

1 MINUTES OF BOARD MEETING

2 September 13, 2024

3
4 **Primary Location (Members/Staff):**

5 Department of Consumer Affairs

6 1625 N. Market Blvd., El Dorado Room

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9 **Teleconference Locations / Additional Locations at Which the Public Could**
10 **Observe or Address the Board and Where Members Were Present:**

11
12 8920 Wilshire Blvd., Ste. 334

13 Beverly Hills, CA 90211

14
15 2888 Eureka Way, Ste. 200

16 Redding, CA 96001

17
18 Elihu Harris (Bond) State Building

19 1515 Clay Street, Room 14

20 Oakland, CA 94612

21
22 **Board Members**

23 Lea Tate, PsyD, President

24 Shacunda Rodgers, PhD, Vice President

25 Sheryll Casuga, PsyD, CMPC

26 Seyron Foo

27 Julie Nystrom

28 Stephen Phillips, JD, PsyD

29 Ana Rescate

30
31 **Board Members Absent**

32 Marisela Cervantes, EdD, MPA

33 Mary Harb Sheets, PhD

34
35 **Board Staff**

36 Jonathan Burke, Acting Executive Officer

37 Stephanie Cheung, Licensing Manager

38 Sandra Monterrubio, Enforcement Manager

39 Cynthia Whitney, Central Services Manager

40 Troy Polk, Legislative and Regulatory Analyst

41 Evan Gage, Special Projects Analyst

42 Cecilia Voon, Administrative Technician

43 Anthony Pane, Board Counsel

44

Friday, September 13, 2024

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

Dr. Tate called the meeting to order at 9:40 a.m. A quorum was present and due notice had been sent to all interested parties.

Agenda Item #2: Public Comment for Items Not on the Agenda. Note: The Board May Not Discuss or Take Action on Any Matter Raised During this Public Comment Section, Except to Decide Whether to Place the Matter on the Agenda of a Future Meeting [Government Code sections 11125 and 11125.7(a)].

Dr. Tate called for public comment.

Dr. Elizabeth Winkelman with CPA commented that she would like the Board to take an opposed position on ASPPB’s decision to make the EPPP2 mandatory on January 1, 2026, to notify ASPPB of the Board’s position, to appoint a delegate to vote on any related items at ASPPB meetings, and to revise any proposed regulations to require the EPPP2 only if it is no longer possible to administer the EPPP1 separately from the EPPP2.

No further public comment was offered.

Agenda Item #3: Executive Officer (EO) Recruitment and Selection Process

a) Presentation from Department of Consumer Affairs (DCA), Office of Human Resources on EO Recruitment and Selection Process

Dr. Tate introduced Olivia Trejo, Chief of the Office of Human Resources for Department of Consumer Affairs.

Ms. Trejo described the process undertaken to recruit and select a new Executive Officer.

Dr. Tate called for Board comment.

No Board comment was offered.

Dr. Tate called for public comment.

No public comment was offered.

b) Discussion and Possible Action on Process for Recruitment and Selection of an EO

Ms. Trejo continued her presentation on this item and moved ahead to item 3d to have the Board nominate two members for the EO Selection Committee.

91 d) Discuss and Possible Action on Appointment of an EO Selection Committee

92
93 Dr. Tate asked whether any Board Members would be interested in participating in the
94 two-person selection committee. She nominated Drs. Phillips and Rodgers.

95
96 Discussion ensued as to the expected time commitment for the two members of the
97 selection committee.

98
99 Drs. Phillips and Rodgers accepted their nominations to the selection committee.

100
101 Mr. Foo voiced his support for the nominations.

102
103 Ms. Nystrom commented that she echoed Mr. Foo's approval of the nominations.

104
105 It was (M)Nystrom(S)Tate(C) to nominate Dr. Stephen Phillips and Dr. Shacunda
106 Rodgers to serve on the two-person selection committee.

107
108 Mr. Foo commented that with the shortened timeframe for the selection of an EO to
109 align with upcoming scheduled Board meetings, it might be well to hire an executive
110 search firm.

111
112 Ms. Trejo commented that in her experience, this approach was not used.

113
114 Discussion ensued regarding the costs of hiring such a firm against current budget
115 status and the time reasonably remaining to search for an EO candidate.

116
117 No further Board discussion was offered.

118
119 Dr. Tate called for public comment.

120
121 No public comment was offered.

122
123 Votes

124 7 Ayes (Casuga, Foo, Nystrom, Phillips, Rescate, Rodgers, Tate), 0 Noes

125
126 c) Review and Possible Action on Revised EO Duty Statement and Recruitment
127 Announcement

128
129 Ms. Trejo continued her presentation with a review of the Executive Officer Duty
130 Statement.

131
132 Dr. Tate called for Board comment.

133
134 Dr. Phillips commented that the Enforcement Committee should be added to the list of
135 Committees.

