Sunset Review Report 2015

California Board of PSYCHOLOGY

Presented to the Senate Committee on
Business, Professions, and Economic Development

State of California

Edmund G. Brown Jr., Governor
Secretary, Business, Consumer Services & Housing
Awet Kidane, Director, Department of Consumer Affairs

Board Members

Michael Erickson, PhD
Nicole J. Jones
Lucille Acquaye-Baddoo
Johanna Arias-Bhatia
Miguel Gallardo, PsyD
Andrew Harlem, PhD
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Board of Psychology
BACKGROUND INFORMATION AND OVERVIEW OF THE CURRENT REGULATORY PROGRAM
As of November 28, 2015

Section 1 –
Background and Description of the Board and Regulated Profession

Provide a short explanation of the history and functions of the board. Describe the occupations/professions that are licensed and/or regulated by the board (Practice Acts vs. Title Acts).

HISTORY AND FUNCTION OF THE BOARD

The California Board of Psychology (Board) regulates psychologists, registered psychologists, and psychological assistants. Only licensed psychologists can practice psychology independently in the private sector in California. Registered psychologists are registered to work and train under supervision in non-profit agencies that receive government funding and registered psychological assistants are employed to provide psychological services under the supervision of a qualified licensed psychologist or board certified psychiatrist.

With the Certification Act of 1958, the psychology profession became regulated in California. While the Certification Act protected the title "psychologist," it did not take into consideration the interests of the consumers of psychological services. Later, the regulation of the profession evolved when the California Legislature recognized the potential for consumer harm by those practicing psychology and shifted the focus of the regulation of the profession to protection of the public.

This redirection resulted in legislation in 1967 that protected the "psychologist" title, defined the practice, and required licensure in order to practice legally. During these early licensing days, the Board was an "examining committee" under the jurisdiction of what was then the Division of Allied Health Professions of The Board of Medical Quality Assurance (BMQA). During the 1970s, the Psychology Examining Committee gradually became more independent and began taking responsibility for its own operations, including the authority to adopt regulations and administrative disciplinary actions without the endorsement of BMQA. The Psychology Examining Committee officially became the Board of Psychology in 1990 (Assembly Bill 858, Margolin, 1989).

Over the past several decades, there have been amendments to the licensing law that have enhanced the Board's ability to protect the public through appropriate discipline of those licensees who violate the licensing law. For example, the Board's ability to appropriately discipline those psychologists found guilty of sexual misconduct was greatly enhanced in 1994 when the Legislature mandated Administrative Law Judges (ALJs) to issue a penalty for license revocation as part of their proposed decisions in sexual misconduct cases. The Board has adopted this "zero tolerance" policy regarding sexual misconduct to protect consumers from psychologists who engage in such behavior.

1. Describe the make-up and functions of each of the Board's committees.

Board Members serve on the committees listed below. Historically, committees met during the noticed Board meeting, bringing recommendations back to the full Board. Many of the committees

have recently met separately from the Board meetings, allowing committees sufficient time to address the items assigned to each and to formulate recommendations to the full Board.

BOARD COMMITTEES

The Board protects and advocates for Californians by promoting the highest professional standards through its licensing, regulation, legislation, enforcement, continuing education, and outreach programs.

The Board makes effective use of committees, which include the following standing committees and various ad hoc committees:

Standing Committees

Outreach and Education Committee – The goal of this Committee is to provide critical information to all Californians regarding the evolving practice of psychology, relevant and emerging issues in the field of psychology, and the work of the Board. The Committee proactively educates, informs, and engages consumers, licensees, students, and other stakeholders about the practice of psychology and the laws that govern it.

Policy and Advocacy Committee – The goal of this Committee is to advocate and promote legislation and regulations that advance the ethical and competent practice of psychology in order to protect consumers of psychological services. The Committee reviews, tracks, and analyzes legislation that affects the Board, consumers, and the profession of psychology. The Committee makes recommendations on adopting positions on legislation for consideration by the Board. The Committee also reviews and recommends changes and amendments to the California Code of Regulations (CCR).

Licensing Committee – The goal of this Committee is to ensure valid licensing policies and procedures, making recommendations on changes as appropriate. The Committee also ensures valid and reliable examination processes to assess appropriate professional knowledge and the laws and ethics that govern the profession. The Board works with such entities as the Association of State and Provincial Psychology Boards (ASPPB) and the Department's Office of Professional Examination Services (OPES) to meet this goal. This Committee also makes policy and procedural recommendations to ensure that licensure renewal occurs for those licensees who continue to meet appropriate standards of practice.

Ad Hoc Committees

Enforcement Committee – The goal of this Committee is to protect the health and safety of consumers of psychological services through the active enforcement of the statutes and regulations governing the safe practice of psychology in California. The Committee reviews the Board's Disciplinary Guidelines and enforcement statutes and regulations and submits recommended amendments to the full Board for consideration.

Sunset Review Committee – The goal of this Committee is to review staff's responses to the questions asked by the Senate Committee on Business, Professions, and Economic Development. The Committee will help formulate and review the responses before submission to the full Board.

Telepsychology Committee – The goal of this Committee is to develop regulatory language for the practice of psychology that is conducted remotely within the State of California and interstate practice

that is conducted remotely. This is a rapidly developing area of the profession, and technology has outpaced the current guidelines.

Applied Behavior Analysis Task Force – The goal of this Task Force is to review, analyze, and discuss the potential impact of the Board regulating new license categories in the profession of applied behavior analysis in order to protect the public. The Task Force includes representatives from the Board and other stakeholders.

Below is a list of Board Member attendance at all noticed Board and Committee meetings since the last Sunset Review and dates that Board Members were appointed to the Board:

Table 1a. Attendance			
Richard Sherman, PhD			
Date Appointed:	June 27, 2007		
Meeting Type	**Meeting Date**	**Meeting Location**	**Attended?**
Quarterly Board Meeting	November 18-19, 2011	San Diego	Y
Quarterly Board Meeting	February 23-24, 2012	Long Beach	Y
Emil Rodolfa, PhD			
Date Appointed:	November 1, 2007		
Meeting Type	**Meeting Date**	**Meeting Location**	**Attended?**
Quarterly Board Meeting	November 18-19, 2011	San Diego	Y
Quarterly Board Meeting	February 23-24, 2012	Long Beach	Y
Lucille Acquaye Baddoo, Public Member			
Date Appointed:	February 12, 2009		
Meeting Type	**Meeting Date**	**Meeting Location**	**Attended?**
Quarterly Board Meeting	November 18-19, 2011	San Diego	Y
Quarterly Board Meeting	February 23-24, 2012	Long Beach	Y
Quarterly Board Meeting	June 21-22, 2012	San Francisco	Y
Quarterly Board Meeting	October 18-19, 2012	San Diego	Y
Quarterly Board Meeting	February 21-22, 2013	Sacramento	Y
Quarterly Board Meeting	June 20-21, 2013	Sacramento	Y
Special Meeting re: Recruitment Process for New Executive Officer & Continuing Education Committee Meeting	July 11, 2013	Sacramento	Y
Quarterly Board Meeting	October 24-25, 2013	Sacramento	Y
Quarterly Board Meeting	February 20-21, 2014	Sacramento	Y

Quarterly Board Meeting	May 15-16, 2014	Los Angeles	Y
Special Teleconference Board Meeting re: Legislation	June 17, 2014	Sacramento	Y-Teleconference
Quarterly Board Meeting	August 21-22, 2014	San Francisco	Y
Quarterly Board Meeting	November 20-21, 2014	San Diego	Y
Special Teleconference Board Meeting re: Legislation	January 9, 2015	Sacramento	N
Quarterly Board Meeting	February 26-27, 2015	Sacramento	Y
Outreach & Education Committee Teleconference Meeting	May 1, 2015	Sacramento	Y – Teleconference
Quarterly Board Meeting	May 14-15, 2015	Riverside	Y
Special Teleconference Board Meeting re: Legislation	June 23, 2015	Sacramento	Y
Quarterly Board Meeting	August 13-14, 2015	Berkeley	Y
Outreach & Education Committee	October 15,2015	Sacramento	Y
Board Meeting	November 12-13, 2015	San Diego	Y
Board Meeting	November 28, 2015	Sacramento	Y - Teleconference
Barbara Cadow, PhD			
Date Appointed:	August 6, 2010		
Meeting Type	**Meeting Date**	**Meeting Location**	**Attended?**
Quarterly Board Meeting	November 18-19, 2011	San Diego	Y
Quarterly Board Meeting	February 23-24, 2012	Long Beach	Y
Quarterly Board Meeting	June 21-22, 2012	San Francisco	Y
Quarterly Board Meeting	October 18-19, 2012	San Diego	Y
Quarterly Board Meeting	February 21-22, 2013	Sacramento	Y
Michael Erickson, PhD			
Date Appointed:	August 6, 2010		
Meeting Type	**Meeting Date**	**Meeting Location**	**Attended?**
Quarterly Board Meeting	November 18-19, 2011	San Diego	Y
Quarterly Board Meeting	February 23-24, 2012	Long Beach	Y
Quarterly Board Meeting	June 21-22, 2012	San Francisco	Y
Quarterly Board Meeting	October 18-	San Diego	Y

	19, 2012		
Quarterly Board Meeting	February 21-22, 2013	Sacramento	Y
Quarterly Board Meeting	June 20-21, 2013	Sacramento	Y
Special Meeting re: Recruitment Process for New Executive Officer & Continuing Education Committee Meeting	July 11, 2013	Sacramento	Y
Continuing Education Committee	September 12, 2013	Irvine	Y
Quarterly Board Meeting	October 24-25, 2013	Sacramento	Y
Quarterly Board Meeting	February 20-21, 2014	Sacramento	Y
Quarterly Board Meeting	May 15-16, 2014	Los Angeles	Y
Special Teleconference Board Meeting re: Legislation	June 17, 2014	Sacramento	Y
Quarterly Board Meeting	August 21-22, 2014	San Francisco	Y
Quarterly Board Meeting	November 20-21, 2014	San Diego	Y
Special Teleconference Board Meeting re: Legislation	January 9, 2015	Sacramento	Y
Quarterly Board Meeting	February 26-27, 2015	Sacramento	Y
Policy & Advocacy Committee Teleconference Meeting	April 27, 2015	Sacramento	Y
Quarterly Board Meeting	May 14-15, 2015	Riverside	Y
Special Teleconference Board Meeting re: Legislation	June 23, 2015	Sacramento	Y
Quarterly Board Meeting	August 13-14, 2015	Berkeley	Y
Board Meeting	November 12-13, 2015	San Diego	Y
Board Meeting	November 28, 2015	Sacramento	Y
Miguel Gallardo, PsyD			
Date Appointed:	August 6, 2010		
Meeting Type	**Meeting Date**	**Meeting Location**	**Attended?**
Quarterly Board Meeting	November 18-19, 2011	San Diego	Y
Quarterly Board Meeting	February 23-24, 2012	Long Beach	Y
Quarterly Board Meeting	June 21-22, 2012	San Francisco	Y – June 21st N – June 22nd
Quarterly Board Meeting	October 18-19, 2012	San Diego	Y

Continuing Education Committee Meeting	January 11, 2013	Sacramento	Y
Quarterly Board Meeting	February 21-22, 2013	Sacramento	N
Continuing Education Committee	May 6, 2013	Irvine	Y
Quarterly Board Meeting	June 20-21, 2013	Sacramento	Y
Special Meeting re: Recruitment Process for New Executive Officer & Continuing Education Committee Meeting	July 11, 2013	Sacramento	Y
Continuing Education Committee Meeting	September 12, 2013	Irvine	Y
Quarterly Board Meeting	October 24-25, 2013	Sacramento	Y
Quarterly Board Meeting	February 20-21, 2014	Sacramento	Y
Quarterly Board Meeting	May 15-16, 2014	Los Angeles	Y
Special Teleconference Board Meeting re: Legislation	June 17, 2014	Sacramento	N
Quarterly Board Meeting	August 21-22, 2014	San Francisco	N
Applied Behavior Analysis Task Force Teleconference Meeting	October 13, 2014	Sacramento	Y
Quarterly Board Meeting	November 20-21, 2014	San Diego	Y
Special Teleconference Board Meeting re: Legislation	January 9, 2015	Sacramento	N
Applied Behavior Analysis Task Force Teleconference Meeting	January 9, 2015	Sacramento	Y
Quarterly Board Meeting	February 26-27, 2015	Sacramento	Y
Applied Behavior Analysis Task Force Teleconference Meeting	April 29, 2015	Sacramento	Y - Teleconference
Outreach & Education Committee Teleconference Meeting	May 1, 2015	Sacramento	Y – Teleconference
Quarterly Board Meeting	May 14-15, 2015	Riverside	Y
Special Teleconference Board Meeting re: Legislation	June 23, 2015	Sacramento	Y – Teleconference
Quarterly Board Meeting	August 13-14, 2015	Berkeley	Y
Outreach and Education Committee Meeting	October 15, 2015	Sacramento	Y
Board Meeting	November 12-13, 2015	San Diego	Y
Gail Evans, Public Member			
Date Appointed:	September 1, 2011		
Meeting Type	**Meeting Date**	**Meeting Location**	**Attended?**

Quarterly Board Meeting	November 18-19, 2011	San Diego	Y
Quarterly Board Meeting	February 23-24, 2012	Long Beach	Y
Quarterly Board Meeting	June 21-22, 2012	San Francisco	Y
Johanna Arias-Bhatia, Public Member			
Date Appointed:	August 10, 2012		
Meeting Type	**Meeting Date**	**Meeting Location**	**Attended?**
Quarterly Board Meeting	October 18-19, 2012	San Diego	Y
Continuing Education Committee Meeting	January 11, 2013	Sacramento	Y
Quarterly Board Meeting	February 21-22, 2013	Sacramento	Y
Continuing Education Committee Meeting	May 6, 2013	Irvine	Y
Quarterly Board Meeting	June 20-21, 2013	Sacramento	Y
Special Meeting re: Recruitment Process for New Executive Officer & Continuing Education Committee Meeting	July 11, 2013	Sacramento	Y
Continuing Education Committee Meeting	September 12, 2013	Irvine	Y
Quarterly Board Meeting	October 24-25, 2013	Sacramento	Y
Quarterly Board Meeting	February 20-21, 2014	Sacramento	Y
Quarterly Board Meeting	May 15-16, 2014	Los Angeles	Y
Special Teleconference Board Meeting re: Legislation	June 17, 2014	Sacramento	Y - Teleconference
Quarterly Board Meeting	August 21-22, 2014	San Francisco	Y
Applied Behavior Analysis Task Force Teleconference Meeting	October 13, 2014	Sacramento	Y
Quarterly Board Meeting	November 20-21, 2014	San Diego	Y
Special Teleconference Board Meeting re: Legislation	January 9, 2015	Sacramento	Y - Teleconference
Applied Behavior Analysis Task Force Teleconference Meeting	January 9, 2015	Sacramento	Y - Teleconference
Quarterly Board Meeting	February 26-27, 2015	Sacramento	Y
Policy & Advocacy Committee Teleconference Meeting	April 27, 2015	Sacramento	Y - Teleconference
Applied Behavior Analysis Task Force Teleconference Meeting	April 29, 2015	Sacramento	Y
Quarterly Board Meeting	May 14-15, 2015	Riverside	Y

