


## MEMORANDUM

<b>DATE</b>	June 29, 2018
<b>TO</b>	EPPP2 Task Force
<b>FROM</b>	 Lavinia Snyder Examination Coordinator
<b>SUBJECT</b>	Agenda Item #7: Recommendation to the Board in Light of Discussion – Review and Determine Possible Statutory Changes to Business and Professions Code Sections 2940-2944, and Regulatory Changes to Title 16 of the California Code of Regulations, sections 1388 – 1389.1-Examinations

### **Background:**

Depending on the outcome of the discussion of Agenda Item 6, amendments to the Boards current examinations statutes and regulations may be necessary. If the Task Force determines that Option 3 - Overview of EPPP Examination Process as of 1/1/2020 with Board Pre-Degree Application, as presented in Agenda Item 6, is the best possible examination sequence for implementation of the EPPP2 examination, staff proposes the attached revised language to both Business and Professions Code Sections 2940-2944, and Regulatory Changes to Title 16 of the California Code of Regulations, sections 1388 – 1389.1-Examinations for the Task Force's consideration. If the Task Force determines that it would like to recommend an alternative examination sequence or implementation option to the Board, staff will make any necessary changes to the statutory or regulatory language during the meeting.

### **Action Requested:**

Determine whether proposed statute and regulations need to be modified in light of the discussion of Agenda Item 5 & 6, and recommend to the Board specific language for the modification of these sections, if necessary.

Attachment A: Bus. & Prof. Code sections 2940-2944

Attachment B: Article 4. of Title 16 of the California Code of Regulations, sections 1388-1389.1 – Examination

1  
2 **Attachment A**  
3 **Bus. & Prof. Code sections 2940-2944**  
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5  
6 **§ 2940. Application and fee**  
7

8 ~~Each person desiring to obtain a license from the board shall make application to the~~  
9 ~~board. The application shall be made upon a form and shall be made in a manner as~~  
10 ~~the board prescribes in regulations duly adopted under this chapter.~~

11  
12 ~~The application shall be accompanied by the application fee prescribed by Section~~  
13 ~~2949. This fee shall not be refunded by the board.~~

14  
15 To obtain a license from the board, an applicant shall submit any applications and pay  
16 any applicable fees as required by the board.

17  
18 *(Amended by Stats. 1997, Ch. 758, Sec. 38. Effective January 1, 1998.)*  
19

20 **§ 2941. Examination and fee**  
21

22 ~~Each applicant for a psychology license shall be examined by the board, and shall pay~~  
23 ~~to the board, at least 30 days prior to the date of examination, the examination fee~~  
24 ~~prescribed by Section 2987, which fee shall not be refunded by the board.~~

25  
26 Each applicant for licensure as a psychologist shall take and pass any examination  
27 required by the board. An applicant may be examined for knowledge in any theoretical  
28 or applied fields of psychology, as well as professional skills and judgment in the  
29 utilization of psychological techniques and methods, and the ethical practice of  
30 psychology, as the board deems appropriate.

31  
32 Each applicant shall pay any applicable examination fees.

33  
34 *(Amended by Stats. 1997, Ch. 758, Sec. 39. Effective January 1, 1998.)*  
35

36  
37 **§ 2942. Time for examinations; Passing grades**  
38

39 The board may examine by written or computer-assisted examination or by both. All  
40 aspects of the examination shall be in compliance with Section 139. The examination  
41 shall be available for administration at least twice a year at the time and place and  
42 under supervision as the board may determine. The passing grades for the  
43 examinations shall be established by the board in regulations and shall be based on  
44 psychometrically sound principles of establishing minimum qualifications and levels of  
45 competency.

