

Journal

***** The California Department of Consumer Affairs, Board of Psychology Newsletter *****

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President's Message



SEYRON FOO, PRESIDENT

Seyron Foo, Board of Psychology

Happy New Year!

The Board's mission is to protect consumers of psychological services by licensing psychologists, regulating the practice of psychology, and supporting the evolution of the profession.

To that end, the Board will be undergoing the sunset review process this year. The Legislature conducts regular evaluations of existing consumer boards through a process known as sunset review. During this process, an assessment of the Board's effectiveness and performance occurs with the Legislature, the Department of Consumer Affairs, the Board, and with stakeholders, including consumers and licensees. Upon conclusion of the review, the Legislature decides on whether to keep the program as is, to make changes to the Board, or to allow the Board to "sunset," effectively terminating the Board and repealing all relevant statutes. I invite you to review the sunset report, which can be found online at www.psychology.ca.gov/about_us/meetings/materials/20191108.pdf. This report was approved by the Board at our November 8, 2019, meeting.



DR. JACQUELINE HORN

The beginning of the new year also marks some changes in the Board's membership. Dr. Jacqueline Horn is leaving the Board after two appointments from different governors, including a tenure as Board president from 2004 to 2007. First appointed in 2002 and again in 2013, Dr. Horn has made an indelible mark on the Board through her expertise, wisdom, and leadership. In her most recent term on the Board, Dr. Horn fundamentally changed the way licensing and continuing professional development will occur in California. Her leadership

of the Licensure Committee resulted in opening and clarifying the pathways to licensure. Additionally, she led a review of existing continuing education requirements. From this review, innovative new opportunities for continuing professional development emerged, positioning the state as a national vanguard among regulatory boards. Through my time on the Board, I have learned so much from Dr. Horn from her perspectives that are thoughtful, deliberate, and always in

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the interest of consumer protection. I am grateful for her mentorship, leadership, and, most importantly, friendship.



DR. SHACUNDA RODGERS

I am also delighted to congratulate and welcome Dr. Shacunda Rodgers to the Board. Governor Gavin Newsom appointed Dr. Rodgers to the Board on November 20, 2019. She brings energy and enthusiasm to the Board in addition to her expertise in the field. Based in Elk Grove—a city just south of

Sacramento—Dr. Rodgers is the founder and director of Melanin Meets Mindfulness and a clinical psychologist in private practice. She was a clinical psychologist at Concept Healthcare from 2014 to 2016 and at Kaiser Permanente from 2006 to 2013. Dr. Rodgers also brings experience as a former volunteer clinical faculty member at the University of California, Davis, Medical Center Department of Psychiatry. In addition to her time in private practice and academia, she has worked at the state's largest employer of mental health professionals, serving as a clinical psychologist at Folsom State Prison. Dr. Rodgers is a member of Safe Black Space, the American Psychological Association, and the Society for Personality Assessment. She earned her doctorate in clinical psychology from the University of Tennessee.

Within Board staff, we will also witness a departure. Cherise Burns has served as Central Services manager for the Board for nearly four years. The Central Services Unit manages a wide array of key functions for the Board, including license renewals, continuing professional development auditing, administrative services, and legislative and regulatory analysis and monitoring. Ms. Burns has managed this unit with deftness, efficiency, and comity. Her last day with the Board was on January 24, 2020. While we are saddened by her departure, we are also excited for her as she continues her service at the Department of Consumer Affairs, earning a promotion to Assistant Executive Officer with the Speech-Language

Pathology and Audiology and Hearing Aid Dispensers Board. We warmly congratulate her in her new role!

Finally, I would like to recognize and express my gratitude to Dr. Stephen Phillips for his incredible leadership at the Board the last four years. Appointed in 2013, Dr. Phillips has made seismic shifts in the Board's ultimate goal of consumer protection. Dr. Phillips has led the Board to engage more deeply and thoughtfully with consumers, licensees, and the Legislature. During his tenure, the Board has actively sought legislation that advances consumer protection, sponsoring three pieces of legislation. His emphasis on transparency and public participation has translated into tangible changes, from pathways to licensure to continuing professional development regulations. Dr. Phillips' distinguished career includes his private practice, forensic work in criminal and civil matters, and lively continuing education classes. Future psychologists will continue to benefit from Dr. Phillips' wealth of experience as he serves as faculty at the California School of Professional Psychology—Los Angeles and the Wright Institute Los Angeles, a psychoanalytic postgraduate training program and community mental health clinic, where he also serves as a member of the Board of Directors and is its former chair. Dr. Phillips leaves a distinguished legacy on the Board as president, one that we will be hard-pressed to meet but most assuredly will to which we will aspire. Dr. Phillips will also continue to remain on the Board, where we will benefit from his expertise as he chairs the Enforcement, Sunset, and Telepsychology committees, and as a member of the Legislative and Regulatory Affairs Committee. I am grateful for his leadership and friendship and excited to continue to work with him in his unofficial role as board president emeritus.

The Board wishes you a wonderful year ahead. We express our gratitude to the diligent staff and management team for their fabulous work and support. They work tirelessly to advance the protection of consumers in this state, serving consumers, licensees, and stakeholders. They truly are the heart and spirit of the Board, and we are ever-grateful for their individual and collective efforts.

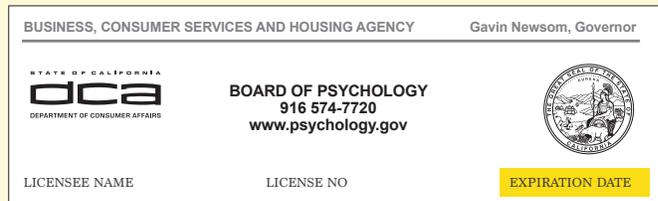
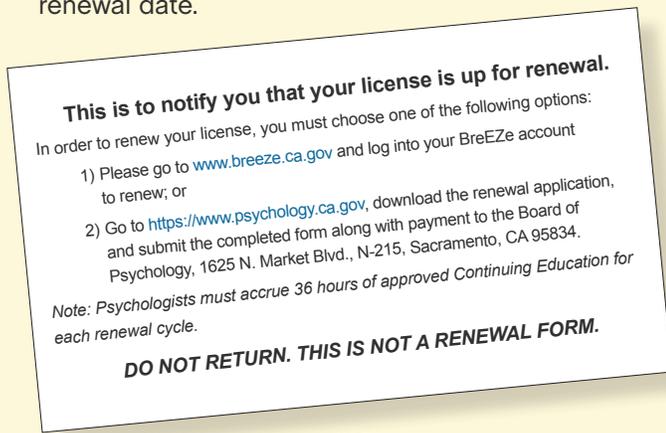


Renewal Postcards Replacing Packets

By Antonette Sorrick, Executive Officer, Board of Psychology

Beginning January 2020, the Board started sending out renewal postcards reminding licensees of their renewal date.

The postcard describes the two ways to renew your license. This postcard is a courtesy. Additionally, licensees are encouraged to verify their license expiration date if they are unsure of their renewal date. Postcards, versus renewal packets, are a part of the Board's commitment to reducing its carbon footprint in its effort to go PaperLite.



PARTIAL VIEW OF SAMPLE LICENSE

PaperLite 2020 Is Here!

By Sarah Proteau, Central Services Technician, Board of Psychology

If you continue having trouble accessing BreEZe or receive an error message, please contact the BreEZe Help Desk at (916) 557-1208 (Monday–Friday, 8 a.m. to 4:45 p.m.) or by email: breeze@dca.ca.gov.

We hope that all licensees will renew online and help the Board in its efforts to reduce its carbon footprint, conserve natural resources, lower mailing costs, and make the best use of staff resources. Of course, if you are unable to renew online and would prefer to renew by mail, licensees will still be able to go on the Board's website at <https://www.psychology.ca.gov/licensees/index.shtml#renewal> and print out and complete the manual License Renewal Application form. If you decide to renew by mail with a printed application, please keep in mind that the processing of a manual renewal application can take up to six weeks. Additionally, once the renewal is updated and complete, it takes approximately three weeks to receive the pocket license in the mail, which is sent to the address of record on file.



Licensees can check the status of their renewal application after submission at <https://psychology.ca.gov/> by clicking on the "Verify" button on the main page 24 to 48 hours after approval. This can be shown as temporary proof if you need it for employment and insurance, etc., while you are waiting for the pocket card.

Switch to online renewal applications today!



