

DEPARTMENT OF CONSUMER AFFAIRS
BOARD OF PSYCHOLOGY

PROPOSED REGULATORY LANGUAGE REGARDING
DISCIPLINARY GUIDELINES

Legend: Added text is indicated with an <u>underline</u> . Deleted text is indicated by strikeout .
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Amend section 1395.2 of Article 7 of Division 13.1 of Title 16 of the California Code of Regulations to read as follows:

§ 1395.2. Disciplinary Guidelines and Uniform Standards Related to Substance-Abusing Licensees.

(a) In reaching a ~~d~~Decision on a disciplinary action under the administrative adjudication provisions of the Administrative Procedure Act (Government Code Section 11400 et seq.), the Board of Psychology shall consider and apply the “Disciplinary Guidelines, Model Disciplinary Orders, and Uniform Standards Related to Substance-Abusing Licensees ~~(4/15)~~[Amended (11/2025)],” which is hereby incorporated by reference.

(b) If the conduct found to be grounds for discipline involves drugs and/or alcohol, the licensee shall be presumed to be a substance-abusing licensee for purposes of Section 315 of the Code. If the licensee does not rebut that presumption, in addition to any and all other relevant terms and conditions contained in the Disciplinary Guidelines, the terms and conditions that incorporate the Uniform Standards Related to Substance-Abusing Licensees shall apply as written and be used in the order placing the license on probation.

(c) Deviation from the Disciplinary Guidelines, including the standard terms of probation, is appropriate where the Board of Psychology in its sole discretion determines that the facts of the particular case warrant such a deviation; for example: the presence of mitigating or aggravating factors; the age of the case; or evidentiary issues.

NOTE: Authority cited: Section 2930, Business and Professions Code. Reference: Sections 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 and 2969, Business and Professions Code; and Sections 11425.50(e) and 11519, Government Code.