

1 DRAFT MINUTES OF BOARD MEETING

2 May 10, 2024

3
4 Sonesta Los Angeles Airport
5 5985 West Century Boulevard
6 Los Angeles, CA 90045
7

8 **Board Members**

9 Lea Tate, PsyD, President
10 Shacunda Rodgers, PhD, Vice President
11 Sheryll Casuga, PsyD, CMPC
12 Marisela Cervantes, EdD, MPA, Chairperson
13 Seyron Foo
14 Mary Harb Sheets, PhD
15 Julie Nystrom
16 Stephen Phillips, JD, PsyD
17 Ana Rescate
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19 **Board Staff**

20 Antonette Sorrick, Executive Officer
21 Cynthia Whitney, Central Services Manager
22 Stephanie Cheung, Licensing Manager
23 Troy Polk, Legislative and Regulatory Analyst
24 Sarah Proteau, CPD & Renewals Coordinator
25 Anthony Pane, Board Counsel
26

Friday, May 10, 2024

27
28 **Agenda Item #1: Call to Order/Roll Call/Establishment of a Quorum**

29
30 Dr. Tate called the meeting to order at 9:01 a.m. A quorum was present and due notice
31 had been sent to all interested parties.
32

33 **Agenda Item #2: President's Welcome**

34 a) Mindfulness Exercise

35
36 Dr. Tate offered opening remarks and Dr. Rodgers led a mindfulness exercise for all
37 participants in the meeting.
38

39 Dr. Tate called for public comment.

40 No public comment was offered.
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44 **Agenda Item #3: Public Comment for Items Not on the Agenda. Note: The Board**
45 **May Not Discuss or Take Action on Any Matter Raised During this Public**
46 **Comment Section, Except to Decide Whether to Place the Matter on the Agenda**
47 **of a Future Meeting [Government Code sections 11125 and 11125.7(a)].**
48

49 Dr. Tate called for public comment.
50

51 No public comment was offered.
52

53 **Agenda Item #4: Discussion and Possible Approval of the Board Meeting**
54 **Minutes: February 29 – March 1, 2024**
55

56 Mr. Foo joined the meeting.
57

58 Dr. Tate introduced this item and called for Board comment.
59

60 It was (M)Foo(S)Nystrom(C) to adopt the February 29 – March 1, 2024, Board meeting
61 minutes with any technical amendments.
62

63 Dr. Tate called for public comment.
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65 No public comment was offered.
66

67 Dr. Phillips pointed to line 511 in the draft minutes where ‘complains’ should read
68 ‘complaints’.
69

70 Votes
71 9 Ayes (Casuga, Cervantes, Foo, Harb Sheets, Nystrom, Phillips, Rescate, Rodgers,
72 Tate), 0 Noes
73

74 **Agenda Item #5: President’s Report**

75 a) Meeting Calendar
76

77 Dr. Tate provided the update on this item.
78

79 Mr. Foo commented that it would be supportive of the communities the Board is trying to
80 reach if the meetings were held in locations convenient to that population. He
81 commented that Wright Institute in Berkeley, CA might be a good location for the next
82 Board meeting in August.
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84 Ms. Whitney commented that staff was in talks with the Wright Institute to host the
85 August 2024 Board meeting.
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87 Dr. Tate called for public comment.
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89 No public comment was offered.

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Agenda Item #6: Executive Officer's Report

a) Personnel Update

Ms. Sorrick provided the update on this item.

Dr. Tate called for Board comment.

No Board comment was offered.

Dr. Tate called for public comment.

No public comment was offered.

Agenda Item #7: DCA Update

Assistant Deputy Director of Board and Bureau Relations Yvonne Dorantes provided the update on this item.

May 5th – May 11th is Public Service Recognition Week at DCA, and honors the thousands of DCA employees dedicated to consumer protection.

On April 30th, DCA hosted a meet-and-greet with Agency Secretary Tomiquia Moss and Executive leadership. This was an opportunity for DCA leadership to meet Secretary Moss and hear her vision and priorities for the Business, Consumer Services, and Housing Agency, and the Department itself.

DCA has become aware of a new scam targeting licensees, in which licensees of the various Boards are contacted and fraudulently notified that they are under investigation. Ms. Dorantes advises Boards to be vigilant and proactive, by providing tips to their licensees about how to avoid potential scams.

On April 5th, DCA's Diversity, Equity, and Inclusion Steering Committee (DEI) held its quarterly meeting. The committee reviewed and discussed the member application process, establishing subcommittees, and solicited committee input on how to expand language access, workforce development, and to advance DEI through the end of 2024.

The next DEI Committee meeting will be held July 26, 2024.

Ms. Dorantes commented that many DEI courses are available to Board Members and staff online.

In April, DCA's Office of Public Affairs staff participated in two Facebook Live events hosted by the Consulate of Mexico's Sacramento and Fresno Offices. Staff shared a variety of consumer and licensing information in English and Spanish; additional events are scheduled for the coming months.

138 Ms. Dorantes commented that all Board Members must complete the Board Member
139 Orientation training within one year of their appointment or reappointment. The next full-
140 day training is coming up in June and again in October.

141
142 Ms. Dorantes concluded her remarks by once again offering thanks to Board Members
143 and staff for all the work they do for consumer protection.

144
145 Dr. Tate asked whether DCA had materials that the Board could share with its licensees
146 to help them identify and avoid potential scams.

147
148 Ms. Dorantes replied that DCA does have language that the Board could post online or
149 include in a ListServ email message.

150
151 Dr. Cervantes commented on technical and logistical problems that arise as a result of
152 DCA's data processes, which are problems that staff at the Board meetings have limited
153 ability to troubleshoot and fix. She pointed to the amount of time and staff resources it
154 takes to keep her state-issued laptop computer functioning properly so she can
155 complete her duties efficiently.

156
157 Ms. Dorantes commented that DCA is always happy to help with streamlining
158 processes.

159
160 Dr. Tate called for public comment.

161
162 No public comment was offered.

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164 **Agenda Item #8: Budget Update**

165
166 Mr. Polk provided the update on this item which was included in the meeting materials
167 beginning on page 21.

168
169 Dr. Tate called for Board comments.

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171 No Board comment was offered.

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173 Dr. Tate called for public comment.

174
175 No public comment was offered.

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177 **Agenda Item #9: Enforcement Report**

178
179 Ms. Sorrick provided the update on this item for Ms. Monterrubio which was included in
180 the meeting materials beginning on page 26.

181
182 Ms. Sorrick commented on the search to fill a vacancy in the Enforcement Unit, and to
183 recruit Subject Matter Experts (SMEs) to assist with case investigations.

184

185 Dr. Casuga asked about the SME program, as to what percentage of applicants to the
186 program would actually be recruited compared to how many might not be qualified to
187 serve as SME.
188

189 Ms. Sorrick replied that of the twenty-six applications most recently received, five of
190 those did not meet the qualifications and were not recruited; a common disqualification
191 was for not having been in practice for the minimum required time. Having a pool of one
192 hundred SMEs would be ideal, and would save the board from having to rely on a small
193 number of Experts to review all the cases.
194

195 Dr. Casuga commented to licensees in attendance that serving as SME is a great way
196 to improve their profession and is a valuable service.
197

198 Dr. Harb Sheets asked to hear the qualifications to serve as SME.
199

200 Ms. Cheung answered on Ms. Sorrick's behalf and read selected qualifications from the
201 overall list:
202

- 203 • Valid license for a minimum three years prior to application as SME
- 204 • Have an active practice, consisting of at least eighty hours a month in a direct
205 client contact or teaching
- 206 • Submit a Curriculum Vitae
- 207 • Education or Training appropriate to the chosen specialty
- 208 • Writing samples on topics relevant to SME casework
- 209 • Clean enforcement record with the board, and no current enforcement activity
- 210 • No criminal convictions
- 211 • Attend in-person training and repeat training every two years
- 212 • Must agree to testify when necessary
- 213 • Agree to a three-year term
- 214 • Have a working knowledge of the Board's laws and regulations
215

216 Dr. Casuga asked how long the process took from application to recruitment as SME.
217

218 Ms. Sorrick replied that the required initial training occurs only once a year, and in some
219 cases may be every two years. The location typically alternates from Northern California
220 / Bay Area to Southern California, and is contingent upon the ability to travel as well as
221 the availability of the Attorney General's Office to participate.
222
223

224 Dr. Harb Sheets asked about the list of qualifications that Ms. Cheung had read for SME
225 recruitment, and wanted clarification as to what degree the knowledge of forensics
226 would be required for qualification as SME.
227

228 Discussion ensued.
229

230 Dr. Phillips commented that a forensics background is preferred in cases that might go
231 to administrative hearing, but the lack of such a background would not be grounds for
232 eliminating an applicant from recruitment.
233

234 Dr. Cervantes commented that the Board and staff have worked over the years to build
235 the SME program and asked whether the board had printed material to distribute at
236 meetings for potential SMEs to learn about the program.
237