Special Teleconference Board Meeting re: Legislation	June 23, 2015	Sacramento	Y – Teleconference
Quarterly Board Meeting	August 13-14, 2015	Berkeley	Y
Board Meeting	November 12-13, 2015	San Diego	Y
Board Meeting	November 28, 2015	Sacramento	Y - Teleconference
Andrew Harlem, PhD			
Date Appointed:	August 10, 2012		
Meeting Type	**Meeting Date**	**Meeting Location**	**Attended?**
Quarterly Board Meeting	October 18-19, 2012	San Diego	Y
Quarterly Board Meeting	February 21-22, 2013	Sacramento	Y
Quarterly Board Meeting	June 20-21, 2013	Sacramento	Y – June 20th N – June 21st
Special Meeting re: Recruitment Process for New Executive Officer & Continuing Education Committee Meeting	July 11, 2013	Sacramento	Y
Continuing Education Committee Meeting	September 12, 2013	Irvine	Y
Quarterly Board Meeting	October 24-25, 2013	Sacramento	Y – October 24th N – October 25th
Quarterly Board Meeting	February 20-21, 2014	Sacramento	Y
Quarterly Board Meeting	May 15-16, 2014	Los Angeles	N
Special Teleconference Board Meeting re: Legislation	June 17, 2014	Sacramento	Y - Teleconference
Quarterly Board Meeting	August 21-22, 2014	San Francisco	Y
Quarterly Board Meeting	November 20-21, 2014	San Diego	Y
Special Teleconference Board Meeting re: Legislation	January 9, 2015	Sacramento	N
Quarterly Board Meeting	February 26-27, 2015	Sacramento	Y
Telepsychology Committee	March 23, 2015	Sacramento	Y - Teleconference
Licensing Committee Teleconference Meeting	May 7, 2015	Sacramento	Y - Teleconference
Quarterly Board Meeting	May 14-15, 2015	Riverside	Y
Special Teleconference Board Meeting re: Legislation	June 23, 2015	Sacramento	N
Licensing Committee Teleconference Meeting	July 14, 2015	Sacramento	Y - Teleconference
Quarterly Board Meeting	August 13-	Berkeley	Y

	14, 2015		
Telepsychology Committee	October 13, 2015	Sacramento	Y - Teleconference
Licensing Committee	October 29, 2015	Sacramento	Y
Nicole J. Jones, Public Member			
Date Appointed:	August 10, 2012		
Meeting Type	**Meeting Date**	**Meeting Location**	**Attended?**
Quarterly Board Meeting	October 18-19, 2012	San Diego	Y
Quarterly Board Meeting	February 21-22, 2013	Sacramento	Y
Quarterly Board Meeting	June 20-21, 2013	Sacramento	Y
Special Meeting re: Recruitment Process for New Executive Officer & Continuing Education Committee Meeting	July 11, 2013	Sacramento	Y
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Quarterly Board Meeting	February 26-27, 2015	Sacramento	Y
Policy & Advocacy Committee Teleconference Meeting	April 27, 2015	Sacramento	Y
Licensing Committee Teleconference Meeting	May 7, 2015	Sacramento	Y - Teleconference
Quarterly Board Meeting	May 14-15, 2015	Riverside	Y
Special Teleconference Board Meeting re: Legislation	June 23, 2015	Sacramento	Y
Licensing Committee Teleconference Meeting	July 14, 2015	Sacramento	Y - Teleconference
Quarterly Board Meeting	August 13-14, 2015	Berkeley	Y
Licensing Committee Meeting	October 5, 2015	Sacramento	Y
Licensing Committee Meeting	October 29, 2015	Sacramento	Y

Board Meeting	November 12-13, 2015	San Diego	Y
Board Meeting	November 28, 2015	Sacramento	Y - Teleconference
John Preston, PsyD			
Date Appointed:	August 20, 2012		
Meeting Type	**Meeting Date**	**Meeting Location**	**Attended?**
Quarterly Board Meeting	October 18-19, 2012	San Diego	Y

Linda Starr, Public Member			
Date Appointed:	January 9, 2013		
Meeting Type	**Meeting Date**	**Meeting Location**	**Attended?**
Quarterly Board Meeting	February 21-22, 2013	Sacramento	Y
Quarterly Board Meeting	June 20-21, 2013	Sacramento	Y
Special Meeting re: Recruitment Process for New Executive Officer & Continuing Education Committee Meeting	July 11, 2013	Sacramento	Y
Quarterly Board Meeting	October 24-25, 2013	Sacramento	Y
Quarterly Board Meeting	February 20-21, 2014	Sacramento	Y
Quarterly Board Meeting	May 15-16, 2014	Los Angeles	N
Special Teleconference Board Meeting re: Legislation	June 17, 2014	Sacramento	N
Quarterly Board Meeting	August 21-22, 2014	San Francisco	Y
Quarterly Board Meeting	November 20-21, 2014	San Diego	Y
Special Teleconference Board Meeting re: Legislation	January 9, 2015	Sacramento	Y
Quarterly Board Meeting	February 26-27, 2015	Sacramento	Y
Applied Behavior Analysis Task Force Teleconference Meeting	April 29, 2015	Sacramento	Y
Outreach & Education Committee Teleconference Meeting	May 1, 2015	Sacramento	Y
Quarterly Board Meeting	May 14-15, 2015	Riverside	Y
Special Teleconference Board Meeting re: Legislation	June 23, 2015	Sacramento	Y
Quarterly Board Meeting	August 13-14, 2015	Berkeley	Y
Outreach & Education Committee Meeting	October 15, 2015	Sacramento	Y

Board Meeting	November 12-13, 2015	San Diego	Y
Board Meeting	November 28, 2015	Sacramento	Y
Stephen Phillips, PhD			
Date Appointed:	September 25, 2013		
Meeting Type	**Meeting Date**	**Meeting Location**	**Attended?**
Quarterly Board Meeting	October 24-25, 2013	Sacramento	Y
Quarterly Board Meeting	February 20-21, 2014	Sacramento	Y
Quarterly Board Meeting	May 15-16, 2014	Los Angeles	N
Special Teleconference Board Meeting re: Legislation	June 17, 2014	Sacramento	Y – Teleconference
Quarterly Board Meeting	August 21-22, 2014	San Francisco	Y
Quarterly Board Meeting	November 20-21, 2014	San Diego	Y
Special Teleconference Board Meeting re: Legislation	January 9, 2015	Sacramento	Y – Teleconference
Quarterly Board Meeting	February 26-27, 2015	Sacramento	Y
Telepsychology Committee Meeting	March 23, 2015	Sacramento	Y - Teleconference
Licensing Committee Teleconference Meeting	May 7, 2015	Sacramento	Y - Teleconference
Quarterly Board Meeting	May 14-15, 2015	Riverside	Y
Special Teleconference Board Meeting re: Legislation	June 23, 2015	Sacramento	Y
Licensing Committee Teleconference Meeting	July 14, 2015	Sacramento	Y - Teleconference
Quarterly Board Meeting	August 13-14, 2015	Berkeley	Y
Licensing Committee Meeting	October 5, 2015	Sacramento	Y
Telepsychology Committee Meeting	October 13, 2015	Sacramento	Y - Teleconference
Licensing Committee Meeting	October 29, 2015	Sacramento	Y
Board Meeting	November 12-13, 2015	San Diego	Y
Board Meeting	November 28, 2015	Sacramento	Y - Teleconference
Jacqueline Horn, PhD			
Date Appointed:	October 23, 2013		
Meeting Type	**Meeting Date**	**Meeting Location**	**Attended?**
Quarterly Board Meeting	October 24-	Sacramento	N – October 24th

	25, 2013		Y – October 25th
Quarterly Board Meeting	February 20-21, 2014	Sacramento	Y
Quarterly Board Meeting	May 15-16, 2014	Los Angeles	Y
Special Teleconference Board Meeting re: Legislation	June 17, 2014	Sacramento	Y
Quarterly Board Meeting	August 21-22, 2014	San Francisco	Y
Quarterly Board Meeting	November 20-21, 2014	San Diego	Y
Special Teleconference Board Meeting re: Legislation	January 9, 2015	Sacramento	Y
Quarterly Board Meeting	February 26-27, 2015	Sacramento	Y
Licensing Committee Teleconference Meeting	May 7, 2015	Sacramento	Y
Quarterly Board Meeting	May 14-15, 2015	Riverside	Y
Special Teleconference Board Meeting re: Legislation	June 23, 2015	Sacramento	Y
Licensing Committee Teleconference Meeting	July 14, 2015	Sacramento	Y
Quarterly Board Meeting	August 13-14, 2015	Berkeley	Y
Licensing Committee Meeting	October 5, 2015	Sacramento	Y
Licensing Committee Meeting	October 29, 2015	Sacramento	Y
Board Meeting	November 12-13, 2015	San Diego	Y
Board Meeting	November 28, 2015	Sacramento	Y

The following table lists the current composition of the Board, including dates of appointment to the Board:

Table 1b. Board/Committee Member Roster

Member Name (Include Vacancies)	Date First Appointed	Date Re-appointed	Date Term Expires	Appointing Authority	Type (public or professional)
Michael Erickson, PhD (President)	8/06/10	07/11/14	06/01/18	Governor	Licensed Member
Nicole J. Jones (Vice-President)	08/10/12	06/06/14	06/01/18	Governor	Public Member
Miguel Gallardo, PsyD	08/06/10	12/17/12	06/01/16	Governor	Licensed Member
Lucille Acquaye-Baddoo	02/12/09	05/27/15	06/01/18	Speaker	Public Member
Johanna Arias-Bhatia	08/10/12		06/01/16	Governor	Public Member

Andrew Harlem, PhD	08/10/12		06/01/15	Governor	Licensed Member
Linda L. Starr	01/09/13		06/01/15	Senate	Public Member
Stephen Phillips, JD, PsyD	09/25/13		06/01/16	Governor	Licensed Member
Jacqueline Horn, PhD	10/23/13	06/03/15	06/01/19	Governor	Licensed Member

Board of Psychology Committee Assignments

Committee	Chairperson	Members
Licensing Committee	Jacqueline Horn, PhD	Stephen Phillips, PsyD/JD Andrew Harlem, PhD, Nicole J. Jones
Outreach and Education Committee	Miguel Gallardo, PsyD	Lucille Acquaye-Baddoo Linda Starr
Policy and Advocacy Committee	Nicole Jones	Michael Erickson, PhD Johanna Arias-Bhatia
Applied Behavior Analysis Task Force	Johanna Arias-Bhatia	Miguel Gallardo, PsyD Linda Starr Don Crowder, PhD, Association of State and Provincial Psychology Boards (ASPPB) Elizabeth Winkelman, PhD, California Psychological Association (CPA) Jim Carr, PhD, Behavior Analyst Certification Board (BACB) Gina Green, PhD, Association of Professional Behavior Analysts (APBA) Daniel Shabani, PhD, California Association of Behavior Analysis (CalABA)
Telepsychology Committee	Stephen Phillips, PsyD/JD	Andrew Harlem, PhD
Sunset Review Committee	Michael Erickson, PhD	Jacqueline Horn, PhD
Enforcement Committee	Lucille Acquaye-Baddoo	Stephen Phillips, PsyD/JD

2. In the past four years, was the Board unable to hold any meetings due to lack of quorum? If so, please describe. Why? When? How did it impact operations?

There have been no issues with establishing a quorum in the past four years.

3. Describe any major changes to the Board since the last Sunset Review, including:

- Internal changes (i.e., reorganization, relocation, change in leadership, strategic planning)
- All legislation sponsored by the Board and affecting the Board since the last sunset review.
- All regulation changes approved by the Board since the last sunset review. Include the status of each regulatory change approved by the Board.

Executive Officer Robert Kahane resigned July 8, 2013. Antonette Sorrick was appointed as the new Executive Officer on November 25, 2013.

The Board's headquarters moved in September 2012 from Evergreen Street to its current location on North Market Boulevard in Sacramento.

The Board adopted a new Strategic Plan on May 16, 2014. This current Strategic Plan will be in effect through 2018.

The Board began utilizing social media platforms to reach out to consumers and the regulated community. In addition to webcasting all Board meetings, the Board develops informational presentations to provide assistance and guidance to license applicants. The use of Facebook and Twitter has provided an additional medium of communication and fact sharing.

The Board revitalized its quarterly newsletter publication in May 2014, which ensures timely dissemination of important information to the Board's stakeholders.

Three positions were added to the Board's licensing unit on July 1, 2014, to reduce what was then a 16-week backlog in processing applications for registration and licensure to the current two-week timeframe.

Advisories are now prepared regarding legislative and regulatory changes and are emailed to all stakeholders as an additional means of communicating important information.

LEGISLATION

The following legislative actions sponsored by the Board or affecting the Board were submitted and/or enacted since the Board's last Sunset Report.

SB 1134 (Yee), Chapter 149, Statutes of 2012

Subject Matter: Persons of Unsound Mind: Psychotherapist Duty to Protect
Section Affected: Civil Code 43.92
Effective Date: January 1, 2013

This bill clarified a provision of law that gave immunity to psychotherapists for failing to warn and protect a potential victim from a patient's violent behavior. This bill also declared the intent of the Legislature to change only the name of the duty for clarification purposes, and not waive liability for psychotherapists.

SB 1236 (Price), Chapter 332, Statutes of 2012

Subject Matter: Professions and Vocations
Sections Affected: B&P 2900 - 2999
Effective Date: January 1, 2013

This bill extended the sunset date for the Board of Psychology until January 1, 2017. The Board sent a letter of support to Governor Brown.

SB 1172 (Lieu), Chapter 835, Statutes of 2012

Subject Matter: Sexual Orientation Change Efforts
Section Affected: B&P 865
Effective Date: January 1, 2013

This bill prohibits a mental health provider from engaging in sexual orientation change efforts with a patient who is under 18 years of age. The bill specifically defined the term "sexual orientation change efforts," and made any such efforts conducted with a patient under 18 "unprofessional conduct," for which the mental health provider would be subject to disciplinary action by his or her licensing entity.

AB 1588 (Atkins), Chapter 742, Statutes of 2012

Subject Matter: Professions and Vocation: Reservist Licensees: Fees and Continuing Education
Section Affected: B&P 114.3
Effective Date: January 1, 2013

This bill requires the Board to waive continuing education requirements and renewal fees for a licensee or registrant while he or she is called to active duty as a member of the United States Armed Forces or the California National Guard if he or she meets certain requirements.