The Benefits of Being a Clinical Supervisor

Carol Falender, Ph.D., Adjunct Professor, Pepperdine University Graduate School of Education and Psychology, Los Angeles; Clinical Professor, Department of Psychology, University of California, Los Angeles; Danielle Keenan-Miller, Ph.D., Director, University of California, Los Angeles (UCLA) Psychology Clinic; Associate Adjunct Professor, Department of Psychology, UCLA; Olga Belik, Ph.D., Psychology Training Director, Chief Psychologist—Providence Saint John's Health Center, Child and Family Development Center.

Clinical supervision has long been associated with higher levels of job satisfaction, improved job retention and reduced turnover intent (or contemplating leaving for a new job), and staff effectiveness. Most psychologists serve as a clinical supervisor at some time during their career; by mid-career 85% to 90% supervise (Ronnestad, Orlinsky, Parks, & Davis, 1997). Generally, empirical and theoretical work on supervision tends to focus on the benefits of excellent supervision for the supervisee, but excellent benefits accrue for the supervisor as well. Among those benefits are maintenance of competence through exposure to emerging knowledge, enhanced reflective practice leading to greater metacompetence (knowing what one does not know), opportunities to build professional connections with current and future psychologists, and a deeper sense of connection with one's professional community.

Often described as the cornerstone of the education and training of a psychologist (ASPPB, 1998; 2015) and a signature pedagogy (Barnett, Cornish, Goodyear & Lichtenberg, 2007), clinical supervision is defined as "a distinct professional practice employing a collaborative relationship that has both facilitative and evaluative components, that extends over time, which has the goals of enhancing the professional competence and science-informed practice of the supervisee, monitoring the quality of services provided, protecting the public, and providing a gatekeeping function for entry into the profession (APA, 2014, p.5)."

A major concern for the public, psychologists, and boards of psychology is maintenance of competence:

how, post-licensure, psychologists maintain their knowledge, skills, and attitudes regarding the scope of psychology they practice and supervise. Particular concern has been raised by studies of the half-life of psychologists' knowledge (Neimeyer, Taylor, Rozensky, & Cox, 2014), which suggest that the half-life of professional knowledge is diminishing from nine years to just over seven, with a rate that is highly variable across specialties (with a range from 3.3 years for psychopharmacology to 19 years for psychoanalytic psychology). Although continuing education was developed to address diminishing competence, its effectiveness is limited by the fact that psychologists may select continuing education experiences that build on existent competencies rather than through a reflective process of self-assessment, goal setting, and identification of opportunities for follow-up and establishment of learning communities (Neimeyer, Taylor, Zemansky, & Rothke, 2019). Further, the less interactive instructional methods of some continuing education may not foster integration into practice (Neimeyer et al., 2019).

Clinical supervision, on the other hand, both provides and requires ongoing learning, growth, and development for supervisors. Supervisees emerge from their training with the most up-to-date knowledge and skills regarding neuropsychology, empirically-supported treatments, and emerging areas of practice. In order to provide sound clinical supervision, supervisors must engage in ongoing learning to keep up with the most recent advancements in psychology. In addition, supervisors can acquire knowledge through their interactions with

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their supervisees, who reference recent empirical literature, or who integrate new learning into their clinical practice and supervisory discussions. Formal opportunities to acquire new knowledge through access to university libraries and required continuing education on supervision may be intrinsic benefits of supervisory roles. By making efforts to engage in ongoing learning and to stay current with their knowledge, clinical supervisors can continue to expand their own competencies.

Supervision also allows for further development of one's own clinical and teaching skills. A large body of literature has demonstrated the positive effect of teaching on the learning of the teacher, particularly in contexts that involve reflection on one's own knowledge (e.g., Roscoe & Chi, 2008). In helping a supervisee to conceptualize clinical cases, supervisors continuously develop their own ability to critically evaluate and then teach clinical concepts in supervision. A study of supervisors of occupational therapy students found that 70% identified supervision as moderately or very beneficial for the development of their clinical reasoning skills (Thomas et al., 2007). Teaching supervisees is likely to lead to benefits in the supervisor's own ability to retrieve relevant information, formulate a case, and adapt one's practice.

Amplifying the challenges practitioners face regarding the maintenance of current knowledge and skills, it is also difficult to continuously assess what one knows and does not know, which is called "metacompetence" (Falender & Shafranske, 2007). Psychologists may either underestimate or overestimate their own talents and competence in various domains of practice. Evidence shows that psychologists are not good at self-assessment: 25% of mental health professionals viewed their skill to be at the 90th percentile when compared to their peers, and none viewed themselves as below average (Walfish, McAllister, O'Donnell, & Lambert, 2012). In fact, those who are least competent may rate themselves as most competent.

Development of reflective practice and metacognition is a major area of focus in clinical supervision. Part of the task of the supervisor is to enhance supervisees' reflection on their own metacompetence. By engaging in and modeling reflective practice to supervisees, clinical supervisors continuously expand their own self-reflective capacities. The supervisor's ability and

willingness to honestly identify their own areas of strength and development normalizes the need for ongoing development across the career span and allows the supervisee to witness how the supervisor manages the boundaries of their own competence. In return, self-reflective practice cultivates an environment conducive to learning, which allows supervisees and supervisors to be engaged in an ongoing process of enhancing competence.

Clinical supervision also creates opportunities for building and maintaining one's professional network, including contact with other supervisors, students, and their training programs. Positive relationships in the workplace decrease professional isolation and serve as a protective factor against stress. Communitarian views of competence also suggest that developing a stronger collegial community can support the lifelong maintenance of competence (Johnson et al., 2013). Furthermore, supervision provides additional variability of daily tasks and, in some settings, a possibility of reduction in workload, which might decrease burnout and increase work satisfaction. In addition, the feeling of accomplishment associated with supervisee learning has the potential to impact the overall climate of enthusiasm and morale in the workplace. The supervisory role also presents opportunities for leadership, advocacy and professional/career development advancements. Membership in professional organizations such as the American Psychological Association or California Psychological Association, Division II, Education and Training, can further increase learning opportunities and professional satisfaction for supervisors.

Anecdotally, the joy of clinical supervision often stems from an understanding that one is contributing to the profession of psychology by being a part of the professional growth of the supervisee and ultimately by contributing to therapeutic changes and personal growth in clients. Supervisors sometimes continue to be mentors for years beyond the end of the formal supervisory relationship (Kramen-Kahn & Hansen, 1998; Skovholt & Trotter-Mathison, 2011). Becoming a supervisor can cultivate a sense of belonging and giving back to the professional community.

In a comprehensive longitudinal international study of psychologists (Orlinsky, Ronnestad, et al., 2005) suggested that supervision is most beneficial to both supervisors and supervisees when the supervisor is competent. That is, supervisors need to feel empowered to assist supervisees to overcome obstacles with clients and to facilitate

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continuous professional reflection, both strong factors in development and career satisfaction. Such supervisors also experience a sense of healing involvement which provides a sustaining effect throughout one's career. Receiving formal supervision was rated as a highly positive influence on the career development of therapists, part of the triad of predictors of overall career development (along with client experience and receiving their own personal therapy). Giving formal supervision was rated in the top eight sources of influence on career development (Orlinsky, Ronnestad, et al., 2005).

For psychologists interested in becoming a supervisor, it is essential to engage in self-assessment of competency in both supervisory practices and relevant clinical practices (Falender et al., 2016; Falender, Shafranske, & Ofek, 2014). Given that supervision requires a complex and distinct set of competencies, supervisors should ideally seek training in supervision that includes both didactics and supervised experience providing supervision (Falender et al., 2004). Psychologists providing supervision as part of a trainee's supervised professional experience (SPE) in California are required to complete a six-hour course in supervision every licensure period, which supports maintenance of updated supervisory knowledge.

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Suicide Risk Assessment and Intervention Training

By Liezel McCockran, CE/Renewals Coordinator, Board of Psychology

Effective January 1, 2020, at the time of renewing a license in “Active” status, all psychologists will be required to attest on their renewal form that they have met the one-time, six-hour suicide risk assessment and intervention coursework or applied experience requirement.