238 Dr. Rodgers asked whether any kind of acknowledgement would be sent to applicants
239 who submitted to the SME program. Ms. Sorrick commented that it would be a good
240 idea to do so, and she would follow up with Ms. Monterrubio about this.
241

242 No further Board comment was offered.
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244 Dr. Tate called for public comment.
245

246 Public comment was made asking whether and how much compensation would be paid
247 for case review in the SME program.
248

249 Ms. Sorrick replied that the compensation was comparable to what other health boards
250 pay their own experts.
251

252 An additional comment was made, suggesting that the question of interest in becoming
253 an SME could be a part of the license renewal application.
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255 An additional suggestion was made that two experts could be assigned to collaborate
256 on certain cases, but in any case there should be a support structure for SMEs to
257 consult with others on technical or ethical matters that fall outside their experience or
258 knowledge.
259

260 A comment was made asking whether certain other combinations of qualifications might
261 be acceptable for serving as SME, since the list as it stood excluded practitioners who
262 nonetheless were spending many hours in related areas of patient care.
263

264 Dr. Phillips commented that the Board has been considering amending the
265 qualifications list to include more categories than those currently available.
266

267 Further comment was made about the seeming difference in transparency between the
268 Licensing Unit and the Enforcement Unit, and that potential changes discussed about
269 reworking the initial contact letter in enforcement cases had never come to light months
270 after it was discussed during the Strategic Planning Session in December 2023.
271

272 Comment was made requesting two things:
273

- 274 • That Enforcement Unit meetings be publicly-noticed, and if not, why not?
- 275 • That the initial notice letter sent to licensees in enforcement cases be revised to
- 276 read that the licensee has the option of seeking legal advice before responding to
- 277 board

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Ms. Sorrick commented that historically the activities of the Enforcement Committee have not been open to the public, citing the presence of Enforcement Analysts and the sensitive nature of discussions on open cases. However, any decisions and policies made by the Enforcement Committee would be brought back to the full Board for discussion, in the interest of transparency.

Dr. Phillips commented that the less-formal format of Enforcement Committee meetings enables the Committee to have direct communication with Enforcement staff about particular cases. Additionally, the meetings are organized in this way to protect the privacy and personal safety of Enforcement staff, who may become the targets of threats and harassment.

Mr. Foo commented that, as previously stated by Ms. Sorrick, any policy decisions made at the Committee level, and even internal changes like revisions of SME application materials, etc. would be brought before the full Board for consideration in a public meeting.

Public comment continued with Dr. Elizabeth Winkelman of CPA commenting on the use of the word 'informal' as used in the initial inquiry letter sent to licensees who are the subject of a filed complaint, that perhaps that word should be removed as possibly misleading the licensee about the potential ramifications of being investigated.

Dr. Tate commented that would like to have the earlier suggestions given during public comment regarding SMEs to be added to the discussion going forward.

Dr. Casuga referred to an earlier public comment about resources available to SMEs, and what technical guidance they might receive from other licensees with that particular expertise. She requested that this discussion be added to a future agenda for further discussion.

Dr. Phillips commented on the problems that could arise when a SME is consulting with someone outside of the program, given the sensitivity of the material being shared. The alternative approach of having two Board-trained SMEs working on the same would be cost prohibitive.

Agenda Item #10: Licensing Report

Ms. Cheung provided the update on this item which was included in the meeting materials beginning on page 34.

Dr. Tate called for Board comment.

No Board comment was offered.

Dr. Tate called for public comment.

No public comment was offered.

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Agenda Item #11: Examination Report

Ms. Cheung provided the update on this item which was included in the meeting materials beginning on page 44.

Ms. Cheung commented on EPPP pass rates and pointed to a slightly-lower passing rate for January to March 2024 compared to the previous period. Pass rates for the CPLEE overall for the same period is 82%.

Ms. Cheung commented further that in response to a question from Mr. Foo at the previous Board meeting about the impacts of the ASPPB study, a report would be made at a later date to the full Board.

Additionally, she commented that there would be a full update given at the August Board meeting regarding the feasibility of a California practice exam.

Dr. Tate called for Board comment.

Mr. Foo asked Ms. Cheung for perspective on how the board's exam pass rates compare with other jurisdictions and commented that it would be helpful at the first Board meeting of 2025 to report on the pass rate for all of 2024, to provide a full picture of trends for the entire year. This information could then be compared with that of other jurisdictions to see if these numbers were part of a larger trend, and then the impact of remote learning could be seen more clearly.

Dr. Cervantes concurred with Mr. Foo.

Dr. Harb Sheets asked whether it would be possible to break out online learning, as distinct from remote learning, to see the impact on passing rates.

Dr. Phillips commented that ASPPB also provides statistics broken out by state, and that it is relatively easy to make comparisons state-by-state and year-by-year without drawing on additional resources.

Dr. Rodgers expressed concern about the future implementation of the EPPP2 and wondered what the pass rates looked like for states that have already implemented it.

Mr. Foo commented on Dr. Rodgers' comment, saying that when ASPPB releases the results of the EPPP, they report it as a single exam, not broken out into Parts I and II.

Dr. Harb Sheets commented that it would be likely that since the two parts of the exam are taken at a wide interval, the statistics should already be distinct enough to report out apart from the other set.

No further Board comment was offered.

Dr. Tate called for public comment.

374
375 No public comment was offered.

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377 **Agenda Item #12: Continuing Professional Development and Renewals Report**

378
379 Ms. Whitney provided the update on this item.

380
381 Dr. Harb Sheets commented on the chart depicting the total number of audits per month
382 and pointed out that some of the data do not add up to one hundred percent.

383
384 Ms. Whitney confirmed that some audits have been received, but not yet completed.

385
386 No further Board comment was offered.

387
388 Dr. Tate called for public comment.

389
390 Public comment addressed the topic of the online training that the board provided to
391 explain the changes and new requirements related to receiving CPD credit and being
392 audited.

393
394 Ms. Whitney commented that the CPD training webinar was recorded and could be
395 viewed on the Board's website at <https://psychology.ca.gov/licensees/ce.shtml> for CPD
396 credit.

397
398 No further public comment was offered.

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400 **Agenda Item #13: Legislative and Regulatory Affairs Committee Report and**
401 **Consideration of Committee Recommendations**

402
403 Dr. Cervantes introduced this item.

404
405 a) Legislative Proposals

406
407 1. SB 1526 – Consumer Affairs - Psychological Associates: Business and Professions
408 Code Section 2913: Change of Supervisor Fee: Business and Professions Code
409 Section 2987: Health and Safety Code 124260

410
411 Mr. Polk provided the update on this item which was included in the meeting materials
412 beginning on page 46.

413 He provided the Committee's recommendation that the Board request the Senate
414 Committee consider the additional changes to Business and Professions Code Sections
415 2913 and 2987 relating to fees and education to qualify for a psychological associate
416 registration.

417
418 Dr. Cervantes called for a motion.

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420 It was (M)Harb Sheets(S)Phillips(C) to adopt the Committee's recommendation that the
421 Board should continue to request that the Senate Committee consider the additional

422 changes to BPC Sections 2913 and 2987 as outlined on page 47 of the Board meeting
423 materials.

424

425 Dr. Cervantes called for Board comment.

426

427 Mr. Foo commented that the analysis presented by Mr. Polk indicated that the Board
428 would be supported by the California Psychological Association in making this
429 recommendation, and asked whether that support had in fact been offered. He
430 commented further that CPA was represented at this meeting and he hoped they would
431 address their level of support in public comment.

432

433 Ms. Nystrom recused herself from items 13, 14, and 15.

434

435 No further Board nor staff comments were offered.

436

437 Dr. Cervantes called for public comment.

438

439 Dr. Winkelman from CPA commented that she did not believe CPA had taken a position
440 on SB 1526.

441

442 Mr. Polk commented that there was currently no other support except as expressed by
443 the Board, and likewise there was no opposition to SB 1526.

444

445 No further public comment was offered.

446

447 Votes

448 8 Ayes (Casuga, Cervantes, Foo, Harb Sheets, Phillips, Rescate, Rodgers, Tate), 0

449 Noes, 1 Recusal (Nystrom)

450

451 b) Review of Bills for Active Position Recommendations to the Board

452

453 1. AB 2270 (Maienschein) Healing arts: continuing education: menopausal mental and
454 physical health

455

456 Mr. Polk provided the update on this item which was included in the meeting materials
457 beginning on page 131.

458

459 Mr. Polk provided the Committees recommendation that the Board take a position of
460 support.

461

462 Dr. Cervantes called for a motion.

463

464 It was (M)Casuga(S)Tate(C) to adopt the Committee's recommendation that the Board
465 take a support position on AB 2270.

466

467 Dr. Cervantes called for Board comments.

468
469 Dr. Harb Sheets asked whether voting on a position of support was a vote to consider a
470 position or to continue the discussion. Dr. Cervantes commented that this vote was
471 actually to confirm a support position by the Board for this bill.