1  
2 Examinations for a psychologist's license may be ~~conducted~~utilized by the board under  
3 a uniform examination system, and for that purpose the board may make arrangements  
4 with organizations to supply and administer ~~furnishing~~ examination materials material ~~as~~  
5 ~~may in its discretion be desirable.~~

6  
7 *(Amended by Stats. 2005, Ch. 658, Sec. 9. Effective January 1, 2006.)*  
8

9 **~~§ 2943. Examination subjects~~**

10  
11 ~~The board may examine for knowledge in whatever theoretical or applied fields in~~  
12 ~~psychology as it deems appropriate. It may examine the candidate with regard to his or~~  
13 ~~her professional skills and his or her judgment in the utilization of psychological~~  
14 ~~techniques and methods.~~

15  
16 *(Amended by Stats. 1989, Ch. 888, Sec. 24.)*  
17

18 **~~§ 2944. Written examinations~~**

19  
20 ~~The board shall grade the written examination and keep the written examination papers~~  
21 ~~for at least one year, unless a uniform examination is conducted pursuant to Section~~  
22 ~~2942.~~

23  
24 *(Amended by Stats. 1989, Ch. 888, Sec. 25.)*  
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**Attachment B**  
**Article 4. of Title 16 of the California Code of Regulations,**  
**sections 1388-1389.1 – Examination**

**§ 1388. Examinations.**

(a) The ~~B~~board recognizes the expertise of the Department of Consumer Affairs' (DCA) Office of Professional Examination Services (OPES). The ~~B~~board shall utilize the services of the OPES in licensing examination development and validation through an interagency agreement.

(b) An applicant ~~for examination shall successfully take and pass the licensing examinations prior to being licensed~~ shall submit to the Board for its approval the required application (exam rev 6/18) and the applicable fee. The licensing examinations shall consist of the Association of State and Provincial Psychology Boards' (ASPPB) Examination for Professional Practice in Psychology (EPPP), which consists of two parts, and the California Psychology Laws and Ethics Examination (CPLÉE), except ~~that the EPPP shall be waived~~ for those applicants who meet the criteria in section 1388.6 of this chapter. Such applicants shall be required to take and pass the CPLÉE.

(c) An applicant is eligible to take the first part of the EPPP upon completion of all academic coursework of a qualifying doctorate degree. To satisfy this requirement, the applicant shall submit to the Board a written certification from the registrar or training director of the educational institution or program stating that the applicant has completed all required academic coursework of a qualifying doctorate degree.

(ed) An applicant is eligible to take the second part of the EPPP upon passing the first part of the EPPP, completion of a qualifying doctorate degree, and accrual of 1500 hours of qualifying supervised professional experience.

(e) ~~An applicant is eligible to take the CPLÉE upon passing shall pass both parts of the EPPP and completion~~ all of 3000 hours of qualifying supervised professional experience prior to being eligible for the CPLÉE, whichever is applicable, pursuant to section 1388.6.

(ef) ~~Upon application, the~~ The Bboard will notify applicants of their eligibility to take each examination ~~the EPPP.~~ Applicants are responsible for completing any administrative requirements for taking the EPPP established by ASPPB or its agent, including paying any fees. This subsection applies to those re-taking the EPPP as well as to those taking it for the first time.

(eg) For forms of the EPPP taken prior to September 1, 2001, the passing score is the score that was recognized by the ~~B~~board at that time. For computer administered forms of the EPPP, the ~~B~~board shall accept the passing score recommended by ~~apply a scaled score as recommended by ASPPB.~~

1  
2 (fh) Qualified applicants desiring to take the CPLEE shall submit to the Bboard the fee  
3 set forth in section 1392 of this chapter. Applicants shall comply with all instructions  
4 established by the DCA examination vendor for taking the CPLEE.

5  
6 (gj) The passing score on the CPLEE shall be determined for each form of the  
7 examination by a criterion referenced procedure performed by OPES.

8  
9 (hj) An applicant for whom English is his or her second language may be eligible for  
10 additional time when taking the EPPP and/or the CPLEE. The applicant must complete  
11 and submit a request for additional time that states under penalty of perjury that English  
12 is his or her second language. The Test of English as a Foreign Language (TOEFL)  
13 certification score of 85 or below must be sent by Educational Testing Service directly to  
14 the Bboard. The TOEFL must have been taken within the previous two years prior to  
15 application. The Board will only consider the highest score of any TOEFL taken within  
16 the previous two years. If approved, the applicant will be allotted time-and-a-half (1.5x)  
17 when taking the examination.