This requirement can be met in one of the following ways and, upon audit, the licensee will be required to provide the described documentation to the Board:

1. Obtained as part of his or her qualifying graduate degree program.
 - » To satisfy this requirement, the licensee must submit to the board a written certification from the registrar or training director of the educational institution or program from which the licensee graduated stating that the coursework required by this section is included within the institution's curriculum required for graduation at the time the licensee graduated, or within the coursework that was completed by the licensee.
2. Obtained as part of his or her applied experience. Applied experience can be met in any of the following settings: practicum, internship, or formal postdoctoral placement that meets the requirement of section 2911, or other qualifying supervised professional experience.
 - » To satisfy this requirement, a licensee must submit to the board a written certification from the director of training for the program or primary supervisor where the qualifying experience has occurred stating that the training required by this section was included within the applied experience.
3. Obtained by taking any approved continuing education (CE) course that meets the six-hour requirement, whether conducted in person or online.
 - » To satisfy this requirement, a licensee must submit to the board a CE certificate of completion.
 - » The CE course must be approved by one of the following organizations approved by the Board:
 - American Psychological Association (APA).
 - California Psychological Association (CPA).
 - Association of Black Psychologists (ABPsi).
 - Continuing medical education courses that are specifically applicable and pertinent to the practice of psychology, and are accredited by the California Medical Association (CMA) or Accreditation Council for Continuing Medical Education (ACCME).
 - American Medical Association (AMA).

Although licensees must attest to compliance with the six-hour requirement upon their first renewal after January 1, 2020, for those satisfying the requirement by taking a qualifying CE course, the course may have been taken at any time prior to the submission of the renewal application. The course may also be applied to the continuing education requirements of the renewal cycle during which the course was completed.

For any additional questions or concerns, please contact the Board at (916) 574-7720 or via email at bopce@dca.ca.gov.



Explanation of Disciplinary Language and Actions

Gross negligence: An extreme departure from the standard of care.

Incompetence: Lack of knowledge or skills in discharging professional obligations.

Public letter of reproof: Formal discipline that consists of a reprimand of a licensee that is a matter of public record for conduct in violation of the law.

Accusation: A formal, written statement of charges.

Stipulated settlement of decision: The case is formally negotiated and settled prior to hearing.

Surrender: To resolve a disciplinary action, the licensee has given up his or her license, subject to acceptance by the Board of Psychology.

Suspension from practice: The licensee is prohibited from practicing or offering to provide psychological services during the term of suspension.

Revoked: The right to practice has ended due to disciplinary action.

Revocation stayed, probation with terms and conditions: “Stayed” means the revocation is postponed. Professional practice may continue so long as the licensee complies with specific probationary terms and conditions. Violation of any term of probation may result in the revocation that was postponed.



Administrative Citations:

September 1 to November 30, 2019

Heidi McClain, Ph.D.

Unlicensed, Escondido

On September 11, 2019, a citation containing an order of abatement and fine in the amount of \$4,000 was issued to Heidi McClain, Ph.D., for engaging in the unlicensed practice of psychology by applying psychological principles in diagnosing a child in a letter she wrote to a superior court, acting as a “psychologist” in a family court case, and misrepresenting herself as a psychologist when she was never licensed by the Board.

Carolyn Jorgensen

Unlicensed, Escondido

On November 1, 2019, a citation containing an order of abatement and fine in the amount of \$2,500 was issued to Carolyn Jorgensen for engaging in the unlicensed practice of psychology by offering treatment to clients to help “release their trapped emotions” and influence their behaviors.

Disciplinary Actions:

September 1 to November 30, 2019

SURRENDER

Dylon Helene, Psy.D.

Psychologist License No. PSY 28036, Santa Rosa

Dr. Helene stipulated to the

surrender of her license after an Accusation was filed alleging that her ability to practice psychology safely is impaired due to diagnosed medical conditions. The surrender took effect September 8, 2019.

Oral Custer, Ed.D.

Psychologist License No. PSY 22981, Lone

Dr. Custer stipulated to the surrender of his license after an Accusation was filed alleging that he committed gross negligence and violated ethical standards of practice when he engaged in multiple relationships, which led to a loss of objectivity, competence, and effectiveness; breached confidentiality without a patient’s consent and without a valid and/or legal purpose; failed to create, maintain, store and retain accurate patient records; used his position as a licensed psychologist to aid in exploiting a patient; and falsely misrepresented that he was a patient’s treating psychologist when he was not the treating psychologist. The surrender took effect October 12, 2019.

Kendra Klassen, Psy.D.

Psychologist License No. PSY 18606, Lake Forest

Dr. Klassen stipulated to the surrender of her license after an Accusation was filed alleging that she committed gross negligence, repeated acts of negligence, and violated the rules of professional conduct when she engaged in a dual relationship with a patient, which could reasonably be foreseen to cause harm and expose the patient to exploitation; provided the

patient with information to access another licensed psychologist’s computer where his patient records were stored; functioned outside her field of competence; failed to contact a patient’s psychiatrist to discuss medication; and terminated treatment with a patient in a manner inconsistent with her professional responsibilities. The surrender took effect October 30, 2019.

REVOICATION

Kazuo Kobayashi, Ph.D.

Psychologist License No. PSY 8834, Torrance

Dr. Kobayashi’s license was revoked after a decision was entered following the filing of an Accusation that alleged he engaged in unprofessional conduct and committed gross negligence by practicing outside the scope of his competence in conducting a forensic evaluation, wrote an unsupported report, and used an invalid assessment tool. The proposed decision took effect October 5, 2019.

PROBATION

Jennifer Anne Kadin, Psy.D.

Psychologist License No. PSY 26595, Simi Valley

Dr. Kadin stipulated to placing her license on probation for five (5) years, and is subject to its revocation if she fails to comply with the terms and conditions of probation, after an Accusation was filed alleging she committed gross negligence, repeated acts of negligence, and unprofessional conduct when she submitted a falsified court-ordered neuropsychological evaluation of



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a minor; failed to obtain informed consent and misrepresented to the minor that the testing was a game; failed to maintain test data, clinical notes, and other documentation related to the evaluation of the minor; and lacked the training or experience needed to administer the QNST-II to the minor. The order took effect September 20, 2019.

Timothy Gilliland, Psy.D.

Psychological Assistant
Registration No. PSB 94025082,
Sacramento

Dr. Gilliland was issued a registration and placed on probation for five (5) years, and is subject to its revocation if he fails to comply with the terms and conditions of probation, after a decision was entered following the filing of a Statement of Issues that alleged he was disciplined by the psychology licensing board in Colorado for engaging in sexual contact with a client; acting or failing to act in a manner that does not meet the generally accepted standards of the professional discipline under which such person practices; and maintaining relationships with clients that are likely to impair

judgment or expose the risk of exploitation to the client. The order took effect September 22, 2019.

Allison L.V. Andres, Psy.D.

Psychologist License No. PSY
22540, El Dorado Hills

Dr. Andres stipulated to placing her license on probation for four (4) years, and is subject to its revocation if she fails to comply with the terms and conditions of probation, after an Accusation was filed alleging use of alcohol in a manner dangerous to herself or others, and conviction of a crime substantially related to the practice of psychology, following a 2018 conviction for driving with a blood alcohol level of .08% or higher, when she attempted to go to work as a psychologist while intoxicated and was involved in a single car accident. The order took effect October 4, 2019.

Donald K. Schubert, Ph.D.

Psychologist License No. PSY
7599, Long Beach

Dr. Schubert stipulated to placing his license on probation for three (3) years, and is subject to its revocation if he fails to comply with the terms and conditions of

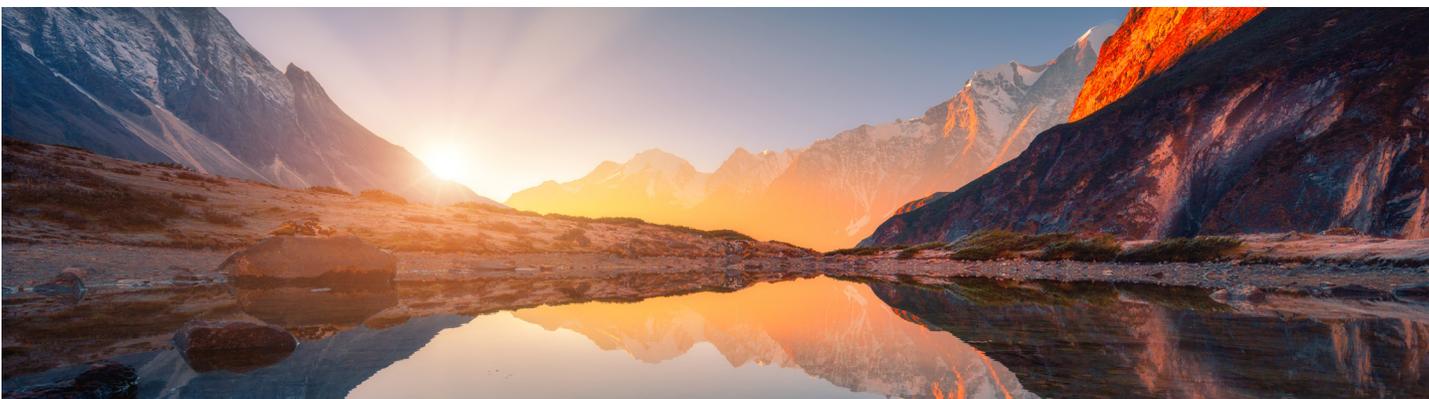
probation, after an Accusation was filed alleging he committed gross negligence, unprofessional conduct, and violated the rules of ethics when he sold supplements to current patients for financial gain; practiced outside his scope of practice; operated in a dual role; failed to give informed consent about the product he was selling; failed to keep consistent patient records; becoming involved in an exploitative relationship; exposing his patients to potential harm; and becoming involved in a conflict of interest. The order took effect October 9, 2019.