472
473 Mr. Pane commented that the Board is voting on a position on this bill in its current
474 state, and that pending further changes to the language, the bill may need to come
475 before the Board for further discussion and a new vote.

476
477 Dr. Casuga commented that the intention of the Legislative & Regulatory Committee in
478 making this recommendation to the full Board was to allow coursework on menopausal
479 and mental health to be taken for CPD credit, but not that such coursework would be
480 mandated. The Committee wanted to acknowledge the importance of such coursework
481 and that it should be available for providers working with this population.

482
483 Dr. Phillips commented that AB 2270 does not mandate the continuing education
484 providers to create coursework in this area, so taking a support position is expressing a
485 sentiment rather than mandating anything.

486
487 No further Board comment was offered.

488
489 Dr. Cervantes called for public comment.

490
491 No public comment was offered.

492
493 Votes

494 8 Ayes (Casuga, Cervantes, Foo, Harb Sheets, Phillips, Rescate, Rodgers, Tate), 0
495 Noes, 1 Recusal (Nystrom)

496
497 2. AB 2282 (McKinnor) Family reunification services

498
499 Mr. Polk presented the update on this item which was included in the meeting materials
500 beginning on page 158.

501
502 On April 12th, AB 2282 was presented to the Legislative and Regulatory Affairs
503 Committee for possible position recommendation. The Committee determined that the
504 bill may be outside of the Board's scope and passed a motion to continue to watch AB
505 2282 as the bill makes its way through the legislative process.

506
507 No motion necessary to continue watching this bill, and it is presented for informational
508 purposes only.

509
510 Dr. Cervantes called for Board comment.

511
512 No Board comment was offered.

513
514 Dr. Cervantes called for public comment.

515

516 No public comment was offered.

517

518 3. AB 2581 (Maienschein) Healing arts: continuing education: maternal mental health

519

520 Mr. Polk presented an update on this item which was included in the meeting materials
521 beginning on page 185.

522 Mr. Polk provided the Committee's recommendation that the Board take a position of
523 support.

524

525 Dr. Cervantes called for a motion.

526

527 It was (M)Rodgers(S)Phillips(C) to adopt the Committee's recommendation that the
528 Board take a support position on AB 2581.

529

530 Dr. Cervantes called for Board comment.

531

532 Dr. Casuga commented that as with AB 2270, the intention of the Legislative &
533 Regulatory Committee in making this recommendation to the full Board was to allow
534 coursework on maternal mental health to be taken for CPD credit, but not that such
535 coursework would be mandated. The Committee wanted to acknowledge the
536 importance of such coursework and that it should be available for providers working with
537 this population, and as such this recommendation is aspirational.

538

539 No further Board comment was offered.

540

541 Dr. Cervantes called for public comment.

542

543 No public comment was offered.

544

545 Votes

546 8 Ayes (Casuga, Cervantes, Foo, Harb Sheets, Phillips, Rescate, Rodgers, Tate), 0

547 Noes, 1 Recusal (Nystrom)

548

549 4. AB 2703 (Aguiar-Curry) Federally qualified health centers and rural health clinics:
550 psychological associates

551

552 Mr. Polk presented the update on this item which was included in the meeting materials
553 beginning on page 210.

554

555 Mr. Polk provided the Committees recommendation that the Board take a position of
556 support.

557

558 Dr. Cervantes called for a motion.

559

560 It was (M)Phillips(S)Tate(C) to adopt the Committee's recommendation that the Board
561 take a support position on AB 2703.

562

563 Dr. Cervantes called for Board comments.

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No Board comment was offered.

Dr. Cervantes called for public comment.

Dr. Winkelman of CPA thanked the Board for considering supporting this bill, and commented that this bill was co-sponsored by CPA and the California Primary Care Association. She commented that this bill would allow for greater access to services, while also providing more sites for psychological associates to receive training and supervision. She concluded her remarks expressing hope that the Board would take a support position on AB 2703.

Dr. Andrea Davis, CPA member and Chair-Elect of Division I of CPA, commented on the challenges in hiring psychological associates into these Medicaid facilities that serve over half of the children and many of the adults in California, because they will not be reimbursed for services provided by psychological associates. She expressed strong support for AB 2703.

Dr. Casuga commented that when the Legislative and Regulatory Affairs Committee discussed AB 2703, the purpose of recommending a support position was two-fold:

- 1) To ensure that the training was proactive in providing consumer protection, and
- 2) To ensure that there was adequate access to care for underserved populations and rural populations

No further public comment was offered.

No further Board comment was offered.

Votes

8 Ayes (Casuga, Cervantes, Foo, Harb Sheets, Phillips, Rescate, Rodgers, Tate), 0 Noes, 1 Recusal (Nystrom)

5. AB 2862 (Gipson) Licenses: African American applicants

Mr. Polk provided the update on this item which was included in the meeting materials beginning on page 236.

Staff continues to watch AB 2862.

Dr. Cervantes called for Board and staff comment.

Dr. Rodgers asked how many applicants are received that would fall under the bill's language.

Dr. Cervantes commented that the board does not collect data on race and ethnicity from its applicants.

612 Dr. Rodgers commented that there was uncertainty as to how this prioritization of one
613 class of application would impact staff workflow.

614
615 Dr. Phillips commented that the board is legally prohibited from gathering race data, and
616 that the way the bill is worded, it will be operationally very difficult for staff to determine
617 who qualifies as descended from an enslaved person.

618
619 Ms. Sorrick commented that the board currently has an expedited process for military
620 service members, and that applicants are asked to provide documentation of active
621 military service. There would have to be system modifications to allow for new
622 checkboxes that covered new eligibility parameters.

623
624 Ms. Rescate asked for clarification on what it would mean to prioritize these
625 applications, according to current usage.

626
627 Dr. Tate replied that a prioritized application goes to the front of the line to be
628 processed.

629
630 Dr. Cervantes called for public comment.

631
632 No public comment was offered.

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634 6. SB 1012 (Wiener) The Regulated Psychedelic-assisted Therapy Act and the
635 Regulated Psychedelic Substances Control Act 7. SB 1067 (Smallwood-Cuevas)
636 Healing arts: expedited licensure process: medically underserved area or population

637
638 Mr. Polk presented the update on this item which was included in the meeting materials
639 beginning on page 248.

640
641 Mr. Polk provided the Committees recommendation that the Board take an oppose
642 position.

643
644 Dr. Cervantes called for a motion.

645
646 It was (M)Harb Sheets(S)Casuga(C) to adopt the Committee's recommendation that the
647 Board take an Oppose position on SB 1012.

648
649 Dr. Cervantes called for Board and staff comment.

650
651 Mr. Foo asked whether the concerns raised in Committee regarding SB 1012 were
652 shared with the bill's author in an official capacity.

653
654 Mr. Polk replied that staff had not yet reached out to the author's office, but would wait
655 until the Board adopted an official position on the bill.

656
657 Mr. Foo asked whether the Board might consider a position to oppose unless amended,
658 or whether the Committee was firmly opposed and made their recommendation thus.

659

660 Dr. Phillips replied that the concerns brought up by the Committee were shared by
661 many in the mental health field and that there were concerns about creating a quasi-
662 mental health discipline among a class of individuals who did not necessarily have
663 medical training.

664
665 Dr. Casuga commented that the goal of psychedelic-assisted therapy are tied to
666 psychological services, such as treatment of anxiety, PTSD, for which conditions the bill
667 would require that the practitioner be licensed; however, at this time, the advisory
668 committee only calls for one mental health professional, and the Board of Psychology
669 would not necessarily be represented. The current language of this bill is too broad for
670 the Committee to recommend anything but a position to oppose.

671
672 Mr. Foo asked what position the Boards of Oregon and Colorado took on the issue
673 proposed by this bill, and what issues and lessons arose from the creation of this new
674 class of registrant by those states.

675
676 Dr. Casuga commented on a public comment given at the Committee meeting by an
677 individual licensed in California and Oregon, who indicated that there were issues with
678 the adoption of this new class of practitioner in Oregon that this Board should be aware
679 of by contacting the Oregon Board.

680
681 Mr. Polk commented that the board had not yet reached out to the Oregon Board for
682 information responsive to this question. Immediately following this meeting, Mr. Polk
683 intended to reach out to the author's office prior to drafting the opposition letter.

684
685 Dr. Phillips commented that for a certain percentage of the population who have such
686 conditions as anxiety and PTSD, treatment with psychedelics has actually led to a
687 worsened condition. He commented on the potential dangers of allowing a 21-year-old
688 facilitator with unknown education providing therapy for a patient who might need a
689 more thorough evaluation before even considering administering psychedelics. He
690 advised a slower approach, going where the research leads, before voicing support for
691 this bill.

692
693 No further Board comment was offered.

694
695 Dr. Cervantes called for public comment.

