

Journal

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

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President's Message

Stephen C. Phillips, J.D., Psy.D., Board of Psychology

Welcome to the Summer 2018 edition of the California Board of Psychology *Journal*!

The mission of the Board of Psychology (board) is to advance quality psychological services for Californians by ensuring ethical and legal practice, and supporting the evolution of the profession. Our values are transparency, integrity, consumer protection, inclusiveness, excellence, and accountability.

Since I last wrote, the board had its May quarterly meeting in San Diego, and is currently preparing for its August meeting in Berkeley. For the last several years, the August meeting was held at the Wright Institute, which has generously offered its facilities adjacent to the University of California, Berkeley, campus.

The first day of each quarterly meeting is regularly devoted almost entirely to enforcement-related hearings on petitions to modify probation and petitions for reinstatement filed by former licensees. The hearings are webcast and then archived on the board's website. I strongly encourage anyone considering filing such a petition to watch one or more hearings to become better acquainted with the process and the substance of the showing necessary for a successful petition. The deliberative portion of the proceedings are held in closed sessions pursuant to state law.

The second day of each quarterly board meeting is devoted to policy discussions, informational presentations by staff and outside agencies, regulatory matters, and the current legislative agenda. It is often remarkable how much ground the board covers in a day. If you have never had an opportunity to attend a board meeting—in person or by webcast, or to view an archived meeting by way of the board's website—I believe you would find it informative to see the board in action and to observe the sometimes spirited, but always thoughtful, discussions among the board, staff, and the public.

Ms. Alita Bernal, a public member of the board who was appointed by Kevin de León, former president pro tempore of the Senate, was recently elected to the position of vice president of the board at

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www.psychology.ca.gov



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twitter.com/BDofPsychology
Twitter handle: @BDofPsychology



To verify a license: www.breeze.ca.gov

To update address of record or
email address: www.breeze.ca.gov

Contact us: bopmail@dca.ca.gov

Sign up for our email list:
www.psychology.ca.gov



President's Message (continued from page 1)

our May meeting. After many years of dedicated service as vice president, Ms. Nicole Jones stepped down from that elected post in keeping with her philosophy that board leadership positions are the province of all the board's members. Ms. Jones simultaneously stepped down after seven years of service as chair of the Policy and Advocacy Committee, although she will continue as a member of the Committee. Ms. Jones has made an inestimable contribution to board leadership as I am certain will Ms. Bernal, also the current chair of the Outreach and Education Committee. Dr. Michael Erickson, a licensed board member and its former president, is the new chair for the Policy and

Advocacy Committee, devoted to legislative and regulatory affairs. Dr. Erickson has long participated in the legislative process on behalf of the board and should prove to be a highly capable chair.

I will end this message as I often do with thanks to my colleagues on the board; its bright, hardworking, and dedicated staff and management team; and the members of the public and various state agencies who help us continue to protect consumers of psychological services in California, with due consideration for the concerns of our various stakeholders, including our licensees and registrants.

Licensed Mental Health Service Provider Education Program Award Recipient



Esther Granados Ramos, Psy.D.
2018–2020 LMHSPEP
Los Angeles

Born and raised by immigrant parents in Los Angeles, I personally know what it is like to grow up in an underserved and underrepresented community. I knew from a young age, and my life experiences as a Latina have solidified this belief, that I would need to seek higher education to gain more opportunities for my family and me to thrive.

I currently work as a psychologist in a children's outpatient clinic in East Los Angeles. This opportunity has allowed me to fulfill my dream of helping the communities that shaped my first experiences of life. Now, with the opportunities made possible by the Licensed Mental Health Services Provider Education Program (LMHSPEP), I can bridge the gap and continue serving areas and communities in dire need of mental health services.

There is still stigma in seeking and receiving mental health services in our society, and among minorities that stigma is even greater. Therefore, this award is not just for me, but for the families and communities with whom I work and who benefit from mental health services.

