

DEPARTMENT OF CONSUMER AFFAIRS
TITLE 16. PROFESSIONAL AND VOCATIONAL REGULATIONS
DIVISION 13.1.

BOARD OF PSYCHOLOGY

NOTICE OF PROPOSED REGULATORY ACTION CONCERNING:
**Disciplinary Guidelines and Uniform Standards Related to Substance-
Abusing Licensees**

NOTICE IS HEREBY GIVEN that the Board of Psychology (hereafter “Board”) is proposing to take the action described in the Informative Digest below, after considering all comments, objections, and recommendations regarding the proposed action.

PUBLIC HEARING

The Board has not scheduled a public hearing on this proposed action. However, the Board will hold a hearing if it receives a written request for a public hearing from any interested person, or his or her authorized representative, no later than 15 days prior to the close of the written comment period. A hearing may be requested by making such request in writing addressed to the individuals listed under “Contact Person” in this notice.

WRITTEN COMMENT PERIOD

Written comments relevant to the action proposed, including those sent by mail, facsimile, or e-mail to the addresses listed under “Contact Person” in this Notice, must be **received by the Board at its office no later May 26, 2026** or must be received by the Board at the hearing, should one be scheduled.

AUTHORITY AND REFERENCE

Pursuant to the authority vested by section 2930 of the Business and Professions Code (BPC), and to implement, interpret, or make specific BPC Section(s) 315, 315.2, 315.4, 2936, 2960, 2960.05, 2960.1, 2960.5, 2960.6, 2961, 2962, 2963, 2964, 2964.3, 2964.5, 2964.6, 2965, 2966, 2969 and Sections 11425.50(e) and 11519 of the Government Code, the Board of Psychology is considering amending section 1395.2 of Division 13.1 of Title 16 of the California Code of Regulations (CCR).

INFORMATIVE DIGEST / POLICY STATEMENT OVERVIEW

This regulatory proposal will allow the Board to address the substance-abuse issue within the psychology profession. In this regulatory proposal the Board will amend section 1395.2 of Division 13.1 of Title 16 of the California Code of Regulations

to update the Disciplinary Guidelines which are incorporated by reference as the “Disciplinary Guidelines and Uniform Standards Related to Substance-Abusing Licensees.” In addition, the process will allow the Board to utilize more current methods for standards of discipline and disciplinary actions.

A brief summary of proposed changes include:

- A change from the previous revision date of 4/15 to the latest revision date of “11/2025.”
- Adds the words “Model Disciplinary Orders” to Subsection (a) of the amended section 1395.2 of Article 7 of Division 13.1 of Title 16 of the CCR.
- Updates the authority and reference citations to include a new statute.
- Adds “Model Disciplinary Orders” to the title of the Disciplinary Guidelines incorporated by reference.
- Revisions to the amended date.
- Updates to the Table of Contents.
- Revisions to Section I. Introduction.
- Revisions to Section II. Disciplinary Guidelines.
- Revisions to Section III. Terms and Conditions of Probation.
- Revisions to Section IV. Proposed Decisions.
- Revisions to Section V. Rehabilitation Criteria for Reinstatement/Penalty, Relief title and Subsections.
- Revisions to Section VI. Uniform Standards for Substance-Abusing Licenses title and Subsections.
- Adds a new Section “VII. Spectrum of Administrative Action”

Anticipated Benefits of Proposal

The Board has determined that this regulatory proposal will benefit the health and welfare of California residents because it provides the mechanism to protect consumers by providing standards for the consistent application and enforcement of the laws and regulations under the Board’s jurisdiction. This proposal is also anticipated to benefit Administrative Law Judges (ALJs), Deputy Attorneys General (DAGs), and others involved in the disciplinary process by providing updated guidelines to reference when imposing disciplinary action against licensees and applicants. This regulatory proposal does not affect worker safety or the state’s environment.

Evaluation of Consistency and Compatibility with Existing State Regulations

During the process of developing these regulations and amendments, the Board has conducted a search for any similar regulations on this topic and has concluded

that these regulations are neither inconsistent nor incompatible with existing state regulations.

INCORPORATION BY REFERENCE

This proposal would incorporate by reference the documents entitled “Disciplinary Guidelines, Model Disciplinary Orders, and Uniform Standards Related to Substance-Abusing Licensees, rev 11/2025.” The Disciplinary Guidelines are incorporated by reference as they are too lengthy and cumbersome to be included in the CCR.

FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None. The proposed regulations do not result in a fiscal impact on the state.

This proposal provides a more accurate overview of the Board’s processes in formal disciplinary actions, which will provide greater clarity to licensees, consumers, the Board, the Office of Attorney General, and ALJs by outlining relevant and transparent standards directly related to violations outlined in law.

The Board does not anticipate additional workload or costs resulting from the proposed regulations. This proposal does not change the fines for violations, so no additional revenues are anticipated.

The regulations do not result in costs or savings in federal funding to the state.

Nondiscretionary Costs/Savings to Local Agencies: None.

Cost to any Local Agency or School District for which Government Code Sections 17500 - 17630 Require Reimbursement: None.

Mandate Imposed on Local Agencies or School Districts: None.

Significant Effect on Housing Costs (and, if applicable, including any estimated costs of compliance or potential benefits of a building standard): None.