696
697 Dr. Winkelman of CPA commented that there are many psychologists are interested in
698 working in this new field, but many more who have concerns in common with those
699 expressed by the Board. She asked what special concerns this Board might have that
700 might not be shared by other health care Boards. She asked whether boards other than
701 Board of Psychology were specifically included in the oversight committee described in
702 this bill.

703
704 Mr. Polk confirmed that the latest advisory called for one member to have a background
705 in mental or behavioral health, but for the Board members appointed, nothing clearly
706 states that a psychologist would be among their number.

707

708 Further public comment touched on research in the October edition of *Monitor on*
709 *Psychology* by the American Psychological Association, and provided an assessment of
710 the negative effects experienced by 200,000 subjects related to the use of psychedelics.
711

712 Dr. Andrea Davis questioned why there would need to be a new Board with a separate
713 testing process for each different new kind of treatment. She would like to see the Board
714 take a position to oppose this bill.

715
716 Further public comment expressed a change of position to no longer be in support of
717 this bill, given the scarcity of information and understanding as to what effect these
718 psychedelics have on the brain over time.

719
720 Additional public comment touched on the amount of resistance encountered whenever
721 one profession tries to expand its scope into the practices of other professions, and that
722 there is a lot of contradiction in play in this process involving the Board in a larger
723 debate.

724
725 No further public comment was offered.

726
727 Dr. Cervantes called for Board comment.

728
729 Dr. Harb Sheets commented that if the State of California is not going to allow
730 psychologists to prescribe psychotropic prescriptions, there is a scary precedent in
731 allowing non-mental and behavioral health practitioners to provide mental or behavioral
732 health services including the use of psychedelics.

733
734 Mr. Foo commented that he had a better understanding of this issue as he prefers a
735 collaborative approach with complex issues. He sees the value in speaking with other
736 jurisdictions about their experiences as a way to inform this Board's positions.

737
738 Votes

739 7 ayes (Casuga, Cervantes, Harb Sheets, Phillips, Rescate, Rodgers, Tate), 1 No
740 (Foo), 1 Recusal (Nystrom)

741
742 7. SB 1067 (Smallwood-Cuevas) Healing arts: expedited licensure process: medically
743 underserved area or population

744
745 Mr. Polk provided the update on this item which was included in the hand carry
746 materials beginning on page 8.

747 .
748 Mr. Polk expressed the Committees concerns regarding the bill language, specifically
749 the lack of clarity regarding the definition of "medically underserved area" or "medically
750 underserved population" and which documentation would be required. The Committee
751 recommended taking a Support if Amended Position on SB 1067.

752
753 Staff worked with legal counsel to draft the proposed amendments included in the
754 meeting materials.

755

756 Dr. Cervantes called for a motion.

757

758 It was (M)Phillips(S)Tate(C) to adopt the Committee's recommendation that the Board
759 take a Support if Amended position on SB 1067.

760

761 Dr. Cervantes called for Board comment.

762

763 Mr. Foo commented that if the Board takes this position, and the amendments are not
764 made, then the Board essentially falls back on a neutral position without being able to
765 influence the final product.

766

767 Ms. Sorrick commented that the Committee in their discussion was in support of the
768 concept behind this legislation, namely to clarify the language so that qualifications
769 could be defined. She commented that it was ultimately a policy call, saying that to take
770 a position to oppose, it might appear that the Board was opposed to the concept, not
771 merely to the areas that could be amended for clarity.

772

773 Dr. Cervantes restated the recommendation of the Committee to support this bill.

774

775 No further Board or staff comment was offered.

776

777 Dr. Cervantes called for public comment.

778

779 No public comment was offered.

780

781 Dr. Casuga asked whether the board was able to use the HCAI data in the same way
782 the Medical Board had, to determine eligibility under this bill.

783

784 Mr. Polk commented that it should be possible for the board to use the HCAI data in this
785 way.

786

787 Dr. Casuga advocated for a position to oppose unless amended.

788

789 Mr. Pane advised that the Board could take a vote on the motion currently on the table,
790 to take a position of support if amended, after which the Board could make a second
791 motion and vote on a position of oppose unless amended.

792

793 Discussion ensued between Board and staff regarding internal mechanisms that might
794 allow the Board to take an official position while also conveying to the Governor
795 concerns about potential challenges to implementation.

796

797 Votes

798 8 ayes (Casuga, Cervantes, Foo, Harb Sheets, Phillips, Rescate, Rodgers, Tate), 0

799 Noes, 1 Recusal (Nystrom)

800

801 c) Bills with Active Position Taken by the Board

802

803 1. AB 2051 (Bonta) Psychology interjurisdictional compact

804
805 Mr. Polk provided the update for this item which was included in the meeting materials
806 beginning on page 359.

807
808 Dr. Cervantes commented that the Board had already voted its position on this bill at the
809 last Board meeting and called for Board comment.

810
811 No Board comment was offered.

812
813 Dr. Cervantes called for public comment.

814
815 No public comment was offered.

816
817 **Agenda Item #14: Review Bills for Possible Action**

818
819 Dr. Cervantes introduced this item.

820
821 **a) AB 1991 (Bonta) Licensee and Registrant Records**

822
823 Mr. Polk provided the update for this item which was included in the meeting materials
824 beginning on page 400.

825
826 Mr. Polk provided the staff recommendation is for the Board to take an Oppose position
827 on AB 1991 as there are concerns regarding the bill language, specifically in the latest
828 amendments.

829
830 Dr. Cervantes called for a motion.

831
832 It was (M)Phillips(S)Tate(C) to adopt the Committee's recommendation that the Board
833 take an Oppose position on AB 1991.

834
835 Dr. Cervantes called for Board comment.

836
837 Mr. Foo asked whether the recommended opposition arises from the call for that
838 particular demographic data being collected, with all its potential implementational
839 challenges, or because of the discipline to be imposed against licensees and registrants
840 who would decline to provide that information.

841
842 Mr. Polk commented that the language of the bill made mandatory provisions that had
843 formerly been voluntary, and that now licensees and registrants would be denied
844 licensure or registration, or renewal of existing licensure or registration. He added that
845 the amended language now prohibited certain boards to deny renewal, but could still
846 impose discipline where the information was not provided.

847
848 Mr. Foo commented that he would like to see a letter of opposition containing a few
849 lines that the Board does focus on increasing workforce access and that the Board has
850 been supportive of addressing workforce shortages in a meaningful way. He added that
851 it would be helpful for the author to understand the work the Board continues to do to

852 address these issues. The letter should make clear that it is not the concept itself in
853 opposition, rather it is the mechanism of implementation that is opposed.

854
855 No further Board comment was offered.

856
857 Dr. Cervantes called for public comment.

858
859 No public comment was offered.

860
861 Votes
862 8 ayes (Casuga, Cervantes, Foo, Harb Sheets, Phillips, Rescate, Rodgers, Tate), 0
863 Noes, 1 Recusal (Nystrom)

864
865 **Agenda Item #15: Legislative Items for Future Meeting. The Committee May**
866 **Discuss Other Items of Legislation in Sufficient Detail to Determine Whether Such**
867 **Items Should be on a Future Committee or Board Meeting Agenda and/or Whether**
868 **to Hold a Special Meeting of the Committee or Board to Discuss Such Items**
869 **Pursuant to Government Code Section 11125.4**

870
871 Dr. Cervantes introduced this item and called for Board or staff comment.

872
873 No Board or staff comment was offered.

874
875 Dr. Cervantes called for public comment.

876
877 Dr. Winkelman of CPA commented that the Board should consider taking a position on
878 SB 1451 (Ashby), restricting the use of the word “doctor”, or the initials “Dr.”

879
880 CPA has taken a position of opposed unless amended.

881
882 Dr. Andrea Davis, Chair-Elect of Division I of CPA, commented that there were several
883 bills the Committee should consider taking a position on in order to improve patient
884 access to care.

- 885
- 886 • AB 236 (Holden)
 - 887 • SB 1120 (Becker)
 - 888 • SB 999 (Cortese)
 - 889 • SB 294 (Wiener)

890
891 No further public comment was offered.

892
893 **Agenda Item #16: Regulatory Update, Review, and Consideration of Additional**
894 **Changes**

895
896 Dr. Cervantes introduced these items.

897

898 A) 16 CCR sections 1391.13, and 1391.14 – Inactive Psychological Associates
899 Registration and Reactivating a Psychological Associate Registration

900
901 Mr. Polk provided the update on this item which were included in the meeting materials
902 beginning on page 411.

903
904 On April 22nd, the Board did receive a comment regarding the inactive regulation
905 package. A copy of the comment is included in the meeting materials.

906
907 The comment regarded the 72-month time limit and the pausing of that time limit when
908 an active registration is placed on inactive status. In working with the Regulations
909 Counsel, staff found that the concerns provided in the comment were specifically
910 addressed in the regulation package documents; the Initial Statement of Reason goes
911 into great detail regarding the 72-month limit and the impact the inactive status has on
912 the time-limit.

