 6-hour requirement. This certification would then be verified through the Board's existing CE audit process, which would include verification of documentation of suicide prevention training. The Board currently audits approximately 10 percent of licensees annually, and staff verify that licensees meet the required number and types of CE hours required for renewal. Failure to certify completion on the renewal application would result in delayed and/or denied renewal applications if the error were not corrected, and failure to provide adequate documentation of compliance during the CE audit would potentially result in citations and fines, orders of abatement to complete the

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AB 89: SPONSOR

June 20, 2017

required training, or potentially formal discipline against the licensee if the he or she failed to come into compliance.

Suicide is a critical public health issue in the State of California, where on average, one person dies of suicide every two hours and twice as many people die of suicide than by homicide. The Centers for Disease Control and Prevention's (CDC's) data show that, between 2000 and 2015, suicide was the third leading cause of death for Californians ages 15 to 34, and the tenth leading cause of death for Californians of all ages. Furthermore, CDC data also show that the overall suicide rate in California increased by 21.4 percent between the years 2000 and 2015.

After much review, consideration, and deliberation, our Board feels it is time to take a leading role in this area and require suicide prevention training of our licensees. Research conducted by the Board and other studies reflect the need for vigilance in insuring that all licensees have basic exposure to suicide assessment and intervention. As with many other aspects of mental health, it is incumbent upon psychologists to lead the way in promoting the highest standards of care for California consumers. AB 89 is a sensible and flexible solution that enhances the state's suicide prevention efforts and protects consumers of psychological services who rely on psychologists having the basic education and training required to identify and aid a patient or client with suicidal ideation in finding competent treatment. Additionally, AB 89 accomplishes this using existing Board processes and resources with negligible costs to the State

For these reasons, the Board asks for your support of AB 89 when it is heard in the Senate Committee on Appropriations. If you have any questions or concerns, please feel free to contact the Board's Executive Officer, Antonette Sorrick, at (916) 574-7113. Thank you.

Sincerely,

A handwritten signature in blue ink, appearing to read 'SC Phillips', is written over a light blue horizontal line.

STEPHEN C. PHILLIPS, JD, PsyD
President, Board of Psychology

cc: Members of the Senate Committee on Appropriations
Assembly Member Marc Levine
Brendan McCarthy, Consultant, Senate Committee on Appropriations
Heather White, Consultant, Senate Republican Caucus

FLOOR ALERT

AB 89 (Levine): Psychologists: Suicide Prevention Training

Suicide is a Critical Public Health Issue

Suicide is a critical public health issue in the State of California, where on average, one person dies of suicide every two hours and twice as many people die of suicide than by homicide. The Centers for Disease Control and Prevention's (CDC's) data show that, between 2000 and 2015, suicide was the third leading cause of death for Californians ages 15 to 34, and the tenth leading cause of death for Californians of all ages. Furthermore, CDC data also show that the overall suicide rate in California increased by 21.4 percent between the years 2000 and 2015.

Addressing the Issue

The Board of Psychology (Board) reviewed survey data of doctoral programs and pre- and post-doctoral internship and practicum programs, other studies, research, input from the field, and public comment at Board and committee meetings; wherein the Board learned that not all psychologists were receiving a quantifiable minimum level of training in suicide assessment and intervention prior to licensure. Based on this data and public input, and after much review, consideration, and deliberation, the Board decided it was time to take a leading role in this area and to take action by requiring all licensed psychologists meet a one-time requirement of six (6) hours of suicide assessment and intervention training/coursework.

What this means for applicants for licensure is during the application process, they would provide proof of completion of coursework during their qualifying degree program, training during their supervised professional experience, or proof of completion of continuing education coursework. For current licensees, upon renewal, individuals would verify by checking a box that they had fulfilled the six-hour requirement. Upon audit (the Board typically audits 5-10% of the total licensees renewed each month), licensees would provide proof of completion of six hours of coursework during their qualifying degree program, training during their supervised professional experience, or proof of completion of continuing education courses.

A Fair and Balanced Approach

This bill aims to ensure that all psychologists receive education or training to meet a minimal level of knowledge and exposure in the assessment and treatment of this important public health issue. For those that have received the training/education, there is a mechanism in place to verify completion. This bill is not an additional mandate for those that have already received the training and is therefore a fair and balanced approach to addressing this issue. AB 89 is a sensible and flexible solution that enhances the state's suicide prevention efforts and protects consumers of psychological services who rely on psychologists having the basic education and training required to identify and aid a patient or client with suicidal ideation in finding competent treatment.

The Board of Psychology asks for your help to **ensure that all licensed psychologists receive suicide assessment and intervention training by voting "AYE" on AB 89** when it comes to the Senate Floor. In the absence of such a measure, some psychologists are not likely to be prepared to address this critical life threatening issue.

The Board of Psychology's mission is to advance quality psychological services for Californians by ensuring ethical and legal practice and supporting the evolution of the profession.

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Jenny Berg, Assembly Member Marc Levine's Office, (916) 319-2010, jenny.berg@asm.ca.gov