Sarwat Bashir Waraich, Psy.D.

Psychologist License No. PSY
19573, Covina

Dr. Waraich stipulated to placing her license on probation for five (5) years, and is subject to its revocation if she fails to comply with the terms and conditions of probation, after an Accusation was filed alleging use of alcohol in a manner dangerous to herself, any other person, or the public, and conviction of a crime substantially related to the practice of psychology, following a 2018 conviction for driving with

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a blood alcohol level of .08% or higher, after she was observed driving in an unsafe manner, and said that she was on her way to work. The order took effect October 11, 2019.

Elena Kozlova, Ph.D.

Psychologist License No. PSY 29195, Mountain View

Dr. Kozlova stipulated to placing her license on probation for five (5) years, and is subject to its revocation if she fails to comply with the terms and conditions of probation, after an Accusation was filed alleging she engaged in gross negligence, repeated acts of negligence, unprofessional conduct, aiding and abetting the unauthorized practice of psychology, willful unauthorized communications, and violated the rules of professional conduct by allowing her husband to participate in and lead group therapy sessions; fraudulently billing group sessions as individual sessions to the patient's health insurance; failing to create and maintain accurate and sufficient treatment records; making unauthorized disclosures of confidential information to third parties without authorization from the patient; failing to inform her supervising psychologist that the patient made a suicide attempt and was hospitalized, and authoring a letter of support to the judge in the patient's criminal case, and failing to inform her supervising psychologist that she had done so. The order took effect October 16, 2019.

Mary Jo H. Robison, Psy.D.

Psychologist License No. PSY 31445, Pasadena

Dr. Robison stipulated to being issued a license and placing it on probation for five (5) years, and is subject to its revocation if she fails to comply with the terms and conditions or probation, after the filing of a Statement of Issues that alleged she engaged in gross negligence, repeated acts of negligence, and unprofessional conduct by taking on a role that was outside the scope of her practice and boundaries of competence; billing the patient for such services; engaging in a mutual relationship with the patient; failing to obtain the patient's informed consent before billing the patient at an increased rate; and overbilling the patient for said services. The order took effect November 7, 2019.

Kenneth Seider, Ph.D.

Psychologist License No. PSY 9918, Berkeley

Dr. Seider stipulated to placing his license on probation for three (3) years, and is subject to its revocation if he fails to comply with the terms and conditions of

probation, after an Accusation was filed alleging he committed gross negligence and/or repeated acts of negligence, and violated the rules of ethics when he engaged in an inappropriate, unlimited, complicated, dual relationship communication via email and text messaging with a patient he identified as having borderline characteristics; failing to prioritize the patient's therapeutic needs over his own wishes when he sent statements and overtures that would reasonably be understood as romantic; gave the patient tickets to a concert; did not charge the patient for any of his extensive services; failed to show insight into the negative impact and confusion his extensive services and blurred role had on the patient; failed to document consent or permission for the treatment of the patient; deleting all text communications with the patient; failing to maintain copies of all emails between himself and the patient; and failing to keep a record of the email and text exchanges in the patient's file. The order took effect November 22, 2019.





Experts for Examination Development

By Lavinia Snyder, Examinations Coordinator, Board of Psychology

Interested in earning 16 hours of continuing education units and satisfactorily completing the laws and ethics training required for license renewal? The Board is recruiting qualified licensees to serve as subject matter experts (SMEs) to participate in annual, two-day workshops to assist in developing the California Psychology Laws and Ethics Examination (CPLEE).

The Board's workshops are held on two consecutive eight-hour days throughout the year in Sacramento. The types of workshops include:

- **Item writing:** The purpose of this workshop is to develop items for the CPLEE. Participants will receive training in item writing principles and will work in conjunction with a testing specialist to develop vignette-based clinical questions as well as standard multiple-choice questions for the examination.
- **Item review:** The purposes of this workshop are to: 1) review newly developed items (e.g., standard multiple-choice items) for clarity, relevance, and technical accuracy; and 2) evaluate previously used items based on item statistics, candidate comments, etc. Participants will work as a group to ensure that potential items are acceptable for inclusion on future versions of the examination.
- **Examination construction:** The purpose of this workshop is to select potential items based on the examination plan of the CPLEE. Participants will evaluate items for each content area included in the examination and select those that best represent the knowledge required for entry into the profession.
- **Passing score:** The purpose of this workshop is to establish the passing score for the CPLEE. Under the facilitation of a testing specialist, participants will apply minimum competence standards to establish a criterion-referenced passing score.

Aside from earning continuing education credits and satisfying the laws and ethics requirement, participants at a two-day workshop will receive a per diem rate of \$600. Participants will also receive reimbursement for travel expenses within the set limitations of the Department of Consumer Affairs' (DCA) Travel Guidelines. Air and ground travel will be covered and arranged for by the Board. Hotel accommodations will be reimbursed up to the state rate of \$95/day plus tax. Meals will be reimbursed at the rate established by DCA. Below is the reimbursement matrix of coverage. Meal reimbursement will be subject to change and dependent on the time of travel.

Expense	Maximum reimbursement for 24-hour travel	Comments
Breakfast	\$7	Travel begins before or at 6 a.m.
Lunch	\$11	Travel begins before or at 11 a.m.
Dinner	\$23	Travel begins at or before 5 p.m.
Incidentals	\$5	
Hotel	\$95 + taxes	SME must book
Mileage	\$0.58/mile	Personal vehicle use
Air travel/rental car	Booked by the board	

Expense	Maximum reimbursement less than 24-hour travel	Comments
Breakfast	\$7	Travel begins before or at 6 a.m. and ends at or after 9 a.m.
Lunch		Not authorized
Dinner	\$23	Travel begins at or before 4 p.m. and ends at or after 7 p.m.
Incidentals		Not covered
Mileage	\$0.58/mile	Personal vehicle use
Air travel/rental car	Booked by the board	

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To qualify to serve as subject matter experts, licensees MUST:

- Hold a current license as a psychologist issued by the Board.
- Be in good standing, having no prior or pending disciplinary actions, and no pending investigations or enforcement actions against them.
- Agree not to participate in any examination coaching or preparation activities as stated

in the agreement signed with the Board upon commencement of examination development activities.

If you are a qualified licensee and interested in serving as an SME, please email Lavinia.Snyder@dca.ca.gov with your name, license number, phone number, and email address. Any licensees who express interest in attending future workshops will be placed on the interested parties list for future notification of workshop dates. Notification will be via email.





2019 Legislative Advisories

LEGISLATIVE ADVISORY: SB 786 (Committee on Business, Professions and Economic Development) Chapter 456, Statutes of 2019—Healing Arts.

Operative date of legislation: January 1, 2020

Attention board stakeholders:

Senate Bill 786 (Committee on Business, Professions and Economic Development) was signed by Governor Gavin Newsom on October 2, 2019, and became operative January 1, 2020. This legislation makes technical and clarifying amendments to Business and Professions Code (BPC) sections 2940 and 2941 regarding initial application and examination requirements for licensure as a psychologist.

SUMMARY OF CHANGES:

This bill makes clarifying amendments to the Board's initial application for licensure requirements in BPC section 2940 by making the text plain language and fixing an incorrect statutory reference regarding the application fee. These amendments fix the statutory reference to the application fee to correctly reference BPC section 2987. Application fees remain nonrefundable under these amendments.

This bill also makes clarifying amendments to the Board's examination requirements in BPC section 2941. These amendments clarify that applicants for licensure as a psychologist must take and pass any examinations required by the Board. [These requirements are specified in Title 16 of California Code of Regulations (CCR) sections 1388–1389.1 and include passage of the Examination for Professional Practice in Psychology (EPPP) and the California Psychology Laws and Ethics Examination (CPLEE).] The amendments also specify the subject matter on which applicants may be examined, allowing that “an applicant may be examined for knowledge in any theoretical or applied fields of psychology, as well as professional skills and judgment in the use of psychological techniques and methods and the ethical practice of psychology, as the board deems appropriate.” Lastly, the requirement that the payment

of the examination fees be made 30 days prior to the date of the examination was deleted. Examination fees remain nonrefundable under these amendments.