913
914 It was agreed that the comment does not warrant a change to the proposed text and
915 does not warrant a hearing; however, the comment is presented to the Board for further
916 discussion if deemed necessary. The comment and response will be included in the
917 package documents when the comment period closes.

918
919 Dr. Cervantes called for Board or staff comment.

920
921 No Board or staff comment was offered.

922
923 b) 16 CCR 1395.2 – Disciplinary Guidelines and Uniform Standards Related to
924 Substance-Abusing Licensees

925
926 Mr. Polk provided this update which was informational only, with no action required.
927 This was included in the meeting materials beginning on page 411.

928
929 c) 16 CCR sections 1380.3, 1381.1, 1381.2, 1381.4, 1381.5, 1382, 1382.3, 1382.4,
930 1382.5, 1386, 1387.1, 1387.2, 1387.3, 1387.4, 1387.5, 1387.6, 1391, 1391.1, 1391.3,
931 1391.4, 1391.5, 1391.6, 1391.8, 1391.11, and 1391.12 – Pathways to Licensure

932
933 Mr. Polk provided this update which was informational only, with no action required.
934 This was included in the meeting materials beginning on page 411.

935
936 d) 16 CCR sections 1380.6, 1393, 1396, 1396.1, 1396.2, 1396.4, 1396.5, 1397, 1397.1,
937 1397.2, 1397.35, 1397.37, 1397.39, 1397.50, 1397.51, 1397.52, 1397.53, 1397.54,
938 1397.55 - Enforcement Provisions

939
940 Mr. Polk provided this update which was informational only, with no action required.

941
942 This was included in the meeting materials beginning on page 411.

943
944 e) 16 CCR sections 1397.35, 1397.37, 1397.39, and 1937.40 - Corporations

945

946 Mr. Polk provided this update which was informational only, with no action required.
947 This was included in the meeting materials beginning on page 411.

948
949 f) 16 CCR sections 1381, 1387, 1387.10, 1388, 1388.6, 1389, and 1389.1 – EPPP-2.
950 Discussion and Possible Approval of proposed language and licensure application
951 forms related to AB 282.

952
953 Mr. Polk provided the update on this item which was included in the meeting materials
954 beginning on page 413.

955
956 **§ 1381. Applications.**

957 All applications shall be accompanied by such evidence, statements, or documents as
958 ~~therein~~ required to establish that the applicant meets all of the requirements for
959 ~~licensing~~ licensure or registration as set forth in Sections 2914, 2915.4, and 2915.5 of
960 the Code.

961
962 (a) An application to take the Examination for Professional Practice in Psychology
963 (EPPP) Part 1 shall include the following:

964
965 (1) Application to take the EPPP Part 1 (Rev. XX/XX), hereby incorporated by
966 reference;

967 (2) Written certification from the registrar or department chair stating that the
968 applicant has completed all required academic coursework (exclusive of internship
969 and dissertation) for the qualifying doctoral degree, or official transcript from the
970 institution that confers the applicant's qualifying doctoral degree;

971 (3) Any application fee pursuant to section 1392.

972
973 (b) Candidates submitting applications for the EPPP Part 1 received by the Board by
974 September 30, 2025 must take and pass the EPPP Part 1 before January 1, 2026 to
975 meet the national examination requirements for licensure. Effective January 1, 2026,
976 the EPPP will be a two-part examination made up of the EPPP Part 1 (which covers
977 knowledge) and the EPPP Part 2 (which covers skills) and an applicant must pass
978 both the EPPP Part 1 and Part 2. The national examination as used in this section is
979 defined as meeting the requirements set forth by the Association of State and
980 Provincial Psychology Boards (ASPPB).

981
982 (c) Effective January 1, 2026, a candidate who has obtained a passing score on the
983 EPPP Part 1 is qualified to submit an application to take the EPPP Part 2 which shall
984 include the following:

985 (1) Application to take the EPPP Part 2 (Rev. XX/XX), hereby incorporated by
986 reference;

987 (2) Official transcript from the institution that confers the applicant's qualifying
988 doctoral degree, unless previously submitted for the application to take the EPPP
989 Part 1;

990 (3) Verification of Experience (Rev. XX/XX), hereby incorporated by reference;

991 (4) Any application fee pursuant to section 1392.

992

993 (d) An application to take the California Psychology Law and Ethics Exam (CPLÉE) can
994 be submitted by an applicant at any time after completing all required academic
995 coursework (exclusive of internship and dissertation) for the qualifying doctoral
996 degree, and shall include the following:
997 (1) Application to take the CPLÉE (Rev. XX/XX), hereby incorporated by reference;
998 (2) Additional Verification of Experience (Rev. XX/XX), incorporated by reference in
999 subsection (c), if applicable;
1000 (3) Any application and examination fees pursuant to section 1392.

1001
1002 (e) An application for licensure shall include the following:
1003 (1) Application for Licensure as a Psychologist (Rev. XX/XX), hereby incorporated
1004 by reference;
1005 (2) Any application fee as listed in section 1392;
1006 (3) Evidence of completion of prelicensure coursework pursuant to Sections 2915.4
1007 and 2915.5 of the Code or sections 1382, 1382.3, 1382.4, and 1382.5.
1008 (4) Evidence of fingerprint submission pursuant to Section 144 of the Code.

1009
1010 (f) Out of state applicants shall submit an Application to take the CPLÉE (Rev. XX/XX),
1011 hereby incorporated by reference and as described in subdivision (c), if they have
1012 obtained EPPP eligibility by:
1013 (1) Having taken and passed the EPPP (Part 1 or, after January 1, 2026, both
1014 Part 1 and Part 2) but are not licensed; or
1015 (2) Having taken and passed the EPPP (Part 1 or, after January 1, 2026, both
1016 Part 1 and Part 2), but are licensed in another state, Canadian province, or U.S.
1017 territory.

1018
1019 Note: Authority cited: Section 2930, Business and Professions Code. Reference:
1020 Sections 2940 and 2941, Business and Professions Code.

1021
1022 **§ 1387.10 Supervision Requirements for Trainees who have Accrued Hours**

1023
1024 Notwithstanding completion of all required hours of supervised professional experience,
1025 all trainees must comply with the requirements of 1387(c).

1026
1027 **§ 1388. Examinations.**

1028
1029 (a) The Board recognizes the expertise of the Department of Consumer Affairs' (DCA)
1030 Office of Professional Examination Services (OPES). The Board shall utilize the
1031 services of the OPES in licensing examination development and validation through an
1032 interagency agreement.

1033
1034 (b) ~~An applicant for examination shall successfully take and pass the licensing~~
1035 ~~examinations prior to being licensed shall submit to the Board for its approval the~~
1036 ~~required applications specified in section 1381 and applicable fees as specified in~~
1037 ~~section 1392. The licensing examinations shall consist of the Association of State and~~
1038 ~~Provincial Psychology Boards' (ASPPB) Examination for Professional Practice in~~
1039 ~~Psychology (EPPP), and the California Psychology Laws and Ethics Examination~~
1040 ~~(CPLÉE). An applicant who has met, except that the EPPP shall be waived for those~~

1041 ~~applicants who meet~~ the criteria in section 1388.6 of this chapter. ~~Such applicants shall~~
1042 only be required to take and pass the CPLEE.

1043
1044 (c) Effective January 1, 2026, an applicant shall take and pass the EPPP two-part
1045 examination to satisfy the requirements of this section. ~~An applicant is eligible to take~~
1046 ~~the EPPP upon completion of a qualifying doctorate degree and 1500 hours of~~
1047 ~~qualifying professional experience. An applicant shall pass the EPPP and complete all~~
1048 ~~3000 hours of supervised professional experience prior to being eligible for the CPLEE,~~
1049 ~~whichever is applicable, pursuant to section 1388.6.~~

1050
1051 (d) An applicant is eligible to take the EPPP Part 1 upon completion of all academic
1052 coursework for their qualifying doctoral degree, pursuant to Section 2914 of the Code.
1053 To satisfy this requirement, the applicant shall submit to the Board a written certification
1054 from the registrar or department chair stating that the applicant has completed all
1055 required academic coursework (exclusive of internship and dissertation) for their
1056 qualifying doctoral degree. Such certification shall be provided to the Board in an
1057 application (Rev. XX/XX) as specified in section 1381, along with the fee as prescribed
1058 in Section 2987 of the Code. Upon application, the Board will notify applicants of their
1059 eligibility to take the EPPP. Applicants are responsible for completing any administrative
1060 requirements for taking the EPPP established by ASPPB or its agent, including paying
1061 any fees. This subsection applies to those re-taking the EPPP as well as to those taking
1062 it for the first time.

1063
1064 (e) Effective January 1, 2026, An applicant is eligible to take the EPPP Part 2 EPPP
1065 upon completion of a qualifying doctorate degree and 1500 **3000** hours of qualifying
1066 supervised professional experience, as specified in sections 1387 or 1387.4. To satisfy
1067 this requirement, the applicant shall submit to the Board all documentation specified in
1068 section 1381. For forms of the EPPP taken prior to September 1, 2001, the passing
1069 score is the score that was recognized by the Board at that time. For computer
1070 administered forms of the EPPP, the Board shall apply a scaled score as recommended
1071 by ASPPB.