AB 1904 (Block), Chapter 339, Statutes of 2012

Subject Matter: Professions and vocations: military spouses: expedited licensure
Section Affected: B&P 115.5
Effective Date: January 1, 2013

This bill requires the Board to expedite the licensing process of an applicant who is the spouse of a military member assigned to active duty in California if that person holds a current license for the same profession in another state.

AB 2570 (Hill), Chapter 561, Statutes of 2012

Subject Matter: Licensees: Settlement Agreements
Section Affected: B&P 901
Effective Date: January 1, 2013

This bill closed a loophole in the law that allowed a Board licensee or registrant to prohibit a consumer who settles a civil suit with that licensee or registrant from filing a complaint with or cooperating in an investigation of the Board. The intent of the bill was to protect consumers by disallowing "gag clauses" that hamper the ability of a regulatory board to take disciplinary action against a negligent practitioner.

AB 1733 (Logue), Chapter 782, Statutes of 2012

Subject Matter: Healing Arts: Licensure Exemption
Section Affected: B&P 686
Effective Date: January 1, 2013

This bill replaced the term 'telemedicine' with 'telehealth' in various code sections; clarified that health care practitioners shall only practice telehealth within the parameters of their scope of practice; and clarified the ability for all healing arts boards to regulate telehealth.

AB 512 (Rendon), Chapter 111, Statutes of 2013

Subject Matter: Healing Arts: Licensure Exemption
Section Affected: B&P 901
Effective Date: January 1, 2014

This bill extended provisions allowing a health care practitioner who is licensed out-of-state to participate in a free, sponsored health care event in California. The provisions were set to expire on January 1, 2014, and are now extended to January 1, 2018.

AB 1057 (Medina), Chapter 693, Statutes of 2013

Subject Matter: Professions and Vocations: Licenses: Military Service
Section Affected: B&P 114.5
Effective Date: January 1, 2014

This bill required all boards under DCA to ask on licensing applications if the individual applying for licensure is serving in or has served in the military.

AB 809 (Logue), Chapter 404, Statutes of 2014

Subject Matter: Healing Arts: Telehealth
Section Affected: B&P 2290.5
Effective Date: September 18, 2014

This bill required a health care provider to obtain informed consent for the agreed upon course of telehealth treatment. The bill required the informed consent to be documented in the patient's medical record. The Board supported this legislation, sent letters, and provided testimony to the Legislature. A letter urging the Governor's signature was sent on August 24, 2014.

AB 1702 (Maienschein), Chapter 410, Statutes of 2014

Subject Matter: Professions and Vocations: Incarceration
Section Affected: B&P 480.5
Effective Date: January 1, 2015

This bill provided that an individual who has satisfied the requirements needed to obtain a license while incarcerated, who applies for that license upon release from incarceration, and who is otherwise eligible for the license, shall not be subject to a delay in processing or a denial of the license solely on the basis that some or all of the licensure requirements were completed while the individual was incarcerated. The Board opposed this legislation and sent letters and provided testimony to the Legislature.

AB 1711 (Cooley), Chapter 779, Statutes of 2014

Subject Matter: Administrative Procedures Act: Economic Impact Assessment
Sections Affected: GC 11346.2, 11346.3, and 11357
Effective Date: January 1, 2015

This bill required state agencies to include an economic impact assessment of any proposed regulation in its published Initial Statement of Reasons document. The bill also required the Department of Finance to include and update instructions on how to prepare the economic impact assessment in the State Administrative Manual.

AB 1775 (Melendez), Chapter 264, Statutes of 2014

Subject Matter: Professions and Vocations: Incarceration
Section Affected: PC 11165.1
Effective Date: January 1, 2015

This bill made downloading, streaming, or accessing through electronic or digital media, material in which a child is engaged in an obscene sexual act a mandated report under the Child Abuse and Neglect Reporting Act (CANRA).

AB 1843 (Jones), Chapter 283, Statutes of 2014

Subject Matter: Child Custody Evaluations: Confidentiality
Sections Affected: B&P 129, Family Code (FC) 3025.5, 3111
Effective Date: September 18, 2014

This bill gives the licensing entity of a child custody evaluator the ability to access a child custody report in order to investigate alleged unprofessional conduct of one of its licensees related to a child custody evaluation. This bill also requires the licensing entity to ensure the confidentiality of the information contained in the child custody report. The Board supported this legislation and sent letters and provided testimony to the Legislature. A letter urging the Governor's signature was sent on August 25, 2014.

AB 2058 (Wilk), Vetoed

Subject Matter: Open Meetings
Section Affected: GC 11124
Effective Date: Vetoed by the Governor, September 27, 2014

This bill would have amended the Bagley-Keene Open Meeting Act by modifying the definition of state body to exclude an advisory body with less than three individuals, except for certain standing committees.

AB 2198 (Levine), Vetoed

Subject Matter: Mental Health Professionals and Suicide Prevention
Section Affected: B&P 2915.3, 2915.4
Effective Date: Vetoed by the Governor, September 18, 2014

This bill would have required psychologists, educational psychologists, marriage and family therapists, professional clinical counselors, and clinical social workers who began graduate study on or after January 1, 2016, to complete a training program in suicide assessment, treatment, and management prior to licensure. Additionally, this bill would have required an applicant or licensee to take a one-time six-hour continuing education course in suicide assessment, treatment, and management as a condition of license renewal beginning January 1, 2016. The Board opposed this legislation and was active in the legislative process. A letter urging the Governor to veto this legislation was sent on August 26, 2014.

AB 2396 (Bonta), Chapter 737, Statutes of 2014

Subject Matter: Convictions: Expungement: Licenses
Section Affected: B&P 480
Effective Date: January 1, 2015

This bill prohibits a vocational or professional licensing board under the Department of Consumer Affairs from denying a license based solely on a conviction that has been dismissed pursuant to certain provisions of existing law. The Board opposed this legislation and sent letters and provided testimony to the Legislature. A letter urging the Governor's veto was sent on August 27, 2014.

AB 2720 (Ting), Chapter 510, Statutes of 2014

Subject Matter: Meetings: Record of Action Taken
Section Affected: GC 11123
Effective Date: January 1, 2015

This bill amends the Open Meeting Act to require a state body to publicly report any action taken and the vote or abstention on that action of each member present for the action.

SB 1226 (Correa), Chapter 657, Statutes of 2014

Subject Matter: Veterans: Professional Licensing
Section Affected: GC 11123
Effective Date: January 1, 2015

This bill authorizes programs under the Department of Consumer Affairs to expedite the licensure process for individuals honorably discharged from the United States Armed Forces who return to California and seek professional and occupational licensure.

SB 1466 (Committee on Business, Professions and Economic Development), Chapter 316, Statutes of 2014

Subject Matter: Health Care Professionals
Sections Affected: B&P 2930.5, 2936, and 2987.3
Effective Date: January 1, 2015

This bill removed fictitious name permit provisions from the Board of Psychology's statutes. This bill also updated the Board of Psychology's physical and Internet addresses included on the "Notice to Consumers" that licensees must post in their business office, and added the Board of Psychology's email address to the "Notice to Consumers." The Board supported this legislation and sent letters and provided testimony to the Legislature. A letter urging the Governor's signature was sent on September 7, 2014.

SB 1159 (Lara), Chapter 752, Statutes of 2014

Subject Matter: Health Care Professionals
Sections Affected: B&P 30, 2103, 2111, 2112, 2113, 2115, 3624, 6533, and 135.5. FC 17520. Revenue & Taxation Code (R&T) 19528
Effective Date: September 09, 2014

This bill requires the Board to require an applicant for licensure, other than a partnership, to provide either a federal tax identification number or a social security number to the Board. It also requires the Board to report that information to the Franchise Tax Board, and subjects a licensee to a penalty for failure to provide that information. The Board must require these items no later than January 1, 2016.

AB 1758 (Patterson), Vetoed

Subject Matter: Healing Arts: Initial License Fees: Proration
Sections Affected: B&P 1724, 1944, 2435, 2538.57, 2570.16, 2688, 2987
Effective Date: Vetoed by the Governor, September 28, 2014

This bill would have required the Board of Psychology, among other Boards, to prorate their initial fees for licensure of psychologists on a monthly basis. For an initial license that expires in less than 12 months, the Board would have had the authority to charge an additional fee to ensure that reasonable costs of issuing licenses were covered.

AB 705 (Eggman), Chapter 752, Statutes of 2015

Subject Matter: Psychologists: Licensure Exemption
Sections Affected: B&P 2909, 2909.5, 2910
Effective Date: January 1, 2016

This bill ensures that a salaried employee of an accredited or approved academic institution, public school, or governmental agency may provide direct health or mental health services. The bill additionally requires an employee of an accredited or approved academic institution, public school, or governmental agency to be gaining the supervised professional experience required for licensure and would exempt those persons from licensure for no more than five years from the date of employment or five years from January 1, 2016, for those individuals already employed in these settings. The Board sponsored and supported this legislation.

AB 773 (Baker), Chapter 336, Statutes of 2015

Subject Matter: Psychology Licensing
Section Affected: B&P 2982
Effective Date: January 1, 2016

This bill changes the initial term of a license from a birthdate-based expiration to a full two-year period from the date that the license is first issued. The Board sponsored and supported this legislation.

AB 1374 (Levine), Chapter 529, Statutes of 2015

Subject Matter: Psychologists: Licensure: Requirements
Sections Affected: B&P 2903, 2913, & 2914
Effective Date: January 1, 2016

This bill requires a supervisor to submit verification of experience to a trainee in a manner prescribed by the Board to allow the trainee to submit documentation of the supervised experience to the Board with his or her application. This bill also removes the reference to 'fees for service' from the definition of the practice of psychology. The bill further made technical modifications to the definition of the practice of psychology. The Board sponsored and supported this legislation.

AB 1542 (Mathis), Vetoed

Subject Matter: Workers' compensation: neuropsychologists
Section Affected: Labor Code (LC) 139.2
Effective Date: N/A

This bill would have reinstated the category of "neuropsychologists" as a specialization among those listed and who may be appointed as specialty workers' compensation physicians, who may be appointed as Qualified Medical Examiners for purposes of evaluating medical-legal issues in the workers' compensation system. The Board supported this legislation.

AB 85 (Wilk), Vetoed

Subject Matter: Open Meetings
Section Affected: GC 11121
Effective Date: N/A

This bill would have specified that the definition of "state body" includes an advisory board, advisory commission, advisory committee, advisory subcommittee, or similar multimember advisory body of a state body that consists of three or more individuals, as prescribed, except a board, commission, committee, or similar multimember body on which a member of a body serves in his or her official capacity as a representative of that state body and that is supported, in whole or in part, by funds provided by the state body, whether the multimember body is organized and operated by the state body or by a private corporation. The Board opposed this legislation and

sent letters and provided testimony to the Legislature. A letter urging the Governor's veto was sent on September 7, 2015.

AB 750 (Low), Held: Assembly Appropriations Committee

Subject Matter: Business and professions: licenses.
Section Affected: B&P 463
Effective Date: Two-Year Bill

This bill would authorize any of the boards, bureaus, commissions, or programs within the Department of Consumer Affairs, except as specified, to establish by regulation a system for a "Retired" category of license for persons who are not actively engaged in the practice of their profession or vocation, and would prohibit the holder of a retired license from engaging in any activity for which a license is required. The Board supports this legislation.

AB 832 (Garcia), Held: Assembly Floor

Subject Matter: Child Abuse: Reportable Conduct.
Section Affected: PC 11165.1
Effective Date: Bill Withdrawn

This bill would provide that "sexual assault" does not include voluntary sodomy, oral copulation, or sexual penetration, if there are no indicators of abuse, unless that conduct is between a person who is 21 years of age or older and a minor who is under 16 years of age. The Board supported this legislation.

SB 479 (Bates), Held: Assembly Appropriations Committee

Subject Matter: Healing Arts: Applied Behavior Analysis.
Section Affected: PC 11165.1
Effective Date: Bill Withdrawn

This bill would have established two new license categories and a registrant category under the Board of Psychology: Licensed Behavior Analyst, Licensed Assistant Behavior Analyst, and a Behavior Analyst Technician.

Although the Board agreed with the author's intent to regulate the discipline of Applied Behavior Analysis (ABA) under the jurisdiction of the Board, the Board had some significant concerns with the proposed language and adopted an "Oppose Unless Amended" position at its August 2015 meeting. The Board communicated its position to the author before the bill was withdrawn.

REGULATIONS

Approved Regulatory Changes

Examinations, License Requirements and Waiver of Examination, Reconsideration of Examinations, Psychologist Fees

Title 16, CCR, Sections 1388, 1388.6, 1389, 1392

This regulation changed the law and ethics examination that was taken by applicants for licensure. Previously, applicants took the California Psychology Supplemental Examination (CPSE), but this was determined to be duplicative of certain areas of knowledge on the Examination for Professional Practice in Psychology (EPPP). The change now requires applicants to take the California Psychology Law and Ethics Examination (CPLEE).

The Board also sought to have regulations addressing accommodations for English as Second Language (ESL) candidates. Previously, the Board had a policy for accommodating such applicants; however, this proposal would set standards for review in regulation.

A hearing took place at the Board meeting on August 22, 2014. The Board voted to modify the text to correct an error in the noticed language. A 15-Day Notice was issued and the Board delegated authority to the Executive Officer to adopt the language as modified when the comment period closed if no negative comments were received. The Board received no negative comments.

The Final Rulemaking File was approved and filed with the Secretary of State on June 10, 2015. The regulations became effective on July 1, 2015.