Note: Examination fees are still set out in BPC section 2987. The amount of the examination fee for the CPLEE is set in Title 16 of CCR section 1392(b). The examination fee for the EPPP is set by the Association of State and Provincial Psychology Boards (ASPPB), which develops and administers the EPPP, and all examination fees for the EPPP are paid directly to ASPPB.

In short, this bill makes no changes to the examination or initial application process for the Board; it simply makes technical amendments to outdated references and language.

LEGISLATIVE ADVISORY: SB 425 (Hill) Chapter 849, Statutes of 2019—Health Care Practitioners: Licensee's File: Probationary Physician's and Surgeon's Certificate: Unprofessional Conduct.

Operative date of legislation: January 1, 2020

Attention board stakeholders:

Senate Bill 425 (Hill, Chapter 849, Statutes of 2019) was signed by Governor Gavin Newsom on October 12, 2019, and became operative January 1, 2020. This legislation requires a health care facility or other entity like a postsecondary educational institution that makes arrangements where healing arts licensees, such as psychologists, registered psychologists, or psychological assistants, are allowed to practice or provide care for patients in their facility, to report any written allegation of sexual abuse or sexual misconduct involving a patient to the Board within 15 days of receiving the written allegation. [**Note:** This bill applies to all healing arts licensees; this advisory, however, is limited to licensees under the Board.]

SUMMARY OF CHANGES:

Required Sexual Abuse and Sexual Misconduct Allegation Reporting Requirement Under SB 425

SB 425 creates a new reporting requirement for health care facilities and postsecondary educational institutions regarding allegations of sexual abuse or sexual misconduct against a patient by a psychologist, registered psychologist, or psychological assistant



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allowed to practice in their facility. This new reporting requirement is in Business and Professions Code (BPC) section 805.8. Full text of the requirement is available at http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=BPC§ionNum=805.8.

Specifically, any health care facility or postsecondary educational institution that makes “any arrangement under which a healing arts licensee is allowed to practice or provide care for patients” within their facility is now required to report any written allegation of sexual abuse or sexual misconduct made by a patient, or the patient’s representative, to the healing arts licensee’s relevant state licensing agency. Under SB 425, psychologists, registered psychologists, and psychological assistants, are defined as a “healing arts licensee,” and therefore would require a health care facility or postsecondary educational institution to report the sexual abuse or sexual misconduct allegation to the Board. This BPC section 805.8 required report (BPC 805.8 Report) must be filed with the Board within 15 days of the health facility or postsecondary educational institution receiving the written allegation.

Note: A patient who has experienced sexual abuse or sexual misconduct by a psychologist, registered psychologist, or psychological assistant, can also file a complaint directly with the Board. For additional information on other healing arts license types and their licensing entity, please see the Department of Consumer Affairs publication titled [Consumer’s Guide to Healthcare Providers](#).

Arrangements under which a psychologist, registered psychologist, or psychological assistant, is allowed to practice or provide care for patients under SB 425 include, but are not limited to, the following:

- Full staff privileges.
- Active staff privileges.
- Limited staff privileges.
- Auxiliary staff privileges.
- Provisional staff privileges.

- Temporary staff privileges.
- Courtesy staff privileges.
- Locum tenens arrangements.
- Contractual arrangements to provide professional services, including but not limited to, arrangements to provide outpatient services.

BPC 805.8 Reports filed by health care facilities and postsecondary educational institutions under SB 425 must be kept confidential and are not subject to discovery, except that the information may be reviewed by the licensee or representative pursuant to BPC section 800(c), and the BPC 805.8 Report may be disclosed in any subsequent disciplinary hearing brought by the Board. This means that these BPC 805.8 Reports are not public unless the Board takes disciplinary action against a psychologist, registered psychologist, or psychological assistant, or a very limited number of exceptions are met pursuant to BPC section 800(c).

ENTITIES REQUIRED TO FILE REPORTS UNDER SB 425

Entities required to file reports under SB 425 are health care facilities and postsecondary educational institutions (called other entities in the bill text) as shown below.

Health care facilities include clinics or health facilities licensed or exempt from licensure pursuant to Health and Safety Code sections 1200 et seq., including, but not limited to, the following:

- Clinics licensed pursuant to Health and Safety Code sections 1200–1245, including physician- and surgeon-owned clinics and surgical clinics exempt from licensure under the Health and Safety Code.
- Health facilities licensed pursuant to Health and Safety Code sections 1250–1339.59, including the following:
 - » General acute care hospital.
 - » Acute psychiatric hospital.
 - » Skilled nursing facility.
 - » Intermediate care facility.

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- » Intermediate care facility/developmentally disabled—habilitative.
- » Special hospital.
- » Intermediate care facility/developmentally disabled.
- » Intermediate care facility/developmentally disabled—nursing.
- » Congregate living health facility.
- » Correctional treatment center.
- » Nursing facility.
- » Intermediate care facility/developmentally disabled—continuous nursing.
- » Hospice facility.
- » Psychiatric health facility.
- » Chemical dependency recovery hospital.
- » Small house skilled nursing facility.
- » Adult day health care facility.
- » Pediatric day health and respite care facility.
- » Home health agency.

Postsecondary educational institutions (called “other entity” in the bill text) include institutions of higher education as defined by Education Code section 66261.5, including but not limited to, the following:

- Public or private institutions of vocational, professional, or postsecondary education (public and private colleges and vocational/professional schools).
- California community colleges and their governing boards.
- University of California campuses and the regents of the University of California system.
- California State University campuses and trustees of the California State University system.

Penalties for Failure to Report Allegations of Sexual Abuse or Sexual Misconduct

Health facilities and postsecondary educational institutions that fail to report a written allegation of sexual abuse or sexual misconduct by a psychologist, registered psychologist, or psychological assistant, to the Board within 15 days may be liable for civil or administrative fines as described below.

Failure to file a BPC 805.8 Report with the Board within 15 days may result in a civil or administrative fine not to exceed \$50,000 per violation and paid for by the health care facility or postsecondary educational institution. The fine may be imposed in any civil or administrative action or proceeding brought by or on behalf of the Board. The amount of the fine imposed shall be proportional to the severity of the failure to report and should be based upon written findings, including the following:

- Whether the failure to file caused harm to a patient or created a risk to patient safety.
- Whether any person who is designated or otherwise required by law to file the report required under this section exercised due diligence despite the failure to file or whether the person knew or should have known that a report required under this section would not be filed.
- Whether there has been a prior failure to file a report required under this section; and whether a report was filed with another state agency or law enforcement.

The amount of the fine imposed may also be adjusted based on whether a health care facility is a small or rural hospital, as defined in Health and Safety Code section 124840.

A willful failure to file a BPC 805.8 Report to the Board within 15 days may result in a civil or administrative fine not to exceed \$100,000 per violation and paid for by the health care facility or postsecondary educational institution. Under SB 425, “willful” means a “voluntary and intentional violation of a known legal duty.” The fine may be imposed in any civil or administrative action or proceeding brought by or on behalf of the Board.

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If the Board collects any such civil or administrative fines, it will not be able to expend the collected fines without those funds being appropriated by the Legislature.

Civil and Criminal Liability Protection for Reporters

Under SB 425, any person, whether an employee or individual contracted or subcontracted to provide health care services, a health care facility, or a postsecondary educational institution, cannot be held civilly and criminally liable as a result of making a BPC 805.8 Report to the Board.

IMPLEMENTATION:

The Board is in the process of developing a reporting form to aid reporting entities when filing a BPC 805.8 Report of written allegations of sexual abuse or sexual misconduct against a psychologist, registered psychologist, or psychological assistant in accordance with the BPC section 805.8 reporting requirement. Upon completion of the form, the Board will notify all stakeholders of the availability of the form on the Board's website.

Until the new reporting form is available, health care facilities and postsecondary educational institutions can file a BPC 805.8 Report with the Board in one of the following ways:

- By email to bopenforcement@dca.ca.gov.
- By mail to 1625 North Market Blvd., Suite N-215, Sacramento, CA 95834.

LEGISLATIVE ADVISORY: AB 1076 (Ting) Chapter 578, Statutes of 2019—Criminal Records: Automatic Relief.