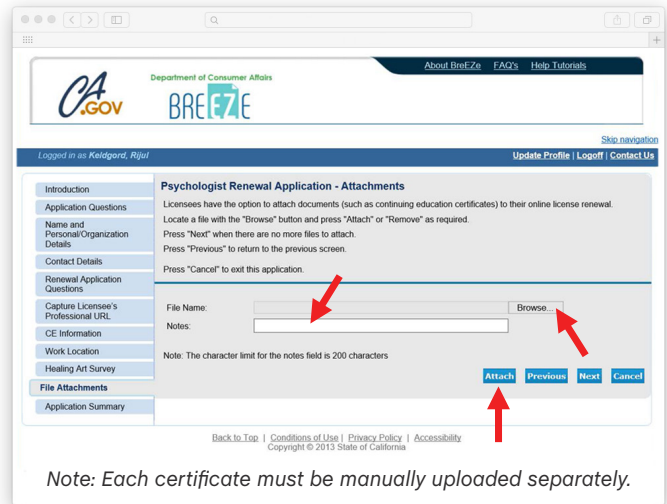
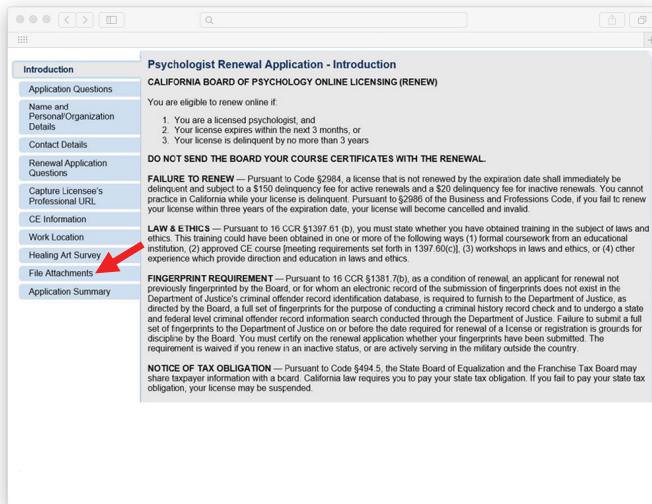


Uploading Continuing Education Documents into BreZE

By Liezel McCockran, Continuing Education / Renewals Coordinator, Board of Psychology

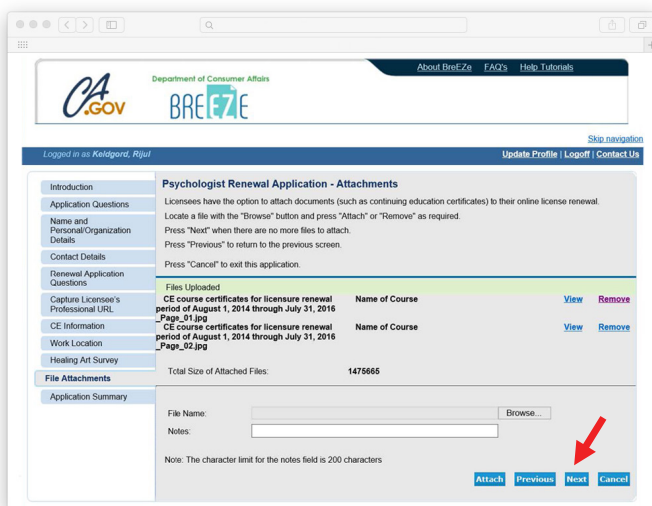
Licensees are required to maintain documentation of completed continuing education (CE) for at least two renewal cycles (or four years). The Board of Psychology (board) recently rolled out an optional new functionality in the BreZE system that will allow the licensee to attach their certificates of completion with their renewal. Although submitting certificates in this manner is not required, it provides licensees with a quick and efficient way to provide the information to the board. The following are step-by-step instructions on how to upload CE documents into BreZE.

1. On the Renewal application in BreZE, you will be able to upload your documents under the “File Attachments” tab.
2. Click “Browse” and select the CE documentation you would like to upload. You may add the name of the course under “Notes.” Click “Attach.”



Note: Each certificate must be manually uploaded separately.

3. When all certificates all uploaded, click “Next.”



TIME TO RENEW? ✓ THE BOXES!