CCR Section	Description of Change	Status	Effective Date
1380.1	Location of Principal Office – Updated the address of the Board of Psychology's principal office.	Approved	7/1/13
1380.4	Delegation of Functions – To further consumer protection by delegating and conferring additional specific functions and authorities relative to investigative and administrative proceedings.	Approved	8/22/12
1388	Examinations – Eliminated the California Psychological Supplemental Examination (CPSE) and implemented the California Psychology Law & Ethics Examination (CPLEE).	Approved	7/1/15
1388.6	License Requirements and Waiver of Examination - Eliminate the CPSE and implement the CPLEE.	Approved	7/1/15
1389	Reconsideration of Examinations - Eliminated the CPSE and implemented the CPLEE.	Approved	7/1/15
1392	Psychologist Fees – Eliminated the CPSE fee.	Approved	7/1/15
1395.2	Disciplinary Guidelines – Amend guidelines to include Uniform Standards Related to Substance Abusing Licensees and incorporate by reference.	Disapproved	11/10/15
1397.2	Other Actions Constituting Unprofessional Conduct - Defined in regulation conducts other than those referenced in Business and Professions Code section 2960 as unprofessional.	Approved	8/22/12
1397.60	Definitions – Amended the definition of the Board's continuing education program.	Approved	1/1/13

1397.61	Continuing Education Requirements – Refined the Board's continuing education requirements.	Approved	1/1/13
1397.62	Continuing Education Exemptions and Exceptions - Refined the Board's continuing education exemption and exception requirements.	Approved	1/1/13
1397.63	Hour Value System – Deleted the Board's continuing education hour value system.	Approved	1/1/13
1397.64	Accreditation Agencies – Deleted the Board's continuing education section regarding accrediting agencies.	Approved	1/1/13
1397.65	Requirements for Approved Providers – Deleted the Board's continuing education requirements for approved providers.	Approved	1/1/13
1397.66	Provider Audit Requirements – Deleted the Board's continuing education provider audit requirements.	Approved	1/1/13
1397.67	Renewal After Inactive or Delinquent Status – Refined the Board's requirement for renewal after inactive or delinquent status.	Approved	1/1/13
1397.68	Provider Fees – Deleted the Board's requirements for provider fees.	Approved	1/1/13
1397.69	Participant Fees – Amended the Board's requirements for participant fees.	Approved	1/1/13
1397.70	Sanctions for Noncompliance – Refined the sanctions for noncompliance with the Board's continuing education requirements.	Approved	1/1/13
1397.71	Denial, Suspension and Revocation of CE Provider Status – Deleted the Board's requirements for the denial, suspension and revocation of continuing education provider status.	Approved	1/1/13

Currently Noticed Proposals

Uniform Standards Related to Substance Abuse and Disciplinary Guidelines

Title 16, CCR, Section 1397.12

The Disciplinary Guidelines are being amended to make them consistent with current law. The proposal incorporates the Uniform Standards Related to Substance Abusing Licensees that describe the mandatory conditions that apply to a substance-abusing applicant or licensee, updates the standard and optional terms and conditions of probation, and adopts uniform and specific standards that the Board must use in dealing with substance-abusing licensees, registrants, or applicants in order to increase consumer protection.

The Uniform Standards that are being incorporated into the Board's existing Disciplinary Guidelines are mandated by Senate Bill 1441 (Ridley-Thomas, Chapter 548, Statutes of 2008).

A hearing took place on August 22, 2014. The Board issued a 15-Day Notice of Modified Text. The Board approved the language and the Rulemaking File was submitted to the Department of Consumer Affairs for review. The Department's Legislative and Regulatory Review unit identified areas in the package that needed clarification and the Board made the amendments. The Board issued a second 15-Day Notice of Modified Text.

The Board received no negative comments, approved the amended language and submitted the Rulemaking File to the Office of Administrative Law (OAL). On November 6, 2015, the Board received an official rejection from the OAL citing clarity and consistency deficiencies in the regulatory package. The Board is correcting the deficiencies, noticing the amended language, and will be submitting a corrected Rulemaking File to OAL within the 120-day timeframe.

Filing of Addresses

Title 16, CCR, Sections 1380.5

Current regulations require licensees to provide their proper and current mailing address. The Board is seeking to amend the regulations to require a licensee to additionally provide an address of record that differs from this address if their current mailing address is a PO Box. The Board is also seeking to require a licensee to report his or her electronic mailing address; and within 30 days of any change to the address of record, alternate address or electronic address, to require the applicant or licensee to notify the Board.

The Board voted at the November 2014 Board meeting to proceed with a Rulemaking File and to submit the initial proposal to the OAL. DCA Legal Counsel made some significant changes to the proposed language and the proposal was brought back to the full Board in February 2015. A number of comments were made by the public expressing concern with the proposed inclusion of a residential address. The Board approved new language addressing this concern at its May 2015 meeting and a Rulemaking File was prepared and noticed with OAL. A hearing was held at the Board's August 2015 meeting. No comments were received in writing or at the hearing, and the Board adopted the language. The Rulemaking File has been submitted to DCA for review.

Withdrawn Regulations

Definitions, Continuing Education Requirements, Continuing Education Exemptions and Exceptions, Renewal after Inactive or Delinquent Status

Title 16, CCR, Sections 1397.60, 1397.61, 1397.62, 1397.67

Current regulations allow for "traditional" classroom-style continuing education (CE) courses to be counted toward licensure renewal. The proposed language, adapted from the Association of State and Provincial Psychology Boards' (ASPPB) *Guidelines for Continuing Professional Development,* provided a wide variety of options for licensees to obtain Continuing Professional Development (CPD)/CE in a variety of activities which included conferences or convention attendance, practice outcome monitoring, peer consultation, academic instruction, etc. The proposed regulations also established a requirement that licensees engage in learning activities pertinent to cultural diversity and social justice issues as they apply to the practice of psychology in California.

The Board voted at the August 2014 Board meeting to approve the language changes for the continuing educational requirements to be noticed for the rulemaking process. The hearing took place on November 21, 2014. The Board received three comments and opted to make some changes to the original proposal. A 15-Day Notice was issued.

In February 2015, the Board voted to raise the cap of "traditional" CE coursework in the proposed regulations from 18 hours to 27 hours per renewal cycle. A second 15-Day Notice was issued, and comments were addressed by the Board on June 23, 2015. The Board voted to delay implementation of the regulations until January 1, 2017, in order to allow for more time for outreach and education of licensees. A third 15-Day Notice was issued, and the comments were scheduled to be reviewed by the Board at its August 2015 meeting.

On July 14, 2015, the Licensing Committee met to discuss acceptable methods of accruing and tracking CE/CPD under the proposed regulations. The Committee identified some significant areas of concern with the proposed language relating to supervision, peer consultation, and case consultation. Additionally, the proposed verification form would have required a licensee to submit information that would have been appropriate for some categories, but not for others.

As a result of this review of the language, the Board voted to withdraw the Rulemaking File at its August 2015 meeting and a Notice of Withdrawal was published on September 4, 2015. The Licensing Committee is now reviewing the draft regulations and making changes that were identified previously, and expects to bring the package back to the Board in 2016.

4. Describe any major studies conducted by the board (cf. Section 12, Attachment C).

The Board has not conducted any major studies since the last Sunset Review.

5. List the status of all national associations to which the board belongs.

The Board is currently a member of the Association of State and Provincial Psychology Boards (ASPPB). This organization includes state, provincial, and territorial agencies responsible for the licensure and certification of psychologists throughout the United States and Canada. Currently, the psychology boards of all 50 states of the United States, the District of Columbia, the U.S. Virgin Islands, Puerto Rico, Guam and all 10 provinces of Canada are members of ASPPB.

- **Does the board's membership include voting privileges?**

The Board's membership includes voting privileges. Attendance is required to exercise voting privileges in this association.

- **List committees, workshops, working groups, task forces, etc., on which the board participates.**

The Board's Executive Officer is a standing member of ASPPB's Board Administrators and Regents Committee (BARC).

- **How many meetings did board representative(s) attend? When and where?**

ASPPB conducts its Annual Meeting of Delegates in October of each year, and its Midyear Meeting in April of each year. Unfortunately, due to budget constraints, since the last Sunset Review, the Board has only been approved to participate in two of the last eight meetings. The meetings attended were in October 2012 in San Francisco and October 2014 in Rancho Mirage.

- **If the board is using a national examination, how is the board involved in its development, scoring, analysis, and administration?**

ASPPB was formed in 1961 to serve psychology boards in their mission of public protection. ASPPB is the owner and developer of the national licensing examination in psychology, the Examination for Professional Practice in Psychology (EPPP). Although the Board is not directly involved in the development and scoring of this examination, as a member of ASPPB, the Board's delegate provides feedback and raises jurisdictional concerns in contribution to the development of future forms of the examination. The Board contracts with ASPPB for the administration of the examination. The passing score for the EPPP in California is established by regulation. Currently, the Board applies a scaled score of 500 as recommended by ASPPB. The Board utilizes the services of the Department of Consumer Affairs' (DCA) Office of Professional Examination Services to conduct an audit of the national examination every seven years. The purpose of the audit is to determine whether the examination meets the professional guidelines and technical standards outlined in the Standards for Educational and Psychological Testing (Standards) and the California Business and Professional Code section 139. The ASPPB conducts a complete occupational analysis every five to seven years. Its next occupational analysis is scheduled for 2016.

Section 2 – Performance Measures and Customer Satisfaction Surveys

6. Provide each quarterly and annual performance measure report for the Board as published on the DCA website.

See attached quarterly and annual performance measure reports in section 12 Attachment D. The reports are available on the DCA website and are current through December 2014.

7. Provide results for each question in the board's customer satisfaction survey broken down by fiscal year. Discuss the results of the customer satisfaction surveys.

The Board is committed to improving the way the licensing unit conducts business. A satisfaction survey is sent to all psychologists, registered psychologists and psychological assistants upon issuance of their license or registration. Additionally, the survey is currently posted on the Board's website and is also attached to every email correspondence sent by the licensing analysts. Surveys are received by the Board electronically on a continuous basis and are reviewed and evaluated by the Program Coordinator upon receipt. Positive trends reflected in the survey are shared with unit staff to applaud staffs. Negative trends, once evaluated, are shared and discussed with staff to arrive at

resolutions to an identified problem. The following is the list of the questions being asked on the satisfaction survey and the results for each question by fiscal year.

1. How did you first contact the Board's Licensing/Registration Unit?				
Fiscal Year	By Telephone	In Person	Website/E-mail	Other
2011/2012	47	10	209	9
2012/2013	7	0	12	5
2013/2014	17	0	22	2
2014/2015	61	3	141	13

2. Please rate the ability of staff in addressing your questions or concerns.					
Fiscal Year	Excellent	Very Good	Good	Fair	Poor
2011/2012	156	40	27	2	2
2012/2013	9	7	2	7	7
2013/2014	8	9	8	7	11
2014/2015	103	42	22	16	30

3. Please rate the courteousness and professionalism of the staff person who responded to your questions or concerns.					
Fiscal Year	Excellent	Very Good	Good	Fair	Poor
2011/2012	166	43	16	9	1
2012/2013	11	8	4	4	7
2013/2014	13	7	8	6	11
2014/2015	111	38	14	15	19

4. How would you rate the timeliness of the response you received from the staff person?					
Fiscal Year	Excellent	Very Good	Good	Fair	Poor
2011/2012	150	33	24	5	3
2012/2013	8	3	3	3	13
2013/2014	8	7	3	6	19
2014/2015	103	37	24	11	37

APPLICATION PROCESS

5. Type of Application			
Fiscal Year		Licensing Application	Registration Application
2011/2012		96	80
2012/2013		6	17
2013/2014		23	16
2014/2015		163	44

6. Please rate the ease of completing the application.					
Fiscal Year	Excellent	Very Good	Good	Fair	Poor
2011/2012	54	39	26	6	0
2012/2013	5	5	7	2	4

2013/2014	6	11	8	8	5
2014/2015	52	73	41	12	14

7. Was the application processed in a timely manner?

Fiscal Year		Yes	No
20/11/2012		142	17
2012/2013		6	17
2013/2014		13	22
2014/2015		127	52

8. Were you contacted in a timely manner regarding any deficiencies in your application?

Fiscal Year		Yes	No	Not Applicable
2011/2012		124	11	44
2012/2013		8	13	2
2013/2014		12	16	10
2014/2015		104	33	53

9. How would you rate the courteousness, helpfulness and responsiveness of the staff person who processed your application?

Fiscal Year	Excellent	Very Good	Good	Fair	Poor
2011/2012	107	22	20	4	3
2012/2013	4	4	4	3	5
2013/2014	15	5	3	5	9
2014/2015	111	27	19	12	22

10. How did you apply?

Fiscal Year		On-line	U.S. Mail
2011/2012		28	101
2012/2013		1	16
2013/2014		5	26
2014/2015		41	141

EXAMINATION PROCESS (LICENSURE APPLICANTS ONLY)

11. How would you rate your experience with the scheduling process to sit for the Examination for Professional Practice of Psychology (EPPP)? (if applicable)

Fiscal Year	Excellent	Very Good	Good	Fair	Poor
2011/2012	26	19	8	4	1
2012/2013	4	2	0	6	3
2013/2014	4	3	8	2	1
2014/2015	39	32	21	6	3

12. How would you rate your experience with Psychological Services, Inc. (PSI) and the scheduling process for the California Psychology Supplemental Examination (CPSE) or the California Psychology Laws and Ethics Examination (CPLEE)?

Fiscal Year	Excellent	Very Good	Good	Fair	Poor
2011/2012	23	15	6	0	0

2012/2013	4	3	0	0	2
2013/2014	3	2	5	2	2
2014/2015	38	26	22	5	11

OVERALL EXPERIENCE

13. How would you rate your overall experience with the Board's Licensing/Registration Unit?					
Fiscal Year	Excellent	Very Good	Good	Fair	Poor
2011/2012	153	37	20	10	6
2012/2013	3	3	0	2	6
2013/2014	1	8	3	5	11
2014/2015	74	47	20	17	31

Section 3 – Fiscal and Staff

Fiscal Issues

8. Describe the board's current reserve level, spending, and if a statutory reserve level exists.

The Board is authorized to spend $4,863,000 in Fiscal-Year 2015/16. The Board's current reserve level is 12.8 months.

The Board is in compliance with Business and Professions Code section 128.5 by ensuring its reserves do not exceed more than its operating budget for the next two fiscal years.

9. Describe if/when a deficit is projected to occur and if/when fee increase or reduction is anticipated. Describe the fee changes (increases or decreases) anticipated by the board.

The Board does not anticipate a deficit, nor does it expect to increase or decrease any of its fees.

Table 2. Fund Condition

(Dollars in Thousands)	FY 2011/12	FY 2012/13	FY 2013/14	FY 2014/15	FY 2015/16	FY 2016/17
Beginning Balance	$4,168	$4,616	$5,247	$5,649	$5,211	$4,242
Revenues and Transfers	$3,612	$3,669	$3,888	$4,034	$3,902	$5,803
Total Revenue	$7,780	$8,285	$9,135	$9,683	$9,113	$16,345
Budget Authority	$4,266	$4,390	$4,525	$4,669	$4,863	$5,239
Expenditures	$3,160	$3,203	$3,526	$4,472	$4,871	$5,239
Loans to General Fund	$0	$0	$0	$0	$0	$0
Accrued Interest, Loans to General Fund	$0	$0	$0	$0	$0	$1,861
Loans Repaid From General Fund	$0	$0	$0	$0	$0	$6,300
Fund Balance*	$4,620	$5,082	$5,609	$5,211	$4,242	$11,106
Months in Reserve	17.3	17.3	15.1	12.8	9.7	24.9

*Fund balance displays pre-adjustment total.

10. Describe the history of general fund loans. When were the loans made? When have payments been made to the board? Has interest been paid? What is the remaining balance?