Operative date of legislation: January 1, 2021

Attention Board of Psychology stakeholders:

Assembly Bill 1076 (Ting, Chapter 578, Statutes of 2019) was signed by Governor Gavin Newsom on October 8, 2019, and becomes operative January 1, 2021. This legislation will, upon an appropriation in the annual Budget Act, require the California Department of Justice (DOJ) to automatically seal

specified arrest and conviction records that meet certain criteria and timeframes without requiring the individual to petition the court. This bill also prohibits DOJ from providing the Board with information on arrests or convictions that have been sealed. Additionally, the bill prohibits the courts from disclosing to the Board any information concerning arrests that were sealed pursuant to the bill's provisions, or convictions that have been sealed. This bill also now prohibits the Board from denying an application for licensure based on a conviction, or the acts underlying the conviction, that has been sealed pursuant to the bill's provisions.

SUMMARY OF CHANGES:

Applicants:

Once AB 1076 is fully implemented, some applicants for licensure or registration with the Board may find that their criminal conviction record(s) or arrest record(s) have been automatically sealed by the DOJ and cannot be considered by the Board as part of its determination of fitness to be granted a license or registration by the Board.

Disclosure of criminal convictions in an application for licensure or registration continues to be required until July 1, 2020. After July 1, 2020, the requirement to disclose criminal conviction information will be removed from applications for licensure and registration by the Board, but arrests and convictions not sealed under AB 1076, Penal Code sections 1203.4, 1203.4(a), 1203.41, 1203.42, or 1203.42, or a comparable dismissal or expungement method, would still be reported to the Board by DOJ after the submission of fingerprints. Any nonsealed arrests and convictions reported to the Board will be evaluated to determine if an applicant is fit to be licensed or registered by the Board. In determining fitness for licensure, the Board will apply its Substantial Relationship Criteria (Title 16, California Code of Regulations (CCR) section 1394) and Rehabilitation Criteria for Denials and Reinstatements (Title 16, CCR section 1395). The text of these regulations is available at the following links:

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- Substantial Relationship Criteria [https://govt.westlaw.com/calregs/Document/IA45AAE09AB4048CE9832C5AB1EBCB325?viewType=FullText&originationContext=documenttoc&transitionType=CategoryPageItem&contextData=\(sc.Default\)](https://govt.westlaw.com/calregs/Document/IA45AAE09AB4048CE9832C5AB1EBCB325?viewType=FullText&originationContext=documenttoc&transitionType=CategoryPageItem&contextData=(sc.Default)).
- Rehabilitation Criteria for Denials and Reinstatements [https://govt.westlaw.com/calregs/Document/IF5DEA856A6A847F3886F348276F40EA9?viewType=FullText&originationContext=documenttoc&transitionType=CategoryPageItem&contextData=\(sc.Default\)&bhcp=1](https://govt.westlaw.com/calregs/Document/IF5DEA856A6A847F3886F348276F40EA9?viewType=FullText&originationContext=documenttoc&transitionType=CategoryPageItem&contextData=(sc.Default)&bhcp=1).

Note: As part of the governor's proposed 2020–21 Budget, the implementation of AB 1076 may be delayed until July 1, 2022. Therefore, if an arrest or criminal conviction was not sealed under AB 1076, Penal Code sections 1203.4, 1203.4(a), 1203.41, 1203.42, or 1203.42, or a comparable dismissal or expungement method, the arrest and/or conviction may be reported to the Board and evaluated as a basis for denial of licensure.

Arrest Records Eligible for Automatic Sealing Under AB 1076

A person is eligible for automatic sealing of an arrest included in their state summary criminal history report under AB 1076 if the arrest occurs on or after January 1, 2021, and meets any of the following conditions:

- The arrest was for a misdemeanor offense and the charge was dismissed.
- The arrest was for a misdemeanor offense, there is no indication that criminal proceedings have been initiated, at least one calendar year has elapsed since the date of the arrest, and no conviction occurred, or the arrestee was acquitted of any charges that arose from that arrest.
- The arrest was for an offense that is punishable by imprisonment pursuant to paragraph (1) or (2) of Penal Code section 1170(h), there is no indication that criminal proceedings have been initiated, at least three calendar years have elapsed since the date of the arrest, and no conviction occurred, or

the arrestee was acquitted of any charges arising from that arrest.

- The person successfully completed any of the following relating to that arrest:
 - » A prefiling diversion program, as defined in Penal Code section 851.87, administered by a prosecuting attorney in lieu of filing an accusatory pleading.
 - » A drug diversion program administered by a superior court pursuant to Penal Code section 1000.5, or a deferred entry of judgment program pursuant to Penal Code section 1000 or 1000.8.
 - » A pretrial diversion program pursuant to Penal Code section 1000.4.
 - » A diversion program pursuant to Penal Code section 1001.9.
 - » Any diversion program described in Chapter 2.8 (commencing with Penal Code section 1001.20), Chapter 2.8A (commencing with Penal Code section 1001.35), Chapter 2.81 (commencing with Penal Code section 1001.40), Chapter 2.9 (commencing with Penal Code section 1001.50), Chapter 2.9A (commencing with Penal Code section 1001.60), Chapter 2.9B (commencing with Penal Code section 1001.70), Chapter 2.9C (commencing with Penal Code section 1001.80), Chapter 2.9D (commencing with Penal Code section 1001.81), or Chapter 2.92 (commencing with Penal Code section 1001.85), of Title 6.

Sealed arrest records will show “arrest relief granted” on criminal history reports to law enforcement and other limited entities but will not be disclosed to the Board.

As a result of the automated sealing of eligible arrest records under AB 1076, applicants whose arrest records are sealed are also released from any penalties and disabilities resulting from the arrest and may answer any question by the Board related to that arrest accordingly.

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Conviction Records Eligible for Automatic Sealing Under AB 1076

A person is eligible for automatic sealing of a conviction included in their state summary criminal history report under AB 1076 if the person and the conviction meet all the following conditions:

- The person is not required to register pursuant to the Sex Offender Registration Act.
- The person does not have an active record for local, state, or federal supervision in the Supervised Release File.
- Based on DOJ records, including disposition dates and sentencing terms, it does not appear the person is currently serving a sentence for any offense and there is no indication of any pending criminal charges.
- Except as otherwise provided below, there is no indication that the conviction resulted in a sentence of incarceration in a state prison.
- The conviction occurred on or after January 1, 2021, and meets either of the following criteria:
 - » The defendant was sentenced to probation and, based upon the disposition date and the term of probation specified in DOJ's records, appears to have completed their term of probation without revocation.
 - » The defendant was convicted of an infraction or misdemeanor, was not granted probation, and, based upon the disposition date and the term specified in DOJ's records, the defendant appears to have completed their sentence and at least one calendar year has elapsed since the date of judgment.

Sealed conviction records will show "relief granted" on criminal history reports to law enforcement and other limited entities but will not be disclosed to the Board.

As a result of the automated sealing of eligible conviction records under AB 1076, applicants whose conviction records are sealed are also released from

all penalties and disabilities resulting from the offense of which the person has been convicted.

Note: *The prosecuting attorney or probation department may, no later than 90 calendar days before the date of a person's eligibility for automated sealing, file a petition to prohibit DOJ from granting automatic relief based on a showing that granting such relief would pose a substantial threat to public safety. AB 1076 provides for a specified process to hear these petitions in Penal Code 1203.425(h).*

LICENSEES

Board applicants are fingerprinted prior to licensure or registration and therefore the Board receives subsequent arrest and conviction notifications from DOJ when arrests and convictions are entered into the state summary criminal history repository for a licensee or registrant.

Licensees should be aware that AB 2138's (Chapter 995, Statutes of 2018) prohibition against requiring an applicant for licensure to disclose information or documentation on the applicant's criminal history does not apply to a licensee or registrant's renewal application. Therefore, until an arrest or conviction is sealed pursuant to AB 1076, or the other available means to seal an arrest or conviction record, licensees and registrants must continue to disclose on their renewal application any pleas, convictions, or discipline by a government agency or other disciplinary body that occurred since their last renewal.

For the purposes of renewal applications, the following should be reported unless otherwise specified:

- Pleas and convictions for misdemeanors and felonies, traffic infractions involving drugs or alcohol, and all other infractions resulting in fines of \$500 or more.
 - » Excluded from disclosure are charges that were dismissed under Penal Code section 1000.3 or equivalent non-California laws, or convictions two years or older under Health and Safety Code sections 11357(b), (c), (d), (e), or section 11360(b).

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- License discipline by a government agency or other disciplinary body, including but not limited to suspension, revocation, voluntary surrender, probation, reprimand, or any other restriction on any license or registration held.

IMPLEMENTATION:

The Board does not have any implementation activities associated with AB 1076.