The most efficient way to renew your license is to use our BreZE online services (www.breeze.ca.gov).

LICENSEE MUST CHECK CORRECT BOXES

- “A” Active Status (\$430.00)
- “B” Inactive Status (\$60.00)
- “C” Completed Continuing Education: _____ # hours
- “F” Conviction/Discipline Disclosure – Yes
- “G” Conviction/Discipline Disclosure – No
- “I” Laws/Ethics – Yes “J” Laws/Ethics – No
- “E” Fingerprint – Yes “H” Fingerprint – No

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Keeping Your Information Up-to-Date

*By Jason Glasspiegel, Central Services Coordinator,
Board of Psychology*

The requirement for keeping the Board of Psychology (board) up-to-date with your current contact information is detailed in section 1380.5 of Title 16 of the California Code of Regulations. Specifically, the section states:

- If a licensed psychologist provides a post office box or other alternate address (mailbox service) to be used as the address of record, he or she must also provide a physical business or residential address for the board's internal administrative use. It will not be available to the public.

- Each applicant and licensee who has an email address shall provide it to the board and must ensure it remains current.
- Any change to any address (either physical, mailing, or electronic) shall be reported to the board within 30 days of the change.
- Failure to comply with these requirements may subject the licensee to an enforcement action.

Be sure to keep your contact information up-to-date with the board through the BreEZe online system or by submitting the [Notice of Change of Address](#) form available on the board's website at http://www.psychology.ca.gov/licensees/change_address.pdf.

Board of Psychology Expert Reviewer Program

*By Sandra Monterrubio, Enforcement Program Manager,
Board of Psychology*

The Enforcement Unit is seeking qualified licensees to serve as expert reviewers. Expert reviewers are practicing psychologists in good standing who review complaint cases to determine whether violations of the Board of Psychology (board) Laws and Regulations have occurred.

The role of the expert reviewer is to establish whether a departure from the standard of care has occurred, assist board staff and investigators and the Office of the Attorney General in understanding the technical aspects of each case, and to testify at administrative hearings.

Minimum requirements to participate in the board's Expert Reviewer Program are:

- Possess a current California psychology license in good standing.
- Have forensic experience and be willing to testify if a case proceeds to a hearing.

- Have an active practice, defined as at least 80 hours per month in direct patient care, clinical activity, psychometric testing and/or teaching.
- Have three or more years of expertise in specific areas of practice.
- Have no prior or current charges or formal disciplinary actions related to any healing arts license, registration, certificate, or credential to practice psychology or any other profession or occupation in any state in the United States or foreign country.
- Have no criminal convictions, including any that were expunged or dismissed.

The Expert Reviewer Program is the backbone of the board's enforcement program, and its effectiveness is vital for fulfilling our legislative mandate to protect California consumers of psychological services from unprofessional, incompetent, and otherwise dangerous practitioners.

If you are interested in becoming an expert reviewer, please visit the board's website at www.psychology.ca.gov and complete the Expert Reviewer Application.



An Emerging Opportunity

*By Alita Bernal, Chair, Outreach and Education Committee,
Board of Psychology*

The Board of Psychology (board) is now recruiting qualified licensed psychologists to serve as examination subject matter experts (SMEs). SMEs participate in an annual, two-day workshop to provide expertise in developing the California Psychology Laws and Ethics Examination (CPLÉE).

To accurately reflect the wonderful diversity that marks our great state, the board seeks to mirror this same diversity within the community of psychologists practicing in California. We embrace all constituencies and genders, and encourage input from all our qualified licensed psychologists to participate as SMEs. Although many of our experts come from some of the larger population areas throughout California, the board is also interested in the perspectives offered by professionals located in some of the smaller communities in all our 58 counties. The benefit to all members is the opportunity to earn some required continuing education credits while serving in the invigorating and challenging role as an SME.

Benefits to participation at a two-day workshop include the following:

- \$300 per diem salary each day.
- Certification of Completion for 16 hours of continuing education credit.
- Satisfactory completion of the laws and ethics training required for license renewal.