A loan of $5.0 million was made from the Board to the General Fund in Fiscal Year (FY) 2002/03. $3.8 million is scheduled for repayment in FY 2016/17; $1.2 million is scheduled for repayment in FY 2017/18.

A loan of $2.5 million was made from the Board to the General Fund in FY 2008/09, and is scheduled for repayment in FY 2016/17.

Interest is scheduled for payment in FYs 2016/17 and 2017/18, at which time there will be no remaining balance.

	Loans to GF		Proposed Repayments from GF		Interest		Balance
	02-03	08-09	16-17	17-18	16-17	17-18	
Budget Act of 2002	$5,000	$0	$3,800	$1,200	$1,270	$478	$0
Budget Act of 2008	$0	$2,500	$2,500	$0	$591	$	$0

11. Describe the amounts and percentages of expenditures by program component. Use *Table 3. Expenditures by Program Component* to provide a breakdown of the expenditures by the board in each program area. Expenditures by each component (except for pro rata) should be broken out by personnel expenditures and other expenditures.

The Board operates on an annual budget of $4.8 million, with approximately 48% of its budget devoted to enforcement activities, 29% to examination and licensing functions, 12% to DCA pro rata costs, and administration making up the remaining 11%.

Table 3. Expenditures by Program Component (list dollars in thousands)

	FY 2011/12		FY 2012/13		FY 2013/14		FY 2014/15	
	Personnel Services	OE&E	Personnel Services	OE&E	Personnel Services	OE&E	Personnel Services	OE&E
Enforcement	$536	$1,465	$563	$1,242	$535	$1,323	$628	$1,538
Examination	$0	$102	$0	$110	$0	$76	$0	$118
Licensing	$280	$196	$318	$209	$481	$230	$813	$368
Administration *	$202	$135	$270	$175	$318	$146	$365	$160
DCA Pro Rata	$0	$369	$0	$432	$0	$522	$0	$559
Diversion (if applicable)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
TOTALS	$1,018	$2,267	$1,151	$2,168	$1,334	$2,297	$1,806	$2,743

*Administration includes costs for executive staff, board, administrative support, and fiscal services.

12. Describe license renewal cycles and history of fee changes in the last 10 years. Give the fee authority (Business and Professions Code and California Code of Regulations citation) for each fee charged by the board.

All licenses expire at 12 midnight of the last date of the month of the legal birth date of the licensee during the second year of a two-year term, and biennially thereafter. Psychological assistants renew annually on the date of issuance of the registration. There have been no changes to the renewal cycle in the last 10 years; however, effective January 1, 2016, the renewal cycle for the licensed psychologist will change to two years from the date of issuance. Prior to January 1, 2013, the psychology license renewal fee was $410 (California Code of Regulations section 1392(e) ($400)) and Business and Professions Code section 2987.2 (plus $10 MHPEF)). The fee increased on January 1, 2013, to $420 (California Code of Regulations section 1397.69 (plus $10 continuing education audit)).

Table 4. Fee Schedule and Revenue (list revenue dollars in thousands)

Fee	Current Fee Amount	Statutory Limit	FY 2011/12 Revenue	FY 2012/13 Revenue	FY 2013/14 Revenue	FY 2014/15 Revenue	% of Total Revenue
LICENSING FEES							
Application Fee (Psychologist) B&P Code 2987/CCR 1392	$40	$50	$47	$50	$57	$46	1%
Application Fee (Psych. Assistant) B& P Code 2987/CCR 1392.1	$40	$75	$37	$38	$39	$47	1%
Initial License Fee (Psychologist) B&P Code 2987/CCR 1392	$400	$500	$306	$301	$253	$358	9%
MHPEF* B&P 2987.2	$10	$10	N/A	N/A	N/A	N/A	-
California Psychology Supplemental Examination (CPSE) B&P Code 2987/CCR 1392	$129	Actual cost to Board	$113	$117	$130	$150	3.5%
California Psychology Laws & Ethics Examination (CPLEE) B&P Code 2987/CCR1392	$129	Actual cost to Board	$9	$11	$8	$36	.7%
CE Evaluation Fee** B&P Code 2915(j)/CCR1397.69	$10	$10	N/A	N/A	$48	$79	2%
Biennial Renewal Fee (Psychologist) B&P Code 2987	$400	$500	$2,972	$3,020	$3,145	$3,137	79%
Inactive Renewal Fee (Psychologist) B&P Code 2988/CCR 1392	$50	$40	$55	$52	$59	$57	1%
Annual Renewal Fee (Psych. Asst.) B&P Code 2987/CCR 1392.1	$40	$75	$33	$39	$32	$32	.7%
Delinquent Fee (Psychologist) B&P Code 2987	$25	$25	$6	$4	$13	$13	.2%
Delinquent Fee (Psych. Asst.) CCR 1392.1	$20	***	$2	$2	$1	$1	-
Duplicate License Fee B&P Code 2987	$5	$5	$2	$2	$2	$2	-
Delinquent Inactive Renewal Fee	$25	$25	$4	$6	$0	$0	-
Certification/Letter of Good Standing	$5	$5	$0	$0	$1	$1	-
Endorsement Fee B&P Code 2987	$5	$5	$1	$1	$0***	$0***	-

FINES & PENALTIES							
Investigative Cost Recovery B&P Code 125.3	Varies	N/A	$77	$58	$74	$43	.9%
Probation Monitoring B&P Code 2964.6	Varies	N/A	$18	$47	$34	$30	.6%
Citations & Fines B&P Code 125.9/CCR1397.51	Varies	$5,000	$6	$8	$5	$23	.4%
OTHER							
Sale of Documents	$10.00	N/A	$1	$1	$1	$1	-
License Convenience Fees	Variable	N/A	$26	$26	$8	$0	-
Fingerprint Fees	Variable	N/A	$14	$5	$3	$3	-

*In addition to the $400 for the biennial renewal of a license the Board collects a fee of $10 pursuant to B&P Code section 2987.2 at the time of renewal. The Board transfers this amount to the Controller who deposits the funds in the Mental Health Practitioner Education

**Beginning 10/31/13 an additional $10.00 fee for conducting random CE audits is collected at the time of renewal for active status. CCR 1397.69 effective 1/1/13.

***This revenue category has been discontinued effective May 9, 2013. All fees for Endorsements will be deposited into Acct Code 125600 3V - Cert/Letters of Good Standing.

13. Describe Budget Change Proposals (BCPs) submitted by the board in the past four fiscal years.

The Board of Psychology submitted one Budget Change Proposal (BCP) in the past four fiscal years. In fiscal year 2014/15, the Board requested 3.0 Staff Services Analyst positions to address the increasing workload and what was then a significant backlog in the Board's licensing unit. The Board indicated it would fund the request within existing resources. This BCP was approved.

Table 5. Budget Change Proposals (BCPs)

BCP ID #	Fiscal Year	Description of Purpose of BCP	Personnel Services				OE&E	
			# Staff Requested (include classification)	# Staff Approved (include classification)	$ Requested	$ Approved	$ Requested	$ Approved
1110-33	2014/ 2015	Licensing Application and Registration Analysts	3.0	3.0	$0	$0	$0	$0

Staffing Issues

14. Describe any board staffing issues/challenges, i.e., vacancy rates, efforts to reclassify positions, staff turnover, recruitment and retention efforts, succession planning.

Once the hiring freeze and furloughs were lifted, the Board's staffing issues were greatly minimized. The Board has engaged the services of Cooperative Personnel Services (CPS) Human Resource Consulting to conduct an analysis of the Board's programs. As a result of the analysis, the Board will be pursuing classification changes and reorganization of its programs. The Board will be engaging CPS to assist in the future with succession planning.

15. Describe the board's staff development efforts and how much is spent annually on staff development (cf., Section 12, Attachment D).

In addition to on-the-job training and cross-training measures, the Board utilizes the DCA's Strategic Organization, Leadership and Individual Development (SOLID) for staff development purposes. SOLID provides a wide variety of options for staff to consider when seeking or recommending developmental opportunities.

In addition to SOLID, Board staff has participated in developmental opportunities offered by such entities as Los Rios Community College and Council on Licensure, Enforcement and Regulation (CLEAR), in the following amounts:

FY 2014/15	$3,206
FY 2013/14	$1,837
FY 2012/13	$458
FY 2011/12	$2,515

Section 4 – Licensing Program

16. What are the board's performance targets/expectations for its licensing[1] program? Is the board meeting those expectations? If not, what is the board doing to improve performance?

Section 1381.6 of the California Code of Regulations (CCR) establishes the permitted processing times for the Board. The processing times are established for each of the Board's licensure/registration categories as follows:

Type of application:	Maximum time for notification
Licensed Psychologist:	60 days
Registered Psychologist:	60 days
Registered Psychological Assistant:	180 days

The Board's licensing unit is well within the maximum time allowed for the processing of applications. As of the most recent report to the Board from the licensing unit (November 2015), all applicants are informed if their applications are complete or deficient within an average of 14 business days from receipt of the application. The data below represents the current time frames to process new applications:

Type of application:	# of business days*
Licensed Psychologist:	14
Registered Psychologist:	9
Registered Psychological Assistant:	4

*Data as of November 23, 2015

17. Describe any increase or decrease in the board's average time to process applications, administer examinations and/or issue licenses. Have pending applications grown at a rate

[1] The term "license" in this document includes a license certificate or registration.

that exceeds completed applications? If so, what has been done by the board to address them? What are the performance barriers and what improvement plans are in place? What has the board done and what is the board going to do to address any performance issues, i.e., process efficiencies, regulations, BCP, legislation?

The current application processing times have significantly improved in the 2013/14 and 2014/15 fiscal years due to the increase of staff in the Licensing Unit and with the improvement of application processing procedures. Licensing staff has maintained a two-week or less process time frame for new applications, which is far below what is required by Section 1381.6 of the CCR. Pending applications have not grown at a rate that exceeds completed applications.

The Board has identified parts of the application process that are barriers to processing applications. For example, B&P Code section 2914 requires supervisors to submit documentation of supervised professional experience (SPE) directly to the Board. Legislation recently signed will allow the applicant to include this required documentation along with his or her application. This change will speed up the application process and eliminate unnecessary paperwork from the licensing process. The Board will promulgate regulations to implement the new process.

Beginning July 1, 2015, automated performance measures were implemented to track processing times from receipt of an application to issuance of a license or registration. These performance measures can also track the processing times for each licensing analyst.

18. How many licenses or registrations does the board issue each year? How many renewals does the board issue each year?

Table 6. Licensee Population

		FY 2011/12	FY 2012/13	FY 2013/14	FY 2014/15
PSYCHOLOGIST	Active	20183	22682	22240	20509
	Out-of-State****	N/A	N/A	N/A	N/A
	Out-of-Country****	N/A	N/A	N/A	N/A
	Delinquent	745	835	1751	1837
REGISTERED PSYCHOLOGIST	Active	321	317	307	286
	Out-of-State*	N/A	N/A	N/A	N/A
	Out-of-Country*	N/A	N/A	N/A	N/A
	Delinquent**	N/A	N/A	N/A	N/A
PSYCHOLOGICAL ASSISTANT	Active	1832	1717	1707	1671
	Out-of-State*	N/A	N/A	N/A	N/A
	Out-of-Country*	N/A	N/A	N/A	N/A
	Delinquent	45	79	***846	***914

*Registered Psychologists and Psychological Assistants are not registered to practice outside of California.
**Registered Psychologists do not renew so there is no delinquent status
***BreEZe calculates this information differently. Prior year information was a snapshot of data versus what appears to be a collective running total under BreEZe.
**** Licensed Psychologist who reside outside of California hold the same active or inactive license status code as those who are located in California. Therefore, BreEZe does not distinguish this data.

Table 7a. Licensing Data by Type

	Application Type	Received	Approved	Closed	Issued	Pending Applications			Cycle Times		
						Total (Close of FY)	Outside Board control*	Within Board control*	Complete Apps	Incomplete Apps	combined, IF unable to separate out
FY 2011/12	(Exam)**					-	-	-	-	-	-
	(License)	2598	1563	Same as Approved	1563	1563-	-	-	-	-	-
	(Renewal)	6606	11412	n/a		-	-	-	-	-	-
FY 2012/13	(Exam)**										
	(License)	2378	1663	Same as Approved	1663	1663	0	322	282	0	
	(Renewal)	6392	9518	n/a							
FY 2013/14	(Exam)**										
	(License)	2506	1763		1763	1763	2	496	48	242	
	(Renewal)	9687	9606	n/a							

* Optional. List if tracked by the board.

** NOTE: The Board's examinations are integrated in the application for licensure process. The number of applications received to take examinations will be the same as the number of applications received for licensure. The number of approved examinations will be the same as the number of approved license applications. The numbers for the approved examinations are considerably higher than the received applications because these numbers reflect approved first timers and repeat takers. The Table also reflects the total number of test takers for the year (CPSE, CPLEE and EPPP)

Table 7b. Total Licensing Data

	FY 2012/13	FY 2013/14	FY 2014/15
Initial Licensing Data:			
Initial License/Initial Examination Applications Received	2378	2506	2521
Initial License/Initial Examination Applications Approved	1663	1763	2145
Initial License/Initial Examination Applications Closed	n/a	n/a	
License Issued	1663	1763	2145
Initial License/Initial Examination Pending Application Data:			
Pending Applications (total at close of FY)	1069	1577	1592
Pending Applications (outside of board control)*	0	2	75
Pending Applications (within the board control)*	322	496	630
Initial License/Initial Examination Cycle Time Data (WEIGHTED AVERAGE):			
Average Days to Application Approval (All - Complete/Incomplete)	87	69	43
Average Days to Application Approval (incomplete applications)*	0	48	32
Average Days to Application Approval (complete applications)*	282	242	266
License Renewal Data:			
License Renewed	9518	9606	10010

* Optional. List if tracked by the board.

19. How does the board verify information provided by the applicant?

a. What process does the board use to check prior criminal history information, prior disciplinary actions, or other unlawful acts of the applicant?

The Board requires every applicant for a registration or license to be fingerprinted for a criminal history background check. Once the applicant has completed the fingerprinting process, the Department of Justice (DOJ)/Federal Bureau of Investigation (FBI) provides the background information directly to BreEZe. Authorized Board staff retrieves the applicant's background report. Applicants with a clear criminal history report continue with the application review process. Applicants with a conviction history are requested to provide court certified documentation regarding the arrest and the conviction. Enforcement staff reviews the criminal history documentation to determine if the conviction is substantially related to the practice of psychology. If a substantial relationship exists, the application may be denied.

Prior to the issuance of a license or registration, Board staff checks BreEZe to determine if any disciplinary action has been filed against the applicant by another DCA entity. Additionally, the Board accesses the ASPPB Disciplinary Data Bank to determine if an applicant has ever been disciplined by another state board or jurisdiction.