The Board is in the process of implementing AB 2138's (Chapter 995, Statutes of 2018) requirements. For more information and updates on those implementation activities, please see the AB 2138 Legislative Advisory here: www.psychology.ca.gov/laws_regs/leg_ab2138.shtml.

Regulatory Update

Following are the Board's pending regulatory changes, and their status in the formal rulemaking process.

1. Title 16, CCR Sections 1391.1, 1391.2, 1391.5, 1391.6, 1391.8, 1391.10, 1391.11, 1391.12, 1392.1—Psychological Assistants

Status: Initial review phase. This phase includes reviews by the Department of Consumer Affairs, and the Business Consumer Services and Housing Agency before formal Notice of Public Hearing with the Office of Administrative Law.

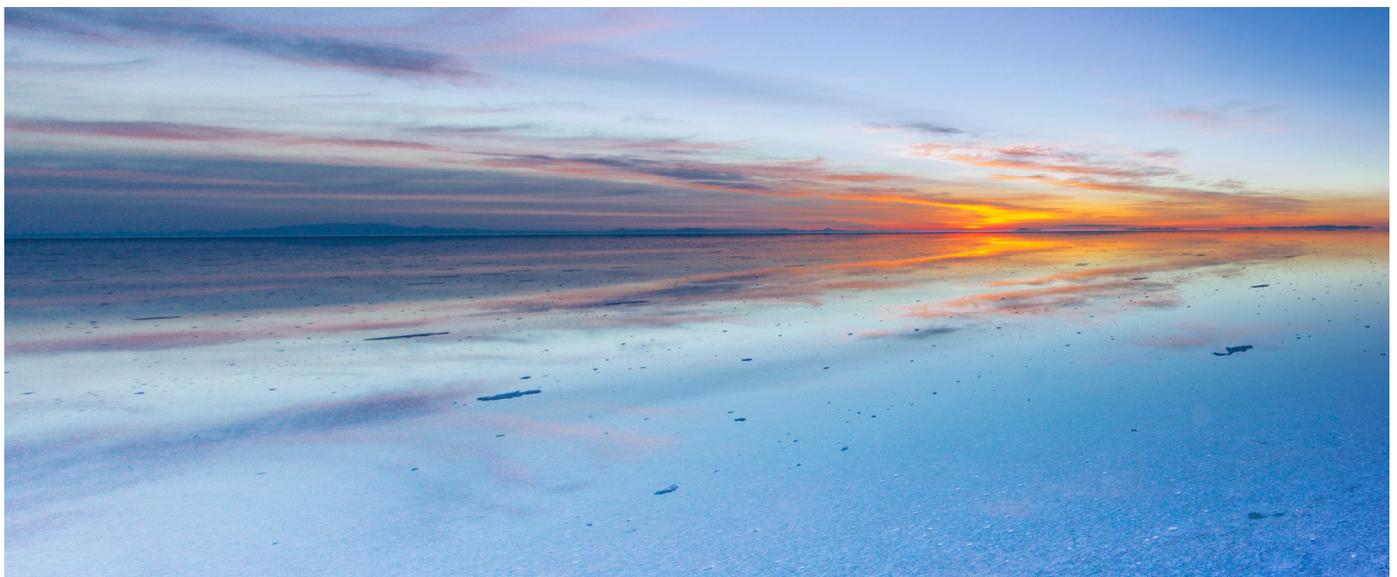
This regulatory package does the following:

Conforms the California Code of Regulations to statutory changes made in SB 1193 (Hill, Chapter 484, Statutes of 2016), which requires psychological assistants to obtain a single registration with the Board of Psychology, to be renewed annually. This registration will be independent from their supervisor(s) or employer(s) but does not remove the requirement that psychological assistants practice only under supervision. Additionally, the proposed regulatory language is to avoid duplication as to who pays the psychological assistant registration fee, as this is already specified in statute.

2. Title 16, CCR Section 1396.8—Standards of Practice for Telehealth

Status: Initial review phase. This phase includes reviews by the Department of Consumer Affairs, and the Business, Consumer Services and Housing Agency before formal Notice of Public Hearing with the Office of Administrative Law.

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This regulatory package does the following:

Establishes standards of practice for telehealth by licensed California psychologists and psychology trainees to an originating site in this state, to a patient or client who is a resident of California who is temporarily located outside of this state, and to clients or patients who initiate psychological health care services while in this state, but who may not be a resident of this state, to improve access to psychological care for underserved populations and to support clients or patients between regularly scheduled office visits or while they are temporarily located outside of this state.

3. Title 16 CCR Sections 1381.9, 1397.60, 1397.61, 1397.62, 1397.67—Continuing Professional Development

Status: Initial review phase. This phase includes reviews by the Department of Consumer Affairs, and the Business, Consumer Services and Housing Agency before formal Notice of Public Hearing with the Office of Administrative Law.

This regulatory package does the following:

Changes the continuing education guidelines and requirements that must be completed by licensed psychologists from the continuing education (CE)

model to the broader continuing professional development (CPD) model.

4. Title 16 CCR Sections 1381.9, 1381.10, 1392—Retired License, Renewal of Expired License, Psychologist Fees

Status: Initial review phase. This phase includes reviews by the Department of Consumer Affairs, and the Business, Consumer Services and Housing Agency before formal Notice of Public Hearing with the Office of Administrative Law.

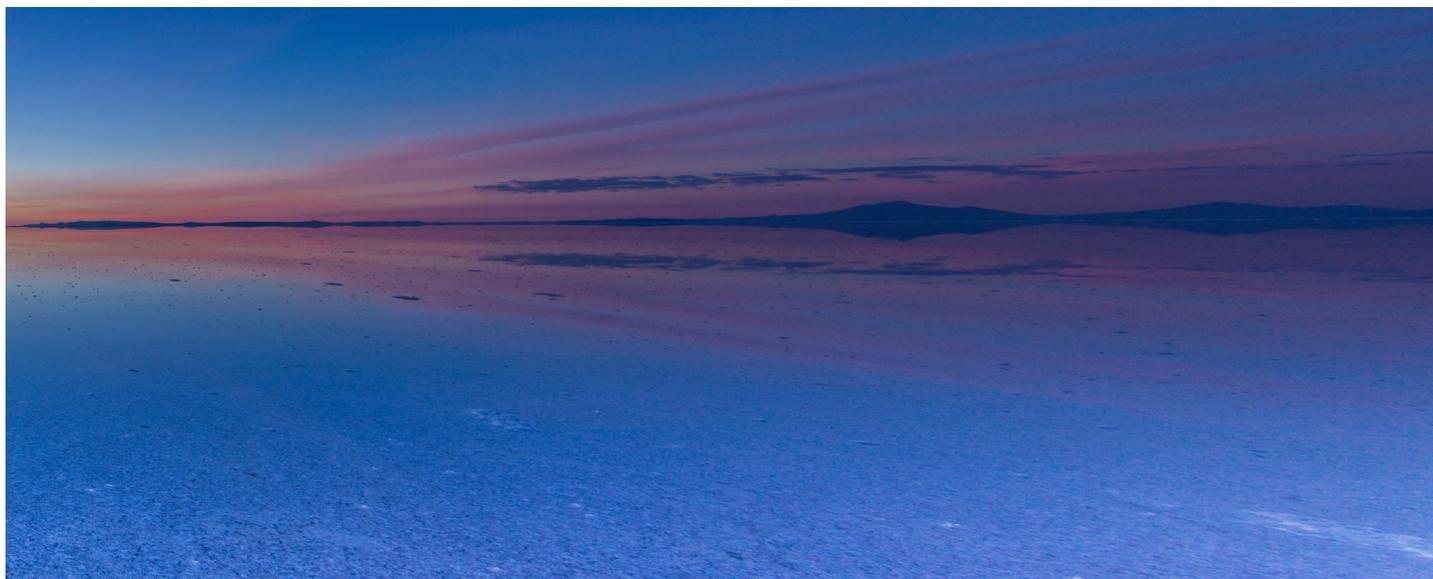
This regulatory package does the following:

Adopts section 1381.10 in Division 13.1 in the Board's regulations and be titled "Retired Status." This proposal would allow a licensee to apply to have their license placed in a retired status.

5. Title 16 CCR sections 1394, 1395, 1395.1, 1392—Substantial Relationship Criteria, Rehabilitation Criteria for Denials and Reinstatements, Rehabilitation Criteria for Suspensions and Revocations

Status: Initial review phase. This phase includes reviews by the Department of Consumer Affairs, and the Business, Consumer Services and Housing Agency before formal Notice of Public Hearing with the Office of Administrative Law.

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This regulatory package does the following:

Brings the Board into compliance with the upcoming changes to the law and, to the extent possible, maintains adequate consumer protections by ensuring Board licensees are fit to practice independently with potentially vulnerable consumer populations.