1072
1073 (f) Applicants are responsible for completing any administrative requirements for taking
1074 Part 1 or Part 2 of the EPPP as established by ASPPB or its agents, including paying
1075 any fees. This subsection applies to those retaking Part 1 or Part 2 of the EPPP as well
1076 as to those taking it for the first time. Qualified applicants desiring to take the CPLEE
1077 shall submit to the Board the fee set forth in section 1392 of this chapter. Applicants
1078 shall comply with all instructions established by the DCA examination vendor for taking
1079 the CPLEE.

1080
1081 (eg) For forms of the EPPP taken prior to September 1, 2001, the passing score is the
1082 score that was recognized by the Board at that time. For computer administered forms
1083 of the EPPP, the Board shall accept the passing score recommended by apply a scaled
1084 score as recommended by ASPPB.

1085
1086 (fh) Qualified applicants desiring to take the CPLEE shall submit to the Board the fee
1087 set forth in section 1392 of this chapter. Applicants shall comply with all instructions
1088 established by the DCA examination vendor for taking the CPLEE.

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(g) The passing score on the CPLEE shall be determined for each form of the examination by a criterion referenced procedure performed by OPES.

(h) An applicant for whom English is ~~their~~the applicant's second language may be eligible for additional time when taking the EPPP Part 1, and/or EPPP Part 2, of the EPPP or the CPLEE. The applicant must complete and submit a request for additional time that states under penalty of perjury that English is ~~their~~the applicant's second language. The Test of English as a Foreign Language (TOEFL iBT) certification score of 85 or below shall be sent by Educational Testing Service directly to the Board. The TOEFL iBT shall have been taken within the previous two years prior to application. The Board will only consider the highest score of any TOEFL iBT taken within the previous two years. If approved, the applicant will be allotted time-and-a-half (1.5x) when taking the examination.

Note: Authority cited: Sections 2930 and 2942, Business and Professions Code.
Reference: Sections 123, 496, 2941, 2942, 2943 and 2960, Business and Professions Code.

§ 1388.6. License Requirements and Waiver of Examination Satisfaction of Licensure Requirements.

~~(a) When a California licensed psychologist has been licensed for at least five years and has allowed his/her license to cancel by not renewing the license for at least three years, the psychologist shall not be required to take the EPPP.~~

If an applicant for licensure as a psychologist has taken and passed the EPPP Part 1 or EPPP Part 2 for licensure at the doctoral level in another state, Canadian province, or US territory, the applicant is not required to retake the EPPP and shall submit documentation of a passing score on the EPPP Part 1. Effective January 1, 2026, an applicant shall submit documentation of passing scores on both EPPP Part 1 and EPPP Part 2, except for those applicants who were licensed by another state, Canadian Province or U.S. territory, prior to January 1, 2026.

~~(b) If an applicant for licensure as a psychologist has been licensed in another state, Canadian province, or U.S. territory, for at least two years the applicant shall not be required to take the EPPP.~~

~~(be) An applicant for licensure as a psychologist who holds a Certificate of Professional Qualification (CPQ) issued by the Association of State and Provincial Psychology Boards (ASPPB), shall not be required to take the EPPP~~submit documentation of a passing score on the EPPP Part 1. Effective January 1, 2026, an applicant shall submit documentation of passing scores on both EPPP Part 1 and EPPP Part 2, except for those applicants who were licensed by another state, Canadian Province or U.S. territory, prior to the January 1, 2026, effective date.

Such an applicant shall be deemed to have met the educational and experience requirements of subdivisions (b), (c) and (ed) of ~~Code s~~Section 2914 of the Code.

1137 ~~(cd)~~ An applicant for licensure as a psychologist who is credentialed as a Health Service
1138 Provider in Psychology by the National Register of Health Service Providers in
1139 Psychology (NRHSPP) and ~~has been~~who is currently licensed based on a doctoral
1140 ~~degree at the doctoral level~~ in another state, Canadian province, or U.S. territory for a
1141 minimum of two years shall ~~not be required to take the EPPP~~submit documentation of a
1142 passing score on the EPPP Part 1. Effective January 1, 2026, an applicant shall submit
1143 documentation of passing scores on both EPPP Part 1 and EPPP Part 2, except for
1144 those applicants who were licensed by another state, Canadian Province or U.S.
1145 territory, prior to January 1, 2026. Such an applicant shall be deemed to have met the
1146 educational and experience requirements of subdivisions (b), (c) and (ed) of ~~Code~~
1147 ~~s~~Section 2914 of the Code.

1149 ~~(de)~~ An applicant for licensure as a psychologist who is certified by the American Board
1150 of Professional Psychology (ABPP) and ~~has been~~who is currently licensed based on a
1151 ~~doctoral degree at the doctoral level~~ in another state, Canadian province, or U.S.
1152 territory for a minimum of two years shall ~~not be required to take the EPPP~~submit
1153 documentation of a passing score on the EPPP Part 1. Effective January 1, 2026, an
1154 applicant shall submit documentation of passing scores on both EPPP Part 1 and EPPP
1155 Part 2, except for those applicants who were licensed by another state, Canadian
1156 Province or US territory, prior to January 1, 2026. Such an applicant shall be deemed to
1157 have met the educational and experience requirements of subdivisions (b), (c) and (ed)
1158 of ~~Code~~ ~~s~~Section 2914 of the Code.

1159
1160 ~~(ef)~~ Although the EPPP is ~~some~~ waived under this section, an applicant must file a
1161 complete application and meet all current licensing requirements not addressed above,
1162 including payment of any fees, take and pass the California Psychology Law and Ethics
1163 Examination (CPLÉE), and not been subject to discipline. Nothing in this section waives
1164 the requirement, as specified in section 1388, for an applicant to take and pass the
1165 California Psychology Law and Ethics Examination (CPLÉE).

1166
1167 ~~(f)~~ An applicant who was licensed by another state, Canadian province, or U.S. territory
1168 and has taken and passed the EPPP Part 1 prior to January 1, 2026, is not required to
1169 take and pass the EPPP Part 2 but will be required to submit documentation of a
1170 passing score for the EPPP Part 1.

1171
1172 Note: Authority cited: Sections 2930 and 2946, Business and Professions Code.
1173 Reference: Section 2946, Business and Professions Code.

1174 **~~§ 1389. Reconsideration of Examinations.~~**

1175
1176
1177 ~~(a)~~ There shall be no reconsideration of the grade received on the EPPP or on the
1178 CPLÉE.

1179
1180 ~~(b)~~ Nothing in this section shall be construed to deprive an applicant of his or her rights
1181 of appeal as afforded by other provisions of law.

1182
1183 Note: Authority cited: Section 2930, Business and Professions Code. Reference:
1184 Sections 2942 and 2944, Business and Professions Code.

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§ 1389.1. Inspection of Examinations.

~~(a) All examination materials, except those owned by an examination service, shall be retained by the board at the board's office in Sacramento for a period of two (2) years after the date of the examination.~~

~~(b) No inspection is allowed of the written examination administered by the board~~

~~Note: Authority cited: Section 2930, Business and Professions Code. Reference: Sections 2942 and 2944, Business and Professions Code; and Section 12944, Government Code.~~

Staff recommends that the Board discuss and review the updated language and draft licensure forms for possible approval.

This regulatory package updates the statutory and regulatory sections needed to implement the EPPP-2.

The Committee's recommendation is to increase the number of postdoctoral supervision hours from 1,500 to 3,000 hours to become eligible to take the EPPP-2, the intention being that this would allow the applicant the greatest flexibility in completing their hours and would give them adequate time to prepare all other prerequisites before applying.

Dr. Cervantes called for a motion.

It was (M)Harb Sheets(S)Casuga(C) to adopt the Committee's recommendation that the Board amend the regulatory language and draft EPPP-2 application.

Mr. Foo commented that BPC 2914 points to the use of the term "doctorate" degree, and that is the current usage in the application, rather than "doctoral".

Discussion ensued as to which of the terms "doctorate" and "doctoral" were correct in view of the BPC 2914 definition.

Mr. Pane commented that the terms should match what is in statute.

Ms. Cheung commented the use of "doctoral" has been consistent throughout the regulatory language, but considered that a global change to "doctorate" might be called for to match statutory language.

Dr. Rodgers commented that usage should match statutory language, even if there is a grammatical preference for one term over another.

Dr. Cervantes asked staff to ensure consistent usage throughout the package.

Dr. Harb Sheets asked why there is still a reference to past employment as a Registered Psychologist, when this registration type has been eliminated.