18  
19 Note: Authority cited: Sections 2930 and 2942, Business and Professions Code.  
20 Reference:  
21 Sections 123, 496, 2941, 2942, 2943 and 2960, Business and Professions Code.

22  
23 **§ 1388.6. License Requirements and Waiver of Examination Satisfaction of**  
24 **Licensure Requirements.**

25  
26 ~~(a) When a California licensed psychologist has been licensed for at least five years~~  
27 ~~and has allowed his/her license to cancel by not renewing the license for at least three~~  
28 ~~years, the psychologist shall not be required to take the EPPP.~~

29  
30 ~~(ab) If an applicant for licensure as a psychologist has been is currently licensed at the~~  
31 ~~doctoral level and has been so for at least two (2) years in another state, Canadian~~  
32 ~~province, or U.S. territory, for at least five years the applicant shall not be required to~~  
33 ~~take the EPPP~~ submit documentation of a passing score on the EPPP.

34  
35 ~~(be) An applicant for licensure as a psychologist who holds a Certificate of Professional~~  
36 ~~Qualification (CPQ) issued by the Association of State and Provincial Psychology~~  
37 ~~Boards (ASPPB), shall not be required to take the EPPP~~ submit documentation of a  
38 passing score on the EPPP. Such an applicant shall be deemed to have met the  
39 educational and experience requirements of subdivisions (b), (c) and (ed) of Code  
40 section 2914.

41  
42 ~~(cd) An applicant for licensure as a psychologist who is credentialed as a Health Service~~  
43 ~~Provider in Psychology by the National Register of Health Service Providers in~~  
44 ~~Psychology (NRHSP) and has been who is currently licensed based on a doctoral~~  
45 ~~degree at the doctoral level in another state, Canadian province, or U.S. territory for a~~  
46 ~~minimum of five years shall not be required to take the EPPP~~ submit documentation of a

1 passing score on the EPPP. Such an applicant shall be deemed to have met the  
2 educational and experience requirements of subdivisions (b), (c) and (ed) of Code  
3 section 2914.

4  
5 (de) An applicant for licensure as a psychologist who is certified by the American Board  
6 of Professional Psychology (ABPP) and ~~has been~~ who is currently licensed based on a  
7 ~~doctoral degree~~ at the doctoral level in another state, Canadian province, or U.S.  
8 territory for a minimum of five years shall ~~not be required to take the EPPP~~ submit  
9 documentation of a passing score on the EPPP. Such an applicant shall be deemed to  
10 have met the educational and experience requirements of subdivisions (b), (c) and (ed)  
11 of Code section 2914.

12  
13 (ef) Although ~~the EPPP~~ some requirements are deemed to have been met waived  
14 under this section, an applicant must file a complete application and meet all current  
15 licensing licensure requirements not addressed above, including payment of any fees,  
16 take and pass the California Psychology Law and Ethics Examination (CPLEE), and not  
17 been subject to discipline.

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19 Note: Authority cited: Sections 2930 and 2946, Business and Professions Code.  
20 Reference: Section 2946, Business and Professions Code.

21  
22 **§ 1389. Reconsideration of Examinations.**

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24 (a) There shall be no reconsideration of the gradescore received on the EPPP or on the  
25 CPLEE.

26  
27 ~~(b) Nothing in this section shall be construed to deprive an applicant of his or her rights~~  
28 ~~of appeal as afforded by other provisions of law.~~

29  
30 Note: Authority cited: Section 2930, Business and Professions Code. Reference:  
31 Sections 2942 and 2944, Business and Professions Code.

32  
33 **~~§ 1389.1. Inspection of Examinations.~~**

34  
35 ~~(a) All examination materials, except those owned by an examination service, shall be~~  
36 ~~retained by the board at the board's office in Sacramento for a period of two (2) years~~  
37 ~~after the date of the examination.~~

38  
39 ~~(b) No inspection is allowed of the written examination administered by the board~~

40  
41 ~~Note: Authority cited: Section 2930, Business and Professions Code. Reference:~~  
42 ~~Sections 2942 and 2944, Business and Professions Code; and Section 12944,~~  
43 ~~Government Code .~~