The board encourages licensee participation in examination development by serving as an SME, including new licensees (licensed five years or less). New licensee input is necessary to maintain standards at the entry level of the profession. Such examinations could not exist without the willingness of licensees to assist with this important responsibility.

To qualify to serve as an SME, licensees must:

- Hold a current license as a psychologist.
- Be in good standing, with no prior or pending disciplinary actions, and no pending investigations or enforcement actions against you.

- Agree to not participate in any examination coaching or preparation activities upon participation in CPLÉE development activities.

All workshops take place at the Department of Consumer Affairs' Office of Professional Examination Services (OPES). OPES is located at 2420 Del Paso Road, Suite 265, Sacramento. The workshops start at 8:30 a.m. and finish by 5:30 p.m. each day. The types of workshops available throughout the year are:

- **Item Writing:** The purpose of this workshop is to develop items for the CPLÉE. Participants will receive training in item writing principles and will work in conjunction with a testing specialist to develop laws and ethics 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 examination forms.
- **Examination Construction:** The purpose of this workshop is to select potential items based on the examination plan of the CPLÉE. 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 CPLÉE. Under the facilitation of a testing specialist, participants will apply competence standards to establish a criterion-referenced passing score.

Participants who travel 50 miles or more each way to workshops will also receive reimbursement for travel expenses. Flights and/or rental car arrangements can be made directly with the board. If hotel accommodations are required, participants must book their own hotel, and the board will reimburse the cost of the hotel at the state rate of \$95 per day plus taxes. The board will provide a list of hotels that offer the state rate. A per diem is provided for meals for all participants.

If you are interested in serving as an examination SME, please contact Lavinia Snyder at Lavinia.Snyder@dca.ca.gov.



Legislative and Regulatory Update

More information can be found at <http://leginfo.legislature.ca.gov>.

Regulatory

The following are the Board of Psychology's (board's) pending regulatory changes and their status in the formal rulemaking process.

Title 16, California Code of Regulations (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 (DCA) and the Business, Consumer Services and Housing Agency before a formal Notice of Public Hearing with the Office of Administrative Law.

This regulatory package does the following:

Conforms CCR to statutory changes made in Senate Bill 1193 (Hill, Chapter 484, Statutes of 2016), which requires psychological assistants to obtain a single registration with the board, to be renewed annually. This registration will be independent from their supervisor(s) or employer(s), but still requires that psychological assistants practice only under supervision. Additionally, the proposed regulatory language removes duplication as to who pays the psychological assistant registration fee, as this is already specified in statute.

Title 16, CCR section 1396.8 – Standards of Practice for Telehealth

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

This regulatory package does the following:

Establishes standards of practice for the delivery of psychological health services via telehealth 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. These standards would apply to licensed California psychologists and psychology trainees.

Legislative

Sponsored Legislation

Assembly Bill 2968 (Levine) – Psychotherapist-client Relationship: Victims of Sexual Behavior and Sexual Contact: Informational Brochure

This bill would update and modernize statutory provisions relating to the DCA informational brochure for victims of psychotherapist-patient sexual impropriety, titled *Professional Therapy Never Includes Sex*, by removing obsolete language, including other recognized forms of sexual exploitation, behavior

facilitated by modern modes of communication, and more clearly articulating to consumers the most effective course of action when reporting these types of allegations. This bill would also add a new threshold for when a psychotherapist is legally required to provide the brochure to a client.

Location: Senate Business, Professions and Economic Development Committee

Board position: Sponsor

Active Bills

AB 282 (Jones-Sawyer) – Aiding, Advising, or Encouraging Suicide: Exemption from Prosecution

This bill would codify that any person whose actions are performed in compliance with the provisions in the End of Life Option Act cannot be prosecuted for those actions under Penal Code section 401.

Location: Senate Floor

Board position: Support

AB 2138 (Chiu and Low) – Licensing Boards: Denial of Application: Criminal Conviction

This bill would make significant amendments to the board's enforcement process by limiting when a board can deny, revoke, or suspend a license based on a conviction or other act.