136

137 Mr. Pane confirmed that no motion was needed to add Enforcement Committee to the
138 list of Committees, and Ms. Trejo continued her presentation with a discussion of the
139 Qualifications section of the recruitment flyer.
140

141 Mr. Foo commented that the recruitment materials were not included in the publicly
142 viewable meeting materials.
143

144 Mr. Pane commented that this Announcement and Duty Statement are going to be
145 posted for public review for the length of time the Board chooses for the recruitment
146 period, so there is not an issue of non-transparency in this case.
147

148 Dr. Phillips questioned why, in the section on Qualifications and Experience, the three
149 traits of race, gender and age are called out separately.
150

151 Ms. Trejo commented that there was no particular reason those traits were called out
152 specifically, but that this was a template previously used by other boards.
153

154 Dr. Casuga commented that it would be clearer to talk in terms of diversity and
155 inclusivity, rather than only 'diversity' with listed groups.
156

157 Ms. Nystrom commented that she agreed with keeping description of these traits more
158 general, for clarity. She questioned how these qualifications differed from required
159 minimum qualifications and experience.
160

161 Ms. Trejo commented that since the Executive Officer is an Exempt position, there are
162 no mandated minimum qualifications.
163

164 Dr. Phillips commented that he agreed that taking out specific examples and keeping
165 the qualifications more general was a great way to handle the description of desirable
166 attributes in an Executive Officer.
167

168 Dr. Phillips commented further as to whether interested individuals should submit a
169 writing sample in addition to the application materials.
170

171 Ms. Trejo commented that her staff could develop specific language for what the Board
172 is seeking in a candidate, and that the initial interview process could include a written
173 component.
174

175 Dr. Casuga followed up on her earlier comment that it was her intention that the words
176 'diversity' and 'inclusivity' be used together with the list of desirable traits in an
177 Executive Officer. She expressed support for the suggestion Dr. Phillips made to
178 include a writing sample as a part of the application process.
179

180 Dr. Phillips commented that the writing sample length should be spelled out in the
181 instructions, limiting the size of the sample.
182

183 Ms. Trejo commented that the typical timeframe for a recruitment might typically be
184 thirty days, but that this was not a requirement.

185
186 Dr. Tate commented that she would prefer to see a period of maybe 14 to 21 days,
187 especially to be able to include it on the November 2024 Board meeting agenda.
188

189 Dr. Phillips concurred with Dr. Tate in preferring 21 days.
190

191 Dr. Rodgers concurred with Drs. Tate and Phillips that 21 days was the preferred upper-
192 end timeframe for the recruitment.
193

194 Dr. Tate called for public comment.
195

196 No public comment was offered.
197

198 **CLOSED SESSION**
199

200 **Agenda Item #4: The Board Will Meet in Closed Session Pursuant to Government**
201 **Code Section 11126(c)(3) to Discuss and Take Possible Action on the Selection**
202 **Process and Appointment of an “Acting” or “Interim” EO.**
203

204 The Board convened in closed session to discuss this item.
205

206 **Agenda Item #5: The Board Will Meet in Closed Session Pursuant to Government**
207 **Code Section 11126(c)(3) to Discuss Disciplinary Matters Including Petitions for**
208 **Reinstatement, Modification, or Early Termination, Proposed Decisions,**
209 **Stipulations, Petitions for Reconsideration, and Remands**
210

211 The Board remained in closed session to discuss this item.
212

213 **OPEN SESSION**
214

215 Dr. Tate reconvened the meeting in open session.
216

217 **Agenda Item #6: Report on Actions Taken During Closed Session Regarding**
218 **Acting or Interim EO Appointment**
219

220 Dr. Tate commented that the Board had selected an Interim Executive Officer in closed
221 session and that an announcement would be made in the near future as to their choice.
222

223 **Agenda Item #7: Consideration of, and Possible Action on Comment(s) Received**
224 **(if any) During the 15-Day Comment Period for the Modified Proposed Text to**
225 **Amend Title 16 CCR sections 1391.13, and 1391.14 – Inactive Psychological**
226 **Associates Registration and Reactivating a Psychological Associate Registration.**
227

228 Mr. Polk provided the update on this item, starting on page 15 of the meeting materials.
229

230 Mr. Polk commented that no public comments were received during the 15-day
231 comment period, so this item was informational only.

232
233 Dr. Tate called for Board comment.
234
235 No Board comment was offered.
236
237 Dr. Tate called for public comment.
238
239 No public comment was offered.
240
241 Dr. Tate called on Ms. Whitney to provide the amount of CPD credit for attending this
242 meeting.
243
244 Ms. Whitney commented that attendance at the meeting provided 2.5 hours of CPD
245 credit under Category 1.
246
247 **ADJOURNMENT**
248
249 The meeting adjourned at 11:44 a.m.