Legislative Update

For up-to-date bill status information, visit our website at www.psychology.ca.gov/laws_regs/legislation.shtml.

SPONSORED LEGISLATION

SB 275 (Pan) Psychologist: Prohibition against sexual behavior

This bill would add sexual behavior with a client (patient or client) or former client to the violations that would require an administrative law judge's proposed decision to include an order of revocation. SB 275 would define sexual behavior as "inappropriate contact or communication of a sexual nature for the purpose of sexual arousal, gratification, exploitation, or abuse. 'Sexual behavior' does not include the provision of appropriate therapeutic interventions relating to sexual issues."

Board Position: Sponsor

LEGISLATION WITH ACTIVE POSITIONS

1. AB 1145 (Garcia)—Child abuse: reportable conduct

For the purposes of the Child Abuse Neglect Reporting Act (CANRA), this bill revises the definition of sexual assault to no longer include any acts under Penal Code sections 286 (sodomy), 287, or former section 288a (oral copulation), and section 289 (sexual penetration), if committed voluntarily and if there are no indicators of abuse, unless the conduct is between a person 21 years of age or older and a minor who is under 16 years of age.

Board Position: Support

2. SB 53 (Wilk)—Open meetings

This bill modifies the Bagley-Keene Open Meeting Act to require two-member advisory committees of a "state body" to hold open, public meetings if at least one member of the advisory committee is a member of the larger state body, and the advisory committee is supported, in whole or in part, by funds provided by the state body.

Board Position: Oppose

3. SB 66 (Atkins)—Medi-Cal: federally qualified health center and rural health clinic services

This bill would allow Medi-Cal reimbursement for a patient receiving both medical and mental health services at a federally qualified health center or rural health clinic on the same day.

Board Position: Support





Participate in the Census

Let's ensure all Californians are counted so we can put those resources to good use here at home!



BUILD BETTER ROADS AND SCHOOLS



FUND COMMUNITY PROGRAMS FOR SENIORS, CHILDREN AND FAMILIES



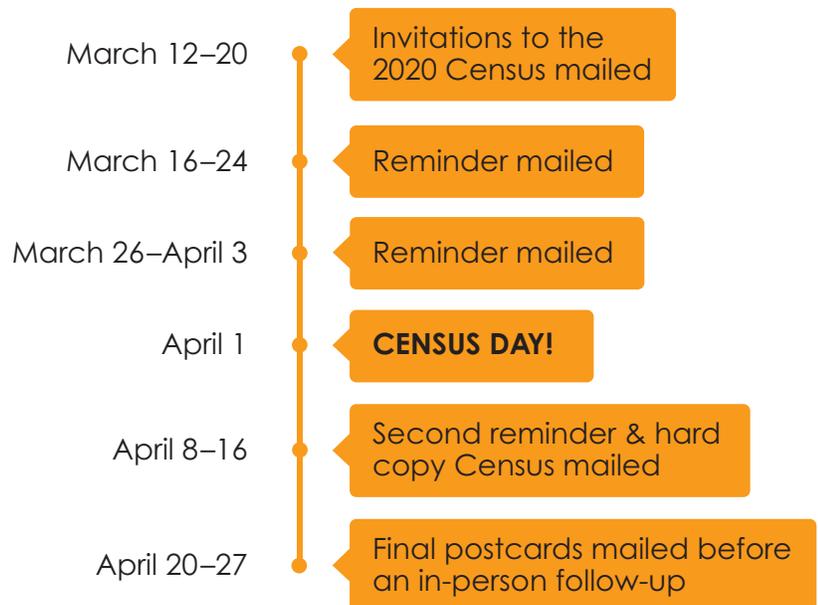
CREATE JOBS



IMPROVE HOUSING

Starting in mid-March 2020, each household will get a letter in the mail. It will explain the different ways you can fill out the Census. If you don't receive a letter, you can still go online or call to fill it out. Be sure you include any person living in your household, family or not.

Key Dates



Three Ways To Complete the Census

ONLINE: For the first time, the Census form will be available to complete online in 13 languages.

PHONE: The Census can be completed by phone in 13 languages.

MAIL: Limited addresses will receive paper forms.

Your 2020 Census data is safe, protected and confidential.

Board Members

Seyron Foo (President)

Mary Harb Sheets, Ph.D. (Vice President)

Alita Bernal

Sheryll Casuga, Psy.D.

Marisela Cervantes

Stephen Phillips, JD, Psy.D.

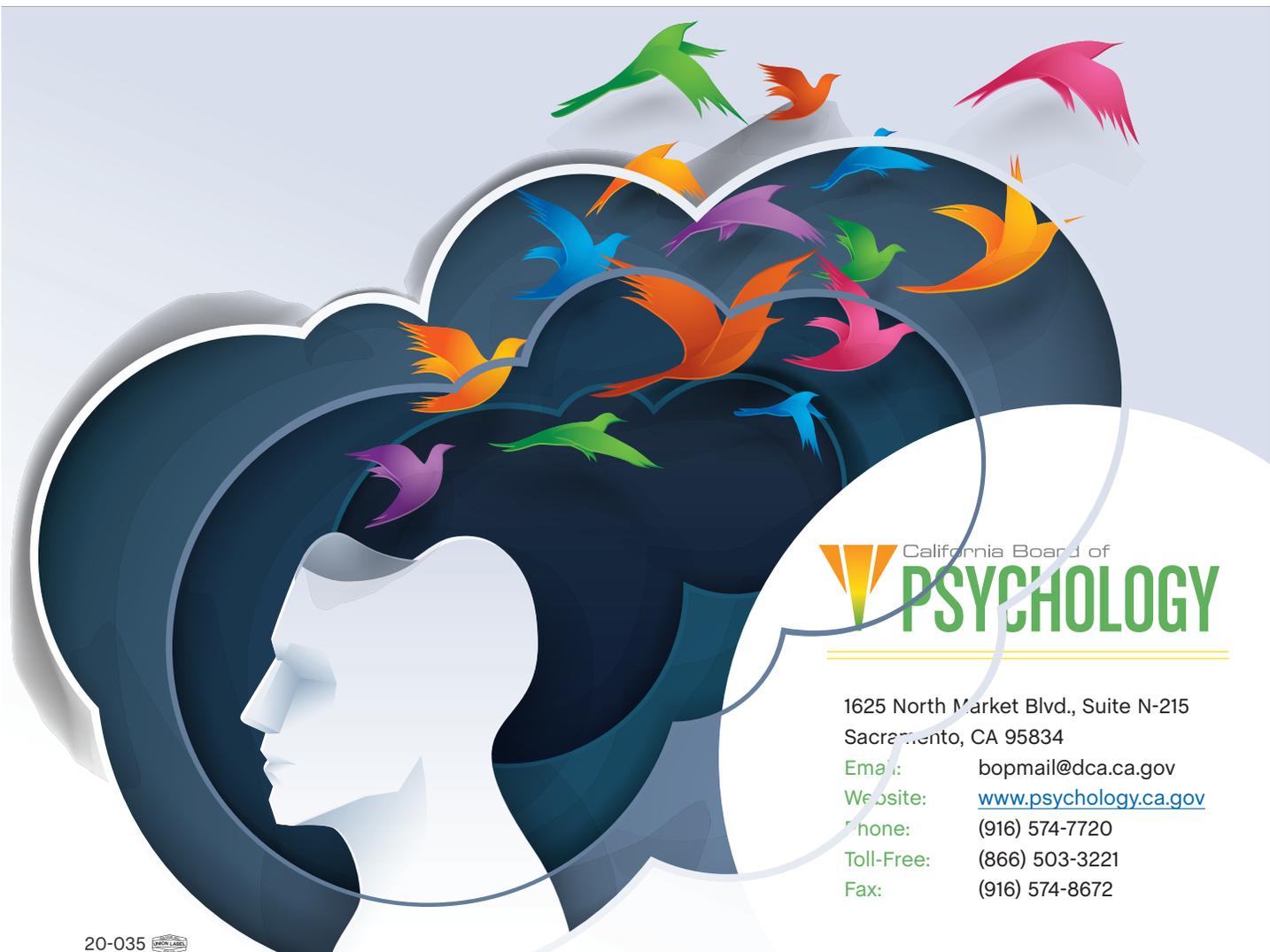
Shacunda Rodgers, Ph.D.

Lee Tate, Psy.D.

Meeting Calendar

2020 Board Meetings

February 27-28	Sacramento
July 9-10	Southern California
November 20	Sacramento



California Board of
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