Location: Senate Business, Professions and Economic Development Committee

Board position: Oppose



Legislative and Regulatory Update (continued from page 6)

AB 2143 (Caballero) – Mental Health: Licensed Mental Health Service Provider Education Program

This bill would expand the Licensed Mental Health Service Provider Education Program to apply to persons eligible under existing law who obtain further education to practice as psychiatric-mental health nurse practitioners or physician assistants in psychiatric mental health settings, thereby allowing those practitioners to apply for grants under the program for reimbursement of those later-incurred educational loans but paid for by the fund of their psychology license.

Location: Senate Business, Professions and Economic Development Committee

Board position: Oppose

AB 2943 (Low) – Unlawful Business Practices: Sexual Orientation Change Efforts

This bill would include, as an unlawful practice prohibited under the Consumer Legal Remedies Act (CLRA), advertising, offering for sale, or selling services constituting sexual orientation change efforts to an individual.

Location: Senate Committee on Appropriations

Board position: Support

Senate Bill 1125 (Atkins) – Federally Qualified Health Center and Rural Health Clinic Services

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

Location: Assembly Committee on Health

Board position: Support

Uploading Continuing Education Documents into BreEZe (continued from page 3)

Renewing online significantly reduces processing time and permits you to see that everything is correct and updated within a day.

If you choose to renew by using the automated coupon and mailing a check, be sure to complete the questionnaire in its entirety. For example, many times, the Conviction/Discipline Disclosure boxes are left blank (both active and inactive status require this question to be answered). The renewal is then incomplete and must be sent to our office to be reviewed for deficiencies. At that time, a notice is sent to you regarding the deficiency and you must then respond. That scenario can take two to three additional weeks before your license can be approved for renewal. And of course, you are unable to practice after the expiration of your license until the renewal process is complete (Title 16, California Code of Regulations section 1381.7).

To avoid delays, please be sure to review your answers and check all appropriate boxes. This will ensure that your renewal is processed without delay.

For questions or concerns, please call us at (866)503-3221 or email boprenewals@dca.ca.gov.





Administrative Citations:

March 1 to May 31, 2018

Mustafa M. Al Okaili, Ph.D.
Unlicensed, El Cajon

On May 3, 2018, a citation containing an order of abatement and fine in the amount of \$500 was issued to Mustafa M. Al Okaili for engaging in the unlicensed practice of psychology.

Disciplinary Actions:

March 1 to May 31, 2018

REVOCATION

Rebecca Gold, Psy.D.
Registered Psychological Assistant Registration No. PSB 94022358, Irvine

Dr. Gold's registration was revoked after a default decision was entered following the filing of an accusation that alleged she committed a dishonest, corrupt, or fraudulent act when

she attempted to solicit a person to impersonate her and take the Examination for the Professional Practice of Psychology. The default decision and order took effect April 26, 2018.

Jacqueline E. Silk, Ph.D.
Psychologist License No. PSY 17084, Sun Valley

A decision and order to revoke Dr. Silk's license was issued following the filing of a petition to revoke probation that alleged she failed to comply with the terms and conditions of a May 17, 2015 order placing her license on probation for three years. The order took effect May 23, 2018.

SURRENDER

Larri Anne Greene, Ph.D.
Psychologist License No. PSY 12932, Cardiff

Dr. Greene stipulated to the surrender of her license after an accusation was filed that alleged she failed to maintain proper boundaries by entering into an improper and overly familiar personal relationship with a patient; acted outside the scope

of her practice by supplying the patient with marijuana after the patient's cancer diagnosis; failed to document and/or provide informed consent; failed to adequately document the nature of her fee arrangement with the patient; and "friended" the patient's boyfriend on Facebook during the course of the patient's therapy. The order took effect March 7, 2018.

Tamara Jo Hicks, Psy.D.
Psychologist License No. PSY 17326, San Francisco

Dr. Hicks stipulated to the voluntary surrender of her license following a March 18, 2016 decision by the Board of Psychology that placed her license on probation for four years. The decision provided that Dr. Hicks could request the voluntary surrender of her license if she ceased practicing due to retirement, health reasons, or was otherwise unable to satisfy the terms and conditions of probation. The surrender took effect March 29, 2018.

(continued on page 9)



Disciplinary Actions (continued from page 8)

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.