BUSINESS IMPACT ESTIMATES

The Board has made the initial determination that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

The following studies/relevant data were relied upon in making the above determination:

The proposed regulatory action only impacts licensees and applicants who are disciplined by the Board for violations of the laws and regulations within its jurisdiction. The Board does not have the authority to take administrative action against a business. The Board currently regulates approximately 22,000 licensees and registrants.

The proposed regulatory action only affects a negligible number of licensees and registrants subject to disciplinary action for violations of the laws and regulations within the Board's jurisdiction. Any "adverse economic impact" would only occur as the result of a disciplinary order following a formal administrative proceeding and a finding of fact affirming a violation of the laws and/or regulations within the Board's jurisdiction. Any potential "adverse economic impact" may be avoided simply by complying with the existing laws and regulations governing the practice of psychology in California.

Cost Impact on Representative Private Person or Business

The Board is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

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RESULTS OF ECONOMIC IMPACT ASSESSMENT / ANALYSIS

Impact on Jobs / Businesses

The Board has determined that this regulatory proposal will not have any impact on the creation of jobs or new businesses, the elimination of jobs or existing businesses, or the expansion of businesses in the State of California.

The proposed regulatory action only impacts licensees and applicants who are disciplined by the Board for violations of the laws and regulations within its jurisdiction. The Board does not have the authority to take administrative action against a business. The Board currently regulates approximately 22,000 licensees and registrants.

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potential “adverse economic impact” may be avoided simply by complying with the existing laws and regulations governing the practice of psychology in California.

Benefits of Regulation

The Board has determined that this regulatory proposal will benefit the health and welfare of California residents because it provides the mechanism to protect consumers by providing standards for the consistent application and enforcement of the laws and regulations under the Board’s jurisdiction. This proposal is also anticipated to benefit Administrative Law Judges (ALJs), Deputy Attorney Generals (DAGs), and others involved in the disciplinary process by providing updated guidelines to reference when imposing disciplinary action against licensees and applicants.

This regulatory proposal does not affect worker safety or the state’s environment as this proposal is not related to any of those issues.

Business Reporting Requirements

The regulatory action does not require businesses to file a report with the Board.

Effect on Small Business

The Board has determined that the proposed regulation would not affect small businesses as it only affects licensees and applicants who are disciplined for violations of current law and/or Board regulations. Businesses operated by licensees and applicants who are in compliance with the law will not incur any economic impact. The Board does not maintain data relating to the number or percentage of licensees who own a small business; therefore, the number or percentage of small businesses that may be impacted cannot be predicted.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code section 11346.5, subdivision (a)(13), the Board must determine that no reasonable alternative it considered to the regulation or that has otherwise been identified and brought to its attention would be more effective in carrying out the purpose for which the action is proposed; would be as effective and less burdensome to affected private persons than the proposal described in this Notice; or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

Any interested person may submit comments to the Board in writing relevant to the above determinations at 1625 North Market Blvd., Suite N-215, Sacramento, CA 95834 during the written comment period, or at the hearing if one is scheduled or requested.

AVAILABILITY OF STATEMENT OF REASONS AND RULEMAKING FILE

The Board has compiled a record for this regulatory action, which includes the Initial Statement of Reasons, proposed regulatory text, and all the information on which this proposal is based. This material is contained in the rulemaking file and is available for public inspection upon request to the contact persons named in this notice.

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations, any document incorporated by reference, the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained upon request from the Board of Psychology, at 1625 North Market Blvd., Suite N-215, Sacramento, CA 95834.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

After considering all timely and relevant comments, the Board, upon its own motion or at the request of any interested party, may thereafter adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal, with the modifications clearly indicated, will be available for review and written comment for 15 days prior to its adoption from the persons designated in this Notice as the Contact Persons and will be mailed to those persons who submit written comments or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

AVAILABILITY AND LOCATION OF THE FINAL STATEMENT OF REASONS AND RULEMAKING FILE

All the information upon which the proposed regulations are based is contained in the rulemaking file which is available for public inspection by contacting the person named below.

You may obtain a copy of the Final Statement of Reasons once it has been prepared by making a written request to the Contact Person named below or by accessing the website listed below.

CONTACT PERSONS

Inquiries or comments concerning the proposed rulemaking action may be addressed to:

Name: Cynthia Whitney
Address: Board of Psychology
1625 North Market Blvd., Suite N-215,
Sacramento, CA 95834

Telephone No.: (916) 905-5408
Fax No.: (916) 574-8671
E-Mail Address: cynthia.whitney@dca.ca.gov

The backup contact person is:

Name: Jonathan Burke
Address: Board of Psychology
1625 North Market Blvd., Suite N-215,
Sacramento, CA 95834
Telephone No.: (916) 574-8072
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E-Mail Address: jonathan.burke@dca.ca.gov

AVAILABILITY OF DOCUMENTS ON THE INTERNET: Copies of the Notice of Proposed Action, the Initial Statement of Reasons, and the text of the regulations with modifications noted, as well as the Final Statement of Reasons when completed, and modified text ,if any, can be accessed through the Board's website at https://www.psychology.ca.gov/laws_regs/regulations.shtml.