Once the applicant is licensed or registered, the Board will receive subsequent arrest information from the DOJ via a secure mailer server system. Staff checks the secure mail server daily for subsequent arrest or conviction records and forwards any applicable records to the Board's Enforcement Unit for further review.

b. Does the board fingerprint all applicants?

Every applicant for a license or registration must complete the fingerprint process.

c. Have all current licensees been fingerprinted? If not, explain.

Effective March 2011, Board licensees and registrants who had not previously submitted fingerprints to the DOJ, or for whom an electronic fingerprint record did not exist, were required as a condition of renewal of the license or registration to submit a set of fingerprints to the DOJ for the purpose of conducting a criminal history record check (California Code of Regulations section 1381.7).

The Board obtained information from the DOJ to identify each of its current licensees and registrants who had not previously submitted fingerprints to the DOJ, or for whom an electronic fingerprint record did not exist. Through notifications, renewal delays, and tracking, the Board was able to gain compliance with all but approximately 35 licensees. The Board is communicating with those individuals and expects to obtain compliance by the expiration dates of the licenses.

d. Is there a national databank relating to disciplinary actions? Does the board check the national databank prior to issuing a license? Renewing a license?

The ASPPB maintains a national data bank of disciplinary actions taken against licensees in every state, Canadian province and U.S. territory. Licensing staff conducts a manual check of the databank for each of its applicants prior to the issuance of every license or registration. Renewing licensees and registrants are required to disclose on their renewal application, under penalty of perjury, whether or not, since their last renewal, they have had any license disciplined by a government agency or other disciplinary body. In 2012, the Board promulgated regulation section 1397.2(d) (2) to include in the definition of unprofessional conduct any failure to disclosure disciplinary action taken by another licensing entity or authority of this state or of another state or an agency of the federal government or United States military.

The Board is investigating the requirements for obtaining the disciplinary records from the national data bank for renewal purposes.

e. Does the board require primary source documentation?

The Board performs primary source verification by reviewing official transcripts submitted directly by the educational institution. Additionally, the Board requires verification of applicants' supervised professional experience to be signed by all relevant supervisors.

20. Describe the board's legal requirement and process for out-of-state and out-of-country applicants to obtain licensure.

Section 2914(b) of the B&P Code requires each applicant for licensure to possess a doctoral degree in psychology, educational psychology, or in education with a field of specialization in counseling psychology or educational psychology from a regionally accredited educational institution in the United States or Canada, or from an educational institution in California that is approved by the Bureau for Private Postsecondary Education (BPPE). It provides that applicants for licensure trained in an educational institution outside the United States or Canada shall demonstrate to the satisfaction of the Board that they possess a doctorate degree in psychology that is equivalent to a degree earned from a regionally accredited university in the United States or Canada. These applicants must provide the Board with a comprehensive evaluation of their degree by a foreign credential evaluation service that is a member of the National Association of Credential Evaluation Services (NACES), and any other documentation the Board deems necessary.

Section 2914(c) of the B&P Code also requires each applicant to have engaged for at least two years in supervised professional experience under the direction of a licensed psychologist. Section 1387.4(a) of the CCR requires that all out-of-state supervised professional experience be supervised by a psychologist licensed at the doctoral level in the State, U.S. territory or Canadian province in which the experience is taking place, in compliance with all laws and regulations of the jurisdiction in which the experience was accrued, and in substantial compliance with all the supervision requirements of section 1387. SPE can be accrued at a U.S. military installation so long as the experience is supervised by a qualified psychologist licensed at the doctoral level in the U.S. or Canada. Additionally, section 1387.4(c) provides that supervised professional experience can be accrued in countries outside the United States or Canada that regulate the profession of psychology pursuant to the same requirements as set forth in section 2914 of the B&P Code. Supervision accrued outside the United States, its territories, or Canada must comply with all the supervision requirements of section 1387, and the burden is on the applicant to provide the necessary documentation and translation that the Board may require to verify the qualification of the experience.

Section 1388.6 of the California Code of Regulations sets forth a waiver of the EPPP for applicants for licensure as a psychologist who have been licensed in another state, Canadian province or U.S. territory for at least five years. Although the EPPP is waived under this section, an applicant must file a complete application and meet all current licensing requirements, including payment of any fees, take and pass the California Psychology Law and Ethics Examination (CPLEE), and not have been subject to discipline. Those out-of-state applicants who have been licensed for at least five years and who hold a Certificate of Professional Qualification (CPQ) issued by the ASPPB, are credentialed as a Health Service Provider in Psychology by the National Register of Health Service Providers in Psychology (NRHSPP), or are certified by the American Board of Professional Psychology (ABPP) are deemed to have met the educational and experience requirements of subdivisions (b) and (c) of section 2914 of the B&P Code.

21. Describe the board's process, if any, for considering military education, training, and experience for purposes of licensing or credentialing requirements, including college credit equivalency.

a. Does the board identify or track applicants who are veterans? If not, when does the board expect to be compliant with BPC § 114.5?

The Board requires applicants to identify if they have served in the military as required by BPC § 114.5. The DCA is currently working on adding a tracking mechanism in BreEZe for the Board to be in compliance with this section. Once DCA has implemented this feature in BreEZe, the Board will be able to access the feature and be in compliance.

b. How many applicants offered military education, training or experience towards meeting licensing or credentialing requirements, and how many applicants had such education, training or experience accepted by the board?

The Board does not make a distinction between applicants with military education, training or experience from those with education, training or experience accrued in other settings. Supervised professional experience can be accrued at a U.S. military installation if the experience is supervised by a doctoral level psychologist who is licensed in the U.S. or Canada. Military education and experience is evaluated the same as any qualifying experience accrued under the supervision of a doctoral level psychologist.

c. What regulatory changes has the board made to bring it into conformance with BPC § 35?

Section 1387.4(b) of the CCR permits supervised professional experience to be accrued at a U.S. military installation so long as the experience is supervised by a qualified psychologist who is licensed at the doctoral level in the U.S. or Canada.

d. How many licensees has the board waived fees or requirements for pursuant to BPC § 114.3, and what has the impact been on board revenues?

The Board has received and processed one waiver from the renewal fee of a licensed psychologist who had been called to active duty. The licensee had already completed the required CE; therefore, there was no need to waive the CE requirement.

e. How many applications has the board expedited pursuant to BPC § 115.5?

The Board has expedited 22 applications.

22. Does the board send No Longer Interested notifications to DOJ on a regular and ongoing basis? Is this done electronically? Is there a backlog? If so, describe the extent and efforts to address the backlog.

The Board sends No Longer Interested (NLI) notifications to DOJ on a regular and ongoing basis. The NLI's are submitted manually to the DOJ and there is no backlog.

Examinations

Table 8. Examination Data			
California Examination (include multiple language) if any:			
	License Type	Out-of-State Applicant Psychologist	In-State Applicant Psychologist
	Examination Title	California Psychology Laws and Regulations	California Psychology Supplemental Examination
FY 2011/12	# of 1st Time Candidates	29	625
	Pass %	70%	87.15%
FY 2012/13	# of 1st Time Candidates	43	604
	Pass %	58.93%	88.84%
FY 2013/14	# of 1st Time Candidates	36	550
	Pass %	67.39%	86.79%
FY 2014/15	# of 1st Time Candidates	52	687
	Pass %	59.65%	65.30%
	Date of Last OA	2004	2004
	Name of OA Developer	Office of Professional Examination Service	Office of Professional Examination Service
	Target OA Date	04/2012	Examination eliminated on 06/2015 and was replaced by the CPLEE
National Examination (include multiple language) if any:			
	License Type	Psychologist	
	Examination Title	Examination for Professional Practice in Psychology	
FY 2011/12	# of 1st Time Candidates	553	
	Pass %	84.90%	
FY 2012/13	# of 1st Time Candidates	676	
	Pass %	80%	
FY 2013/14	# of 1st Time Candidates	710	
	Pass %	78.79%	
FY 2014/15	# of 1st time Candidates	620	
	Pass %	66.62%	
	Date of Last OA	2010	
	Name of OA Developer	Association for State and Provincial Psychology Boards	
	Target OA Date	07/2016	

Effective July 1, 2015, all applicants must take and pass the CPLEE.

23. Describe the examinations required for licensure. Is a national examination used? Is a California specific examination required?

The national examination required for licensure is the EPPP administered by ASPPB, and the California examination required for licensure is the California Psychology Laws and Ethics Examination (CPLEE) which is administered by the Board.

24. What are pass rates for first time vs. retakes in the past 4 fiscal years? *(Refer to Table 8: Examination Data)*

In the past four fiscal years, the Board has seen a higher pass rate for first time test takers than repeat test takers. The Table below indicates the pass rate percentages of first time test takers versus repeat test takers.

	CPLEE		CPSE		EPPP	
Fiscal Year	(%) Pass Rate of 1st Timers	(%) Pass Rate of Repeaters	(%) Pass Rate of 1st Timers	(%) Pass Rate of Repeaters	(%) Pass Rate of 1st Timers	(%) Pass Rate of Repeaters
2011/12	70%	28.57%	87.45%	45.64%	84.90%	20.25%
2012/13	59.93%	45.09%	88.84%	42.85%	80%	27.15%
2013/14	67.39%	38.46%	86.79%	24.10%	78.79%	28.41%
2014/15	59.65%	38.98%	65.30%	44.03%	66.62%	38.27%

25. Is the board using computer based testing? If so, for which tests? Describe how it works. Where is it available? How often are tests administered?

The EPPP and CPLEE are both computer-based examinations. Applicants approved for the EPPP and CPLEE are notified of their eligibility via email by the Board, as well as by the examination vendor. Applicants are instructed to visit a secure website to schedule their examinations. Both examinations are available six days a week at secure testing locations throughout the state. The EPPP is developed and maintained by ASPPB and administered by Pearson VUE. Pearson VUE currently owns 22 examination site locations in California, 249 locations throughout the rest of the U.S. and 40 locations in Canada. Pearson VUE also contracts with additional examination sites located throughout the U.S. and Canada. The CPLEE is administered by Psychological Services, Inc. There are 17 California examination site locations and 22 out-of-state examination sites. Applicants taking the EPPP are allowed to take the examination four times within a 12-month period. The CPLEE has a new examination version available every three months, making the examination available to candidates four times per year.

26. Are there existing statutes that hinder the efficient and effective processing of applications and/or examinations? If so, please describe.

The Board is in the process of reviewing and updating all statutes and regulations that affect the pathways to licensure and registration by identifying confusing and obsolete sections that are not in keeping with the realities of current training environments, education and/or new technologies. For example, section 2913 of the Code lists the requirements for registration as a psychological assistant. In subsection (d) the statute indicates which entities can employ a psychological assistant. The list is narrow and outdated. Many applicants are unclear how their employment setting applies to the outdated employment settings permissible in the statute. Consequently, many applications are completed incorrectly, resulting in processing delays and backlogs. This section needs to be amended to reflect working environments currently available to psychological assistants.

School approvals

27. Describe legal requirements regarding school approval. Who approves your schools? What role does BPPE have in approving schools? How does the board work with BPPE in the school approval process?

Section 2914(g) of the B&P Code requires the Board to accept doctoral degrees in psychology from certain approved schools. An applicant holding a doctoral degree in psychology from an approved institution is deemed to meet the requirements of this section if all of the following are true: (1) The approved institution offered a doctoral degree in psychology designed to prepare students for a license to practice psychology and was approved by the Bureau for Private Postsecondary and Vocational Education on or before July 1, 1999. (2) The approved institution has not, since July 1, 1999, had a new location, as described in Section 94721 of the Education Code. (3) The approved institution is not a franchise institution, as defined in Section 94729.3 of the Education Code.
The Board has no authority over school approvals or their operation and curriculum. School approvals are conducted solely by the Bureau for Private Postsecondary Education (BPPE).

28. How many schools are approved by the board? How often are approved schools reviewed? Can the board remove its approval of a school?

The Board does not approve schools and has no authority to do so. There are currently six (6) schools approved by the BPPE that meet the criteria listed above.

29. What are the board's legal requirements regarding approval of international schools?

The Board does not approve international schools. However, Section 2914 of the B&P Code provides that an applicant for licensure trained in an educational institution outside the United States or Canada shall demonstrate to the satisfaction of the Board that he or she possesses a doctorate degree in psychology that is equivalent to a degree earned from a regionally accredited university in the United States or Canada. These applicants must provide the Board with a comprehensive evaluation of the degree performed by a foreign credential evaluation service that is a member of the National Association of Credential Evaluation Services (NACES), and any other documentation the Board deems necessary.

Continuing Education/Competency Requirements

30. Describe the board's continuing education/competency requirements, if any. Describe any changes made by the board since the last review.

Currently, the Board requires all licensees to accrue 36 hours of continuing education each renewal cycle in order to maintain their license. The Board is now developing proposed regulatory changes that would allow a move from a narrow continuing education model to a broader model that focuses on continuing professional development (CPD). CPD means one of thirteen continuing education learning activities grouped under four different categories. The four categories and thirteen learning activities include (1) Professional, (Peer Consultation, Practice Outcome Monitoring, Professional Activities, Conferenced/Conventions, Examination Functions); (2) Academic (Academic Courses, Academic Instruction, Supervision, Publications); (3) Sponsored Continuing Education Coursework including Independent/Online Learning; and (4) Board Certification.

a. How does the board verify CE or other competency requirements?

The Board's renewal application requests that the licensees self-certify under penalty of perjury the amount of CE hours they accrued. The Board then conducts random CE audits of 10% of the licensees renewing each month to verify that the licensees have obtained the required 36 approved hours as certified on their renewal application. The most common way of verifying CE hours is by requesting and reviewing certificates of attendance.

b. Does the board conduct CE audits of licensees? Describe the board's policy on CE audits.

The Board conducts random CE audits of 10% of the licensees renewing each month. Selected licensees are mailed an initial audit notice and are given 30 days from the date of the notice to submit CE course certificates to verify completion of the required CE. If the Board does not receive a response, a final notice is mailed to the licensee that gives him or her an additional 30 days from the date of the final notice to submit the requested documentation. If a licensee does not submit verification of enough hours or submits certificates that do not meet the Board's requirements, he or she is sent a deficiency letter and is given an additional 30 days to submit corrected certificates or additional hours accrued within the applicable renewal period in order to be in compliance. If a licensee passes the audit, he or she is sent a compliance letter.

c. What are consequences for failing a CE audit?

If a licensee fails a CE audit, or fails to submit documentation of his or her CE upon the Board's request, that licensee is issued a citation order. The citation requires the individual to comply with an order of abatement to accrue the hours he or she is deficient, and to pay a fine. Any individual who wants to contest a citation or fin can request an informal conference or an administrative hearing.

d. How many CE audits were conducted in the past four fiscal years? How many fails? What is the percentage of CE failure?