Jeremy Trimble, Psy.D.
Psychologist License No. PSY 23293, Oceanside

Dr. Trimble stipulated to the surrender of his license after an accusation was filed that alleged he committed dishonest, corrupt, or fraudulent acts when he provided cellphones and tobacco to inmate patients at R.J. Donovan Correctional Facility in exchange for money; smuggled methamphetamine across the border from Mexico and provided it to an inmate patient who days later overdosed in an attempt to commit suicide; and willfully disclosed confidential information when he revealed the names of multiple inmate patients and his interactions with them without obtaining prior consent. The order took effect March 29, 2018.

John DeVincent, Psy.D.
Psychologist License No. PSY 21016, Reseda

Dr. DeVincent stipulated to the voluntary surrender of his license following a Sept. 25, 2010 decision by the Board of Psychology that placed his license on probation for five years. The decision provided that Dr. DeVincent could request the voluntary surrender of his license if he ceased practicing due to retirement, health reasons, or was otherwise unable to satisfy the terms and conditions of probation. The surrender took effect April 9, 2018.

PROBATION

Louisa Lurkis, Ph.D.
Psychologist License No. PSY 20065, Oakland

Dr. Lurkis stipulated to placing her license on probation for three 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 that she submitted

bills to the Victims Compensation and Government Claims Board for patient sessions for which there are no supporting progress notes, for sessions conducted when her license was expired, and for two-hour sessions that lasted only 1.5 hours; failed to properly supervise interns and ensure they created notes for patient sessions; practiced psychology when her license was expired; and failed to address issues that she acknowledged were compromising her physical and mental well-being and did not recognize until it was too late the extent to which her interns were ignoring their responsibilities. The order took effect March 11, 2018.

Malvern Holland, Ed.D.
Psychologist License No. PSY 21206, San Diego

Dr. Holland stipulated to placing his license on probation for three years, and is subject to its

(continued on page 10)



Disciplinary Actions (continued from page 9)

revocation if he fails to comply with the terms and conditions of probation, after an accusation was filed that alleged he failed to timely refer a patient to a higher level of care once criteria for such a referral was identified and repeatedly failed to document and/or poorly documented treatment plans and progress notes. The order took effect March 17, 2018.

PUBLIC LETTER OF REPROVAL

Antoine Nacin Francisco, Ph.D.
Psychologist License No. PSY 6247, Newport Beach

Dr. Francisco stipulated to the issuance of a public letter of reproof against his license, with terms, after an accusation was filed alleging he was negligent

in the preparation of Social Security Administration Disability Evaluations when he made diagnoses related to four patients' health and disability status after one visit, without reviewing any prior medical records or conducting any psychological testing to support his findings and conclusions. The order took effect March 17, 2018.

Kristina Catherine Ann Raines, Psy.D.
Psychologist License No. PSY 19537, Oceanside

Dr. Raines stipulated to the issuance of a public letter of reproof against her license, with terms, after an accusation was filed alleging she violated regulations requiring her to

verify completion of continuing education by producing verification of attendance certificates. The order took effect March 24, 2018.

AUTOMATIC SUSPENSION OF LICENSE

Michael D. Ward, Ph.D.
Psychologist License No. PSY 24606, La Crescenta

On May 7, 2018, a Notice of Automatic Suspension of License was issued pursuant to Business and Professions Code section 2966, subdivisions (a) and (c), against Dr. Ward, prohibiting him from practicing psychology in California while incarcerated. The suspension took effect Jan. 30, 2018.



SUMMER
Journal





Board Members

Stephen Phillips, J.D., Psy.D. (President)

Alita Bernal (Vice President)

Lucille Acquaye-Baddoo

Sheryll Casuga, Psy.D.

Michael Erickson, Ph.D.

Seyron Foo

Jacqueline Horn, Ph.D.

Nicole J. Jones

Meeting Calendar

Board Meetings

Aug. 16-17 Berkeley

Nov. 15-16 San Diego

Licensing Committee Meeting

Oct. 25 Sacramento

Outreach and Education Committee Meeting

Dec. 11 Sacramento

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