1233
1234 Ms. Cheung confirmed that this question seeks to know the full background of an
1235 applicant, including this retired type. For former Registered Psychologists, the board is
1236 able to save these applicants the additional cost of providing transcripts, since the board
1237 would already have them on file.
1238
1239 Dr. Harb Sheets asked whether it could be misleading on the application simply to
1240 require a doctorate in Psychology, while the regulations require declaration of a
1241 specialty, such as clinical psychology.
1242
1243 Ms. Cheung replied that this language could be changed to match the statutory
1244 language of BPC 2914.
1245
1246 Mr. Foo commented that the terms “doctorate” and “doctoral” are used interchangeably
1247 in statute.
1248
1249 Dr. Casuga commented that in the section on applicants in BPC 2914, the term
1250 “doctoral” is used; however, in a different section on training guidelines, the term
1251 “doctorate” is used.
1252
1253 Dr. Cervantes called for public comment.
1254
1255 Dr. Winkelman of CPA commented on an apparent contradiction on the application with
1256 16 CCR section 1381(d)(1) regarding the requirement of providing a Verification of
1257 Experience (VOE) to apply for the CPLEE; she commented that 1381(d)(2) should be
1258 deleted:
1259
1260 ***Additional Verification of Experience (Rev. XX/XX), incorporated by reference in***
1261 ***subsection (c), if applicable;***
1262
1263 Mr. Pane commented that this issue might best be referred back to Sam Singh,
1264 Regulatory Counsel to the Board, who was not present at the meeting.
1265
1266 Dr. Winkelman commented further that were the language to be approved as it stands
1267 before Mr. Singh weighs in on the issue, then the problematic VOE language would
1268 become enshrined.
1269
1270 Mr. Pane, while acknowledging that he was not acting as Regulatory Counsel,
1271 commented that this discussion was one part of the process of rulemaking and that the
1272 language could still be updated later.
1273
1274 Dr. Winkelman added that CPA had previously passed legislation that would streamline
1275 the application process, and commented that including the disputed language could
1276 raise inconsistencies.
1277
1278 Ms. Cheung commented that the disputed VOE language could safely be removed, and
1279 that the 3,000-hour requirement was in place to make it simpler to apply for the EPPP-2,

1280 the intention being that once the EPPP-2 was passed, applicants no longer needed to
1281 be concerned with accruing hours.

1282
1283 Dr. Harb Sheets commented that there were two checkboxes that would need to be
1284 eliminated from the application in order to be consistent with regulations, regarding
1285 submission of VOE.

1286
1287 Mr. Pane suggested obtaining these ‘friendly’ amendments before putting the item to a
1288 vote.

1289
1290 Dr. Cervantes restated the motion currently on the floor, amending the motion to
1291 remove 1381(d)(2) [lines 48-49 in the packet materials].

1292
1293 Ms. Cheung commented that some applicants would already have received their
1294 doctoral degree prior to applying, and the board wanted to give these applicants the
1295 option of choosing from the VOE options on the CPLEE application.

1296
1297 Discussion ensued regarding the amendment to remove the checkboxes in question,
1298 and the amendment was summarily dropped from the motion.

1299
1300 Mr. Pane confirmed with Drs. Harb Sheets and Casuga that they agreed with the
1301 friendly amendments to their motion; both were amenable to the amended motion.

1302
1303 No further Board comment was offered.

1304
1305 Dr. Winkelman commented on 1387(g) [line 180 of the packet materials] regarding a
1306 reference to co-supervisors, and whether this implied two primary supervisors, further
1307 how co-supervisor qualifications would be documented.

1308
1309 Ms. Cheung commented that this amendment was made as part of the Pathways
1310 package, and the definition of co-supervisor was provided there; that package is not yet
1311 adopted. Staff would work to incorporate the approved language when the time comes.

1312
1313 Further public comment was made on the use of the term “doctoral” versus “doctorate”
1314 as understood in current usage. “Doctoral” was described as an adjective, while
1315 “doctorate” was described as a noun; therefore, the term ‘doctorate degree’ would be
1316 redundant in this interpretation.

1317
1318 No further public comment was offered.

1319
1320 Votes
1321 9 Ayes (Casuga, Cervantes, Foo, Harb Sheets, Nystrom, Phillips, Rescate, Rodgers,
1322 Tate), 0 Noes, 0 Recusals

1323
1324 **Agenda Item #17: Review, Discussion, and Possible Action on Research**
1325 **Psychoanalyst Ad hoc Advisory Committee – Utilizing Title 16 CCR 1367 – 1378.5**
1326 **as a basis for adopting regulations for Research Psychoanalyst under the Board**
1327 **of Psychology’s regulations.**

1328
1329 Dr. Phillips provided the update on this item which was included in the hand carry
1330 materials beginning on page 20.

1331
1332 **1390 – Citation**

1333
1334 This article may be cited and referred to as the “Research Psychoanalyst Regulations.”
1335 NOTE: Authority cited: [Add citations for each proposed regulation] Reference:
1336

1337 **1390.1 – Registration Definitions**

1338
1339 As used in this article:

1340
1341 (a) “Research Psychoanalyst” means a psychoanalyst who is registered with the Board.

1342
1343 (b) “Student” means a person enrolled in a psychoanalytic institution for training in
1344 psychoanalysis who is registered with the Board.

1345
1346 (c) “Graduate psychoanalyst” means a licensed physician and surgeon, psychologist,
1347 licensed clinical social worker or licensed marriage, and family therapist who has had
1348 training in psychoanalysis equal to that specified in Section 1390.9 or a research
1349 psychoanalyst who is a graduate of either a psychoanalytic institute specified in Section
1350 2950 of the Business and Professions code (Code) or a psychoanalytic institution
1351 deemed equivalent by the Board which meets the criteria set forth in Section 1390.9

1352
1353 (d) “Psychoanalytic institution” means any institution, institute, department or program
1354 organized to provide training in psychoanalytic theory and technique meeting the criteria
1355 of Section 1390.9 and which certifies students engaged in such training.

1356
1357 (e) “Research psychoanalysts law” means Chapter 6.6 of Division 2 of the Code.

1358
1359 NOTE: Authority cited: [Add citations for each proposed regulation] Reference:
1360

1361 **1390.2 – Delegation Authority**

1362
1363 The power and discretion conferred upon the Board to review and approve applications
1364 for registration and to enforce the provisions of the research psychoanalysts law are
1365 hereby delegated and conferred upon the executive officer of the Board or their staff.

1366 NOTE: Authority cited: [Add citations for each proposed regulation] Reference:
1367

1368 **1390.3 – Evidence Required of Graduate or Student Status**

1369
1370 All applicants shall submit to the Board with the application for registration official
1371 certification of graduation or student status from the registrar or a similar official of the
1372 institution attended.

1373 NOTE: Authority cited: [Add citations for each proposed regulation] Reference:
1374

1375 **1390.4 – Registration Not Required**

1376
1377 Physicians and surgeons, psychologists, licensed clinical social workers, licensed
1378 marriage, family therapists licensed in this state, and any other persons otherwise
1379 exempt from the Medical Practice Act (Section 2000 et seq. of the code) or otherwise
1380 exempt from other state licensure laws are not required to register with the Board in
1381 order to engage in research psychoanalysis.

1382 NOTE: Authority cited: [Add citations for each proposed regulation] Reference:

1383

1384 **1390.5 - Completion of Clinical Training Defined**

1385

1386 The term “completed clinical training” as used in Section 2950 of the code means
1387 completion of psychoanalytic training in a psychoanalytic institute referred to in that
1388 section or from an institute, department or program deemed equivalent by the Board.

1389 NOTE: Authority cited: [Add citations for each proposed regulation] Reference:

1390

1391 **1390.6 – Adjunct Defined**

1392

1393 A research psychoanalyst may engage in psychoanalysis as an adjunct to teaching,
1394 training or research. “Adjunct” means that the research psychoanalyst may not engage
1395 in a full-time clinical practice rendering psychoanalytic services on a fee-for-service
1396 basis. A research psychoanalyst may render psychoanalytic services on a fee-for-
1397 service basis for not more than an average of one-third of their total professional time
1398 including time spent in practice, teaching, training or research. Such teaching, training
1399 or research shall be the primary activity of the research psychoanalyst. This primary
1400 activity may be demonstrated by meeting any of the following criteria:

1401

1402 (a) A full-time faculty appointment at the University of California, a state university or
1403 college, or an accredited or approved educational institution as defined in Section
1404 94885, subdivisions (a) and (b), of the Education Code.

1405

1406 (b) Significant ongoing responsibility for teaching or training as demonstrated by the
1407 amount of time devoted to such teaching or training or the number of students trained;
1408 or

1409

1410 (c) A significant research effort demonstrated by publications in professional journals or
1411 publication of books.

1412

1413 NOTE: Authority cited: [Add citations for each proposed regulation] Reference:

1414

1415 **1390.7 – Criteria for Supervision**

1416

1417 Students may practice psychoanalysis under proper supervision meeting the following
1418 requirements:

1419

1420 (a) Each supervisor of a student shall be a graduate psychoanalyst who has a minimum
1421 of five years of postgraduate clinical experience in psychoanalysis following completion
1422 of their psychoanalytic education.