Prior to January 2013, the Mandatory Continuing Education for Psychologists Accreditation Agency (MCEPAA), a subdivision of the California Psychological Association (CPA), was responsible for auditing 100% of psychologists renewing each month. Beginning January 2013, the Board assumed the auditing process, auditing 10% of psychologists renewing each month.

Since January 2013, a total of 1,664 CE audits have been conducted. Out of those, 108 licensed psychologists, or 6.5%, have failed the audit.

e. What is the board's course approval policy?

Currently, the Board accepts CE courses that are:

- provided by the American Psychological Association (APA) or its approved sponsors;
- provided by the California Psychological Association (CPA) or its approved sponsors;
- Continuing Medical Education (CME) courses specifically applicable and pertinent to the practice of psychology that are accredited by the California Medical Association (CMA) or the Accreditation Council for Continuing Medical Education (ACCME).

f. **Who approves CE providers? Who approves CE courses? If the board approves them, what is the board application review process?**

The Board does not approve CE providers or CE courses. Currently, the APA, CPA, and CMA/ACCME approve CE providers and CE courses. The Board is in the process of revising its CE regulations to include a model of Continuing Professional Development (CPD). That model will provide for additional entities to approve CE providers and CE courses.

g. How many applications for CE providers and CE courses were received? How many were approved?

The Board does not approve CE providers or CE courses; therefore, the Board did not receive any applications.

h. Does the board audit CE providers? If so, describe the board's policy and process.

The Board does not audit CE providers.

i. Describe the board's effort, if any, to review its CE policy for purpose of moving toward performance based assessments of the licensee's continuing competence.

The Board's effort to revise its CE policy can be seen through its development of the Continuing Professional Development (CPD) model. The model was recommended by the ASPPB and was considered by the Board in order to provide additional avenues for maintaining competence. These additional options are meant to expand the ways licensees can increase their learning and maintain competency and to include avenues for performance-based assessments of licensees' competence. The use of peer consultation is an example of CPD that accomplishes performance-based competency. The Board is seeking to revise its statutes and regulations in order to move forward with the implementation of this model.

Section 5 – Enforcement Program

31. What are the board's performance targets/expectations for its enforcement program? Is the board meeting those expectations? If not, what is the board doing to improve performance?

In 2010, at the direction of Governor Arnold Schwarzenegger, the DCA developed the Consumer Protection Enforcement Initiative (CPEI) to monitor and streamline the enforcement processes of all health boards. The DCA established measures for each board to complete consumer complaints within 12-18 months. The Board has consistently met all of its performance measures with the exception of Performance Measure 4-Formal Discipline. The DCA set the performance measure at 540 days. However, this measure includes case involvement outside of the Board's control. For example, cases referred to the Office of the Attorney General and the Office of Administrative Hearings is included in Performance Measure 4. The Board is currently working on ways to reduce processing times for Performance Measure 4 by limiting the amount of time given to a respondent during settlement negotiations, and requesting that Accusations/Statement of Issues be filed within 30 days of transmittal to the Office of the Attorney General. In the past, the Board allowed the respondent 30 to 160 days to accept or reject the Board's settlement offer. Currently, the Board allows no more than 30-60 days, which will help reduce the Board's processing time.

Performance Measure (PM)	Definition	Performance Target
PM 1 Volume	Number of complaints and convictions received.	*
PM 2 Intake	Average cycle time from complaint receipt, to the date the complaint was assigned to an investigator.	9 days
PM 3 Intake/ Investigation	Average number of days to complete the entire enforcement process for cases not transmitted to the AG (Includes intake and investigation)	80 days
PM 4 Formal Discipline	Average number of days to complete the entire enforcement process for cases transmitted to the AG for formal discipline. (Includes intake, investigation and transmittal outcome)	540 days
PM 5 Efficiency (cost)	Average cost of intake and investigation for complaints not resulting in formal discipline.	**
PM 6 Customer Satisfactio n	Consumer satisfaction with the service received during the enforcement process.	80% Satisfaction

PM 7 Probation/ Intake	Average number of days from monitor assignment, to date the monitor makes first contact with the probationer.	7 days
PM 8 Probation Violation Response	Average number of days from the date a violation of probation is reported, to the date the assigned monitor initiates appropriate action.	10 days

* Complaint volume is counted and is not considered a performance measure.
** Data not collected

32. Explain trends in enforcement data and the board's efforts to address any increase in volume, timeframes, ratio of closure to pending cases, or other challenges. What are the performance barriers? What improvement plans are in place? What has the board done and what is the board going to do to address these issues, i.e., process efficiencies, regulations, BCP, legislation?

The Board's enforcement workload is trending higher and has increased by 24% since the last Sunset Review in 2011. In fiscal year 2014/15, the Board received the largest number of complaints and arrest/convictions totaling 972 cases (see Table 9a). In comparison, the Board's 2011 Sunset Review indicates having received 786 total cases. The increase in consumer complaints may be attributed to the increase in the total population of licensees and registrants in the last several years, as well as consumer awareness and the Board's outreach efforts in promoting consumer services through social media.

There have been several performance barriers that the Board has faced over the last several years. For instance, prior to June 2014, there was no Enforcement Program Manager to assist in direct oversight of staff and provide guidance. Prior to 2014, an Associate Governmental Program Analyst was responsible for overseeing the program in addition to processing discipline cases. Since the hire of the Enforcement Program Manager, enforcement duties have been reassigned to better streamline processes. For example, all enforcement staff, with the exception of the probation monitor, are responsible for their assigned cases from initial assignment through the adjudication process, improving case quality and efficiency. Also, weekly case reviews are performed by the Enforcement Program Manager to ensure staff is investigating its cases within the allocated performance measure timeframes.

In addition, enforcement processes involving conviction cases were improved. Previously, the Board was referring every conviction case to the DCA's Health Quality Investigative Unit for review, processing, and submission to the Office of the Attorney General. By utilizing the Board's staff, processing of all conviction cases is now performed by the in-house Special Investigator, enabling the investigator to refer these types of cases directly to the Office of the Attorney General for filing of a Statement of Issues or an Accusation.

Furthermore, the Board's Expert Reviewer Training Program was limited to only 40 experts, which at times caused delays for cases to be reviewed. To increase the pool of experienced and qualified expert applicants, the Board approved increasing expert fees. Subsequently, 60 new experts were hired to the program, and the Board has held expert training to discuss new trends in psychology. There are currently 100 Board experts. As a result, the Board expects cases to be reviewed within 30 days of assignment.

The Enforcement Unit is currently performing a comprehensive review of its enforcement processes. The review includes procedural steps of the complaint to closure process and eliminating any

repetitive steps and the Enforcement Manuals are updated to reflect improvements. The Enforcement Unit is dedicated to completing all investigations in a complete and expeditious manner.

Last, the enforcement staff is reviewing all statutes and regulations for clarity, effectiveness, and efficiency and making recommendations for additions and amendments to the Board.

Table 9a. Enforcement Statistics

	FY 2012/13	FY 2013/14	FY 2014/15
COMPLAINT			
Intake (Use CAS Report EM 10)			
Received	668	643	900
Closed	93	138	92
Referred to INV	575	505	808
Average Time to Close (days)	854 discipline 55 no discipline	887 discipline 111 no discipline	949 discipline 68 no discipline
Pending (close of FY)	0	1	22
Source of Complaint (Use CAS Report 091)			
Public	545	462	556
Licensee/Professional Groups	12	8	16
Governmental Agencies	78	163	255
Other	33	10	73
Conviction / Arrest (Use CAS Report EM 10)			
CONV Received	43	133	72
CONV Closed	5	9	0
Average Time to Close (Days)	4	7	8
CONV Pending (close of FY)	0	0	2
LICENSE DENIAL (Use CAS Reports EM 10 and 095)			
License Applications Denied			
SOIs Filed	5	4	10
SOIs Withdrawn	0	0	0
SOIs Dismissed	0	0	0
SOIs Declined	0	0	0
Average Days SOI	445	436	68
ACCUSATION (Use CAS Report EM 10)			
Accusations Filed	31	27	30
Accusations Withdrawn	0	1	0
Accusations Dismissed	0	0	1
Accusations Declined	1	2	0
Average Days Accusations	904	749	779
Pending (close of FY)	57	35	22

Table 9b. Enforcement Statistics (continued)

	FY 2012/13	FY 2013/14	FY 2014/15
DISCIPLINE			
Disciplinary Actions (Use CAS Report EM 10)			
Proposed/Default Decisions	3	7	5
Stipulations	19	16	15
Average Days to Complete	799	665	719
AG Cases Initiated	39	39	46
AG Cases Pending (close of FY)	22	35	57

Disciplinary Outcomes (Use CAS Report 096)			
Revocation	2	4	2
Voluntary Surrender	10	10	9
Suspension	3	2	2
Probation with Suspension	0	0	0
Probation	11	11	12
Probationary License Issued	6	3	1
Other			
PROBATION			
New Probationers	13	7	15
Probations Successfully Completed	5	3	5
Probationers (close of FY)	70	70	74
Petitions to Revoke Probation	1	2	2
Probations Revoked	0	0	0
Probations Modified	0	0	2
Probations Extended	0	0	0
Probationers Subject to Drug Testing	10	7	8
Drug Tests Ordered *	-	-	-
Positive Drug Tests *	-	-	-
Petition for Reinstatement Granted	0	0	0
DIVERSION			
New Participants	N/A	N/A	N/A
Successful Completions	N/A	N/A	N/A
Participants (close of FY)	N/A	N/A	N/A
Terminations	N/A	N/A	N/A
Terminations for Public Threat	N/A	N/A	N/A
Drug Tests Ordered	N/A	N/A	N/A
Positive Drug Tests	N/A	N/A	N/A

* The Board requested this data from Phamatech. Following is the information provided.

Fluid tests performed:
7/1/14 – 6/30/15: 283
7/1/13 – 6/30/14: 268
7/1/12 – 6/30/13: 288
7/1/11 – 6/30/12: 212

Table 9c. Enforcement Statistics (continued)

	FY 2012/13	FY 2013/14	FY 2014/15
INVESTIGATION			
All Investigations (Use CAS Report EM 10)			
First Assigned	611	643	861
Closed	630	515	736
Average days to close	82	84	87
Pending (close of FY)	128	239	336
Desk Investigations (Use CAS Report EM 10)			
Closed	612	608	769
Average days to close	38	43	54
Pending (close of FY)	53	103	190
Non-Sworn Investigation (Use CAS Report EM 10)			
Closed	0	0	1
Average days to close	0	0	6

Pending (close of FY)	0	0	1
Sworn Investigation			
Closed (Use CAS Report EM 10)	88	67	91
Average days to close	326	387	276
Pending (close of FY)	69	70	85
COMPLIANCE ACTION (Use CAS Report 096)			
ISO & TRO Issued	0	2	3
PC 23 Orders Requested	3	0	0
Other Suspension Orders	0	0	0
Public Letter of Reprimand	0	2	1
Cease & Desist/Warning	10	21	19
Referred for Diversion	0	0	0
Compel Examination	1	0	1
CITATION AND FINE (Use CAS Report EM 10 and 095)			
Citations Issued	10	2	90
Average Days to Complete	210	319	36
Amount of Fines Assessed	14,250	5,500	27,077
Reduced, Withdrawn, Dismissed	2,500	2,000	17,399
Amount Collected	8,000	925	17,101
CRIMINAL ACTION			
Referred for Criminal Prosecution	1	0	1

Table 10. Enforcement Aging

	FY 2011/12	FY 2012/13	FY 2013/14	FY 2014/15	Cases Closed	Average %
Attorney General Cases (Average %)						
Closed Within:						
1 Year	2	6	3	6	11	3.67
2 Years	8	3	11	7	29	7.25
3 Years	11	3	3	2	19	4.75
4 Years	7	0	0	0	7	1.75
Over 4 Years	0	0	0	0	0	0
Total Cases Closed	28	11	17	15	71	17.75
Investigations (Average %)						
Closed Within:						
90 Days	485	496	413	555	1949	487.25
180 Days	53	57	52	101	263	65.75
1 Year	42	35	15	39	131	32.75
2 Years	39	37	24	34	134	33.5
3 Years	8	3	10	6	27	6.75
Over 3 Years	0	0	0	0	0	0
Total Cases Closed	627	628	514	735	2504	626

33. What do overall statistics show as to increases or decreases in disciplinary action since last review?

Overall there has been no increase or decrease in disciplinary action since the last review.

34. How are cases prioritized? What is the board's complaint prioritization policy? Is it different from DCA's *Complaint Prioritization Guidelines for Health Care Agencies* (August 31, 2009)? If so, explain why.

The Board prioritizes cases in accordance with DCA's August 2009 memorandum, "Complaint Prioritization for Health Care Agencies". There are three levels of prioritization: urgent, high, and routine. Each complaint is reviewed and placed in one of the three categories. Complaints involving sexual misconduct are immediately placed in the "urgent" priority and forwarded to the Health Quality Investigative Unit (HQIU) for formal investigation. All other complaints are opened in the order received and assigned to an analyst. Analysts review the complaint and determine appropriate action.

35. Are there mandatory reporting requirements? For example, requiring local officials or organizations, or other professionals to report violations, or for civil courts to report to the board actions taken against a licensee. Are there problems with the board receiving the required reports? If so, what could be done to correct the problems?

The mandatory reporting requirements are as follows:

- Business and Professions Code section 801(a) requires that every insurer providing professional liability insurance to a person who holds a license, certificate, or similar authority from or under any agency specified in subdivision (a) of Section 800 send a complete report to that agency as to any settlement of an arbitration award over three thousand dollars ($3,000) of a claim or action for damages for death or personal injury caused by that person's negligence, error, or omission in practice, or by his or her rendering unauthorized professional services.
- Business and Professions Code, section 802 (a) requires a person who holds a license, certificate, or other similar authority from an agency specified in subdivision of Section 800, to report any settlement, judgement or arbitration award over three thousand dollars ($3,000) of a claim or action for damages for death or personal injury caused by that person's negligence, error or omission in practice, or by his or her rendering unauthorized professional services.

- Business and Professions Code, section 803 (a) requires the clerk of the court, within 10 days after a judgement by a court of this state, to report if any person who holds a license, certificate, or other similar authority from the Board has committed a crime, or is liable for any death or personal injury resulting in a judgement for an amount in excess of thirty thousand dollars ($30,000) caused by his or her negligence, error or omission in practice, or his or her rendering unauthorized professional services.

- Business and Professions Code, section 803.5, requires the district attorney, city attorney, or other prosecuting agency to notify the Board of any filings against a licensee charging a felony immediately upon obtaining information that the defendant is a licensee of the board. The notice must identify the licensee and describe the crimes charged and the facts alleged.

