


MEMORANDUM

DATE	September 1, 2017
TO	Board of Psychology
FROM	 Jason Glasspiegel Central Services Coordinator
SUBJECT	Agenda Item #16(b)(2)(XX) – SB 755 (Beall) Civil Discovery: Mental Examination

Background:

Existing law provides that any party may obtain discovery by means of a physical or mental examination of (1) a party to the action, (2) an agent of any party, or (3) a natural person in the custody or under the legal control of a party in any action in which the mental or physical condition of that party or other person is in controversy in the action. This bill would limit the mental examination of a child that is less than 15 years of age and has credible evidence of being sexually abused to psychological testing of no more than three (3) hours, including breaks, unless the court grants an extension for good cause. This bill would also require the examination to be conducted by a licensed clinical psychologist or licensed physician.

At the June Board meeting, the Board identified three areas of concern, (1) use of the term clinical psychologist, (2) limiting a psychologists' ability to practice within their scope of competence, (3) a lack of awareness of the Board's complaint process. The Board directed staff to compose a letter to the Author and Sponsor of SB 755 that would relay the Board's concerns. To complete this task, staff first emailed the Author and Sponsor the Board's three concerns, and requested a conference call to communicate these concerns verbally. After the conference call occurred, staff composed a letter summarizing the Board's concerns and the actions staff took to communicate these concerns with the Sponsor and Author of SB 755.

Location: Secretary of State

Status: Chaptered by Secretary of State. Chapter 133, Statutes of 2017.

Votes: 7/10/2017 Senate Floor (concurrence) (39-0-1)
 7/06/2017 Assembly Floor (75-0-5)
 6/13/2017 Assembly Committee on Judiciary (11-0-0)
 5/22/2017 Senate Floor (37-0-3)
 5/2/2017 Senate Committee on Judiciary (6-0-1)

Action Requested:

This item is for informational purposes only; no action is required at this time.