1423

1424 (b) Each such supervisor shall:

1425

1426 (1) provide individual supervision of each student for a minimum of one (1) hour for
1427 each week per case of patient psychoanalysis for the first year of such supervision, then
1428 no less than one (1) hour per case each month thereafter;

1429

1430 (2) supervise no more students than, in the judgment of the psychoanalytic institute, can
1431 be effectively supervised.

1432

1433 (c) There shall be a minimum of 50 hours of supervision for each case for a total of at
1434 least 150 hours of supervision during training.

1435

1436 NOTE: Authority cited: [Add citations for each proposed regulation] Reference:

1437

1438 **1390.8 – Registration After Graduation**

1439

1440 Any person who has been registered with the Board as a student research
1441 psychoanalyst who wishes to continue to perform psychoanalysis shall first, upon
1442 completion of training in psychoanalysis, register with the Board as a research
1443 psychoanalyst.

1444 NOTE: Authority cited: [Add citations for each proposed regulation] Reference:

1445

1446 **1390.9 – Criteria for Equivalent Psychoanalytic Institutes**

1447

1448 In order to be deemed an equivalent psychoanalytic institute by the Board, such an
1449 institute, department or program shall meet the following criteria:

1450

1451 (a) Have a curriculum which is designed and implemented by a faculty which is
1452 predominantly graduate psychoanalysts;

1453

1454 (b) Require each student to have practical clinical exposure to a wide variety of
1455 psychopathologies and training in their differential diagnosis;

1456

1457 (c) Require each student research psychoanalyst prior to admission to have received a
1458 doctorate degree, or its equivalent in education and experience from the University of
1459 California, a state university or college, an educational institution which is accredited or
1460 approved pursuant to section 94885 of the Education Code or an educational institution
1461 located outside the state which has current accreditation by a national or applicable
1462 regional accrediting agency recognized by the United States Department of Education;

1463

1464 (d) Require each student research psychoanalyst prior to admission to have shown
1465 achievement in teaching, training or research with demonstrated aptitude in their
1466 primary field of scholarly or scientific endeavor;

1467

1468 (e) Require each student research psychoanalyst to participate in at least 560 hours of
1469 classroom training over at least three (3) years on all phases of psychoanalysis;

1470

1471 (f) Require each student research psychoanalyst to participate in continuous case
1472 conferences conducted by graduate psychoanalysts;

1473
1474 (g) Require each student research psychoanalyst to undergo a minimum of 300 hours
1475 personal psychoanalysis conducted by a graduate psychoanalyst who has a minimum
1476 of five years of postgraduate clinical experience in psychoanalysis following the
1477 completion of their psychoanalytic education;

1478
1479 (h) Require each student research psychoanalyst to conduct at least three (3)
1480 psychoanalyses of a client under the supervision of three different graduate
1481 psychoanalysts, at least one of which is taken to termination except in those rare
1482 instances where a delay may impose an extreme hardship on the student research
1483 psychoanalyst and the institute has made provision for continuing supervision of the
1484 student research psychoanalyst after graduation until at least one case is taken to
1485 termination;

1486
1487 (i) Require each student research psychoanalyst to either pass a comprehensive
1488 examination or write an approved thesis.

1489
1490 NOTE: Authority cited: [Add citations for each proposed regulation] Reference:

1491
1492 **1390.10 – Applicants from Equivalent Institutions**

1493
1494 (a) Any applicant from a psychoanalytic institution which is claimed to be equivalent to
1495 an institute specified in Business and Profession Code (Code) section 2950 shall have
1496 presented to the Board evidence that such institution complies with the criteria set forth
1497 in Section 1390.9.

1498
1499 (b) In its discretion the Board may register an applicant who graduated from an
1500 equivalent institution before the time of its approval by the Board, if the program
1501 undertaken by the applicant as a student research psychoanalyst otherwise complies
1502 with the provisions of Section 1390.9

1503
1504 NOTE: Authority cited: [Add citations for each proposed regulation] Reference:

1505
1506 **1390.11 – Fees**

1507
1508 a) The registration fee is \$150 for research psychoanalyst and students.

1509
1510 b) The biennial renewal fee is \$75.

1511
1512 NOTE: Authority cited: [Add citations for each proposed regulation] Reference:

1513
1514 **1390.12 – Verification of Student Status (Renewing)**

1515

1516 Students research psychoanalysts renewing their registration shall present to the Board
1517 verification of their continuing student status from the registrar or similar official of the
1518 psychoanalytic institute attended.

1519 NOTE: Authority cited: [Add citations for each proposed regulation] Reference:

1520

1521 **1390.13 – Expiration of Registration**

1522

1523 All registrations expire and become invalid at midnight on the last day of February of
1524 each even-numbered year if not renewed. To renew an unexpired registration, the
1525 registrant shall, on or before the date on which it would otherwise expire, apply for
1526 renewal on a form provided by the Board, accompanied by a required verification and
1527 the prescribed renewal fee.

1528 NOTE: Authority cited: [Add citations for each proposed regulation] Reference:

1529

1530 **1390.14 - Application**

1531

1532 All applications for registration shall be submitted on a form provided by the Board and
1533 shall be accompanied by such evidence or documents which may be necessary to
1534 determine the applicant's qualifications for registration. All such applications shall be
1535 filed with the Board's and shall be accompanied by the required registration fee.

1536 NOTE: Authority cited: [Add citations for each proposed regulation] Reference:

1537

1538 The Research Psychoanalyst Ad Hoc Committee met in April 2024 and determined that
1539 the rulemaking for Research Psychoanalysts should be completed through two separate
1540 regulatory packages.

1541

1542 The first package will utilize the Medical Board's existing Research Psychoanalyst
1543 regulations as the basis of this Board's regulations with non-material changes added for
1544 necessity and clarity. The aspirational effective date of the approved package would be
1545 January 1, 2025.

1546

1547 The second package would make more substantive changes and would rely more
1548 heavily on the involvement of stakeholders to ensure that the regulations are as
1549 comprehensive as possible.

1550

1551 The Committee intends that this two-pronged approach should allow for adequate
1552 regulation as of the first day Research Psychoanalysts come under the board's purview,
1553 while continuing to gather stakeholder feedback on the more substantial updates to
1554 come.

1555

1556 The Committee recommendation is for the Board to review and adopt the first package
1557 of regulations for Research Psychoanalyst.

1558

1559 Dr. Phillips called for a motion.

1560

1561 It was (M)Foo(S)Rodgers(C) to adopt the Committee's recommendation that the Board
1562 approve non-substantive changes to existing regulations being transferred from Medical
1563 Board to Board of Psychology.

1564
1565 Dr. Phillips called for Board comment.

1566
1567 No Board comment was offered.

1568
1569 Dr. Phillips called for public comment.

1570
1571 No public comment was offered.

1572
1573 Votes
1574 9 Ayes (Casuga, Cervantes, Foo, Harb Sheets, Nystrom, Phillips, Rescate, Rodgers,
1575 Tate), 0 Noes, 0 Recusals

1576
1577 **Agenda Item #18: The Board will Meet in Closed Session Pursuant to Government**
1578 **Code Section 11126(c)(3) to Discuss Disciplinary Matters Including Petitions for**
1579 **Reinstatement, Modification, or Early Termination, Proposed Decisions,**
1580 **Stipulations, Petitions for Reinstatement and Modification of Penalty, Petitions for**
1581 **Reconsideration, and Remands.**

1582
1583 The Board did not convene Closed Session.

1584
1585 **Agenda Item #19: Recommendations for Agenda Items for Future Board**
1586 **Meetings. Note: The Committee May Not Discuss or Take Action on Any Matter**
1587 **Raised During This Public Comment Section, Except to Decide Whether to Place**
1588 **the Matter on the Agenda of a Future Meeting [Government Code Sections 11125**
1589 **and 11125.7(a)].**

1590
1591 Dr. Tate called for Board and staff comment.

1592
1593 Mr. Foo commented that EPPP-2 staff report will be discussed again at the Board
1594 meeting in August 2024 as was previously requested.

1595
1596 Dr. Harb Sheets asked Ms. Cheung about whether an item coming up on the agenda of
1597 the July Licensure Committee regarding qualification needed to be included on the
1598 agenda of the August Board meeting.

1599
1600 Ms. Cheung confirmed that it did not.

1601
1602 Ms. Sorrick commented that she had reached out to HCAI about receiving another
1603 update over the summer on the status of the Health Professions Education Fund, and
1604 added that a new data report was available on the Health Workforce Survey. She asked
1605 HCAI to provide updates on these items at the August meeting.

1606
1607 No further Board or staff comment was offered.

1608
1609 Dr. Tate called for public comment.

1610
1611 No public comment offered.

1612

1613 **ADJOURNMENT**

1614

1615 The meeting adjourned at 1:40 p.m.