- Business and Professions Code, section 805(b), requires peer review bodies, such as health care service plans, and committees that review quality of care, to report to the Board whenever a licentiate's application for staff privileges or membership is denied or rejected for a medical disciplinary cause or reason, a licentiate's membership, staff privileges, or employment is terminated or revoked for a medical disciplinary cause or reason or, restrictions are imposed, or voluntarily accepted, on staff privileges, membership of employment for a cumulative total of 30 days or more for any 12-month period, for a medical disciplinary reason.

While the Board primarily receives violation reports via B & P Code Section 801(a), we have not had difficulty retrieving reports from any other mandatory reporting entity.

36. Does the board operate with a statute of limitations? If so, please describe and provide citation. If so, how many cases have been lost due to statute of limitations? If not, what is the board's policy on statute of limitations?

The Board operates within a statute of limitations. Business and Professions Code, section 2960.5, provides in pertinent part, that any accusation filed against a licensee pursuant to Section 11503 of the Government Code be filed within three years from the date the Board discovers the alleged act or omission that is the basis for disciplinary action, or within seven years from the date the alleged act or omission that is the basis for disciplinary action occurred, whichever occurs first. If an alleged act or omission involves a minor, the seven-year limitation period provided for by subdivision (a) and the 10-year limitation period provided for by subdivision (e) is tolled until the minor reaches the age of majority.

Since the last Sunset Review, the Board has not lost jurisdiction due to statute of limitations.

37. Describe the board's efforts to address unlicensed activity and the underground economy.

The Board continues to investigate all unlicensed activity cases. If the Board receives a complaint alleging false or misleading advertising, the enforcement staff will send a Cease and Desist letter informing the subject that he or she must remove or correct the advertisement immediately. Cases that allege unlicensed practice are referred to the Health Quality Investigate Unit (HQIU) for formal investigation. HQIU can perform undercover sting operations and work with local District Attorney Offices for criminal prosecution.

Cite and Fine

38. Discuss the extent to which the board has used its cite and fine authority. Discuss any changes from last review and describe the last time regulations were updated and any changes that were made. Has the board increased its maximum fines to the $5,000 statutory limit?

A Citation and Fine is an enforcement action the Board can take against a licensee or unlicensed person who is found to be in violation of Psychology Laws and Regulations. Citation and fines are used to address relatively minor violations that typically do not warrant formal discipline.

Effective August 10, 2005, the Board increased its fine authority to the statutory limit of $5,000.

39. How is cite and fine used? What types of violations are the basis for citation and fine?

A Citation and Fine is an alternative method to cases that do not warrant formal discipline. The types of violations that are the basis for Citation and Fines include, but are not limited to the following:

- Failure to comply with the continuing education requirements;
- Failure to disclose conviction information on a renewal application;
- False or misleading advertising;
- Unlicensed practice; and
- Failure to maintain proper record keeping.

40. How many informal office conferences, Disciplinary Review Committees reviews and/or Administrative Procedure Act appeals of a citation or fine in the last four (4) fiscal years?

The Board of Psychology does not have a Disciplinary Review Committee. In the last four fiscal years the Board held 43 informal conferences and three administrative procedure act appeal hearings. An informal conference is one level of a citation appeal that is held in the Board office with the Executive Officer and staff or conducted via written argument or telephonically.

41. What are the five (5) most common violations for which citations are issued?

The five most common violations for which citations are issued are as follows:

- Failure to comply with the continuing education requirements;
- Failure to disclose conviction information on renewal application;
- False or misleading advertising;
- Unlicensed practice; and
- Failure to maintain proper record keeping.

42. What is average fine pre- and post- appeal?

The average pre-appeal for Continuing Education citation orders is $398 and the average post-appeal fine is $200.

The average pre-appeal for enforcement citation orders is $1950 and the average post-appeal fine is $1125.

43. Describe the board's use of Franchise Tax Board intercepts to collect outstanding fines.

In instances of failure to pay a fine within the required time, the licensee or non-licensee's information is forwarded to the DCA for referral to Franchise Tax Board for collection through its Offset Program. As of October 30, 2015, the Board has referred three unpaid fines totaling $3,500. The Board has thus far received $1,000.

Cost Recovery and Restitution

44. Describe the board's efforts to obtain cost recovery. Discuss any changes from the last review.

Business and Professions Code section 125.3 states, in part, that the Board may request the administrative law judge direct any licentiate found to have committed a violation or violations of the licensing act, to pay the Board a sum not to exceed reasonable costs of the investigation and enforcement of the case. Cost Recovery is a standard term and condition specified in the Board's disciplinary guidelines for all proposed decisions and stipulations. There have been no changes in this policy since the last review.

45. How many and how much is ordered by the board for revocations, surrenders and probationers? How much do you believe is uncollectable? Explain.

There is no specific amount of cost recovery ordered for revocations, surrenders, and probationers. Each discipline case has its own amount of cost recovery ordered depending on the investigation and prosecution costs incurred. Most cost recovery is due within 12 months of the order's effective date. During negotiations, a probationer can request a payment plan if he or she needs additional time to

reimburse the Board. All cost recovery must be paid six-months prior to the completion of probation. If cost recovery is determined to be unrecoverable, the Board uses the Franchise Tax Board's Offset intercept program to collect the amount due. Generally, licensees pay cost recovery as it is a term and condition of probation, and to not pay could result in the revocation of the license. (See Table 11)

46. Are there cases for which the board does not seek cost recovery? Why?

The Board cannot order cost recovery for cases that are categorized as "Default Decisions". Default Decisions are cases where the subject fails to file a Notice of Defense or fails to appear at his or her scheduled hearing. Additionally, the Board does not seek cost recovery in cases where it has denied a license or registration and a Statement of Issues has been filed, as cost recovery is applicable to licensees, not license applicants.

47. Describe the board's use of Franchise Tax Board intercepts to collect cost recovery.

Failure to pay cost recovery is generally a violation of probation, so it is not common for a licensee to fail to pay cost recovery. In January 2015, the Board began using the Franchise Tax Board (FTB) to collect outstanding monies due. In the only recent instance where cost recovery was not paid, the Board sent a required intercept letter to the individual as specified by the FTB. The final submission of unpaid debt was sent to the DCA Accounting Unit. DCA submits the matter to FTB for collection.

48. Describe the board's efforts to obtain restitution for individual consumers, any formal or informal board restitution policy, and the types of restitution that the board attempts to collect, i.e., monetary, services, etc. Describe the situation in which the board may seek restitution from the licensee to a harmed consumer.

The Board may impose a probation term compelling restitution. The Board can order restitution in cases involving Medi-Cal or other insurance fraud. One example of when restitution would be ordered is in cases where a patient or client paid for services that were never provided. Evidence relating to the amount of restitution would be introduced at the administrative hearing. Failure to pay the ordered restitution would be deemed a violation of probation and further discipline or revocation would be sought. (See Table 12)

Table 11. Cost Recovery (list dollars in thousands)

	FY 2011/12	FY 2012/13	FY 2013/14	FY 2014/15
Total Enforcement Expenditures	$1,465	$1,242	$1,323	$1,538
Potential Cases for Recovery *	9	31	27	30
Cases Recovery Ordered	5	10	19	22
Amount of Cost Recovery Ordered	$39	$207	$172	$20
Amount Collected	$16	$58	$74	$43

* "Potential Cases for Recovery" are those cases in which disciplinary action has been taken based on violation of the license practice act.

Table 12. Restitution (list dollars in thousands)

	FY 2011/12	FY 2012/13	FY 2013/14	FY 2014/15
Amount Ordered	0	2734	0	0
Amount Collected	0	0	0	0

49. How does the board use the internet to keep the public informed of board activities? Does the board post board meeting materials online? When are they posted? How long do they remain on the board's website? When are draft meeting minutes posted online? When does the board post final meeting minutes? How long do meeting minutes remain available online?

The Board continually updates its website to reflect upcoming Board activities, changes in laws, regulations, licensing and/or registration, and other relevant information of interest to stakeholders. Board meeting calendars are posted on the website a year in advance. Agendas are posted on the Board's website at least 10 days prior to meeting dates. Meeting materials are also made available on the website. These items remain available on the website for at least seven years. The Board has archived information dating back to 2007. Draft minutes are posted online only as agenda item materials for an upcoming meeting. Minutes from each Board meeting are posted on the Board's website once they have been formally approved and adopted by the Board at a subsequent meeting. Minutes remain available on the Board's website for approximately seven to eight years.

50. Does the board webcast its meetings? What is the board's plan to webcast future board and committee meetings? How long do webcast meetings remain available online?

The Board has been webcasting its meetings since 2011 and will continue to request that the DCA webcast future Board and Committee meetings. Webcast meetings remain on the website along with the meeting agendas and materials for at least seven years.

51. Does the board establish an annual meeting calendar, and post it on the board's web site?

The Board posts an annual calendar of Board meetings to its website and updates this calendar as various committee and task force meetings are scheduled.

52. Is the board's complaint disclosure policy consistent with DCA's *Recommended Minimum Standards for Consumer Complaint Disclosure*? Does the board post accusations and disciplinary actions consistent with DCA's *Web Site Posting of Accusations and Disciplinary Actions* (May 21, 2010)?

The Board's disclosure policy is consistent with the DCA's Recommended Minimum Standards for Consumer Complaint Disclosure as well as the Department's Web Site Posting of Accusations and Disciplinary Actions. The Board posts discipline documents on the licensee's verification page on the website and sends a monthly email of all disciplinary actions initiated or finalized in that month to persons who have requested to receive such information.

53. What information does the board provide to the public regarding its licensees (i.e., education completed, awards, certificates, certification, specialty areas, disciplinary action, etc.)?

The Board provides license number, license status, issue date of license, expiration date of license, address of record and history of disciplinary actions on its licensees. The Board is interested in pursuing legislation to allow disclosure of licensees' educational information as well. (See Section 11 New Issues)

54. What methods are used by the board to provide consumer outreach and education?

The Board has a standing Outreach and Education Committee. The goal of this Committee is to proactively educate, inform and engage consumers, licensees, schools, students and other

stakeholders about the practice of psychology and its governing laws. In addition to updating its consumer brochures such as Professional Therapy Never Includes Sex and For your Peace of Mind: A Consumer Guide to Psychological Services, the Board maintains its website with current, relevant information for consumers. Consumers can also sign up on the Board's website to receive email notifications on a variety of topics. The Board also provides consumer updates on its Facebook page and on Twitter. The public also has access to view Board of Psychology meeting webcasts. In addition, in 2013, the Board began conducting some of its meetings at schools of psychology to encourage student and faculty participation. Last, the Board tracks its website and social media and has seen an increasing trend in total hits, followers and likes. The Board looks forward to future opportunities to enhance its outreach and education efforts.

Section 7 – Online Practice Issues

55. Discuss the prevalence of online practice and whether there are issues with unlicensed activity. How does the board regulate online practice? Does the board have any plans to regulate internet business practices or believe there is a need to do so?

The Board receives numerous inquiries about online practice, but receives very few complaints directly related to on-line practice. The goal of the Telepsychology Committee is to develop regulatory language for the practice of psychology that is conducted remotely within the State of California and interstate practice. This is a rapidly developing area of the profession, and technology has outpaced the current guidelines.

Section 8 – Workforce Development and Job Creation

56. What actions has the board taken in terms of workforce development?

The Board continues to adopt procedures to ensure a more streamlined internal process in an effort to license and register qualified applicants to be able enter the psychology workforce. The Board monitors licensing times and consistently addresses issues to ensure the most efficacious process contributing to workforce development.

The Board strives to meet its mandate of timely and efficient licensing, continuing education and enforcement processing in order to reduce any negative impact to California business. When promulgating regulations, the Board is required to consider the impact of the proposed regulatory changes on small businesses. To this end, the Board is mindful of any possible unintended consequences when carrying out its mission.

The Board has committed to engage in a two-year campaign (February 2015-2017) regarding access to mental healthcare in the State of California in an effort to increase the number of mental health providers in California's underserved and un-served communities.

The Board collects, in addition to the fees charged pursuant to section 2987 of the Business and Professions Code for the biennial renewal of a license, an additional fee of $10 at the time of renewal. This fee is transferred to the Mental Health Practitioner Education Fund that is administered by the Health Professions Education Foundation (HPEF), under the Office of Statewide Health Planning and Development (OSHPD). The OSHPD offers a number of scholarship and loan repayment programs

for eligible health professional students and graduates. All program recipients are required to provide direct patient care in a medically underserved area of California as designated by OSHPD. The period of obligated professional service is one to four years depending upon the program.

57. Describe any assessment the board has conducted on the impact of licensing delays.
The Board conducted an assessment of licensing delays on job creation, resulting in an approved Budget Change Proposal to increase licensing staff by three (3) positions to resolve those licensing delays.

58. Describe the board's efforts to work with schools to inform potential licensees of the licensing requirements and licensing process.

Schools are identified stakeholders to the Board and as such are consulted on statutory and regulatory changes that may impact students and future applicants to the Board. For example, the Suicide Prevention Survey that was sent to training directors and educational institutions asking whether existing curriculum included suicide prevention training resulted in an advocacy position on AB 2198 (Levine) taken by the Board.

59. Provide any workforce development data collected by the board, such as:

a) Workforce Shortages

DCA has not collected data regarding workforce shortages in the recent decade.

b) Successful Training Programs

DCA has not collected data regarding successful training programs in the recent decade.

Section 9 – Current Issues

60. What is the status of the board's implementation of the Uniform Standards for Substance Abusing Licensees?

The Board submitted a Rulemaking File with the Office of Administrative Law (OAL) in September 2015 to amend regulations to implement the Uniform Standards for Substance Abusing Licensees. OAL disapproved the file on November 6, 2015, stating clarity and consistency issues. The Board will address the issues raised by OAL and resubmit the Rulemaking File to OAL within the 120 day resubmission period.

61. What is the status of the board's implementation of the Consumer Protection Enforcement Initiative (CPEI) regulations?

The Board has adopted the following regulatory changes pursuant to the goals set forth in the CPEI Initiative:

CCR 1380.4 was amended to further consumer protection by delegating and conferring additional specific functions and authorities relative to investigative and administrative proceedings.

CCR 1397.2 was adopted to define conducts, other than those currently referenced in law, as unprofessional.

The Board has, since its report to the Committee in 2012, filled the enforcement positions it received as a result of the CPEI. Through these increased positions, the Board has been successful in meeting its statistical benchmarks in the enforcement program.

62. Describe how the board is participating in development of BreEZe and any other secondary IT issues affecting the board.

The Board created an Examination/BreEZe Coordinator position specifically to handle any new developments in BreEZe. The coordinator is responsible for identifying deficiencies, reporting them to BreEZe and testing the fixes. The coordinator also attends monthly DCA Licensing User's Group meetings, DCA Reports User's Group meetings, DCA Cashiering User's Group meetings etc. to discuss issues with other Boards and report back any information that can be beneficial to the Board.

Section 10 – Board Action and Response to Prior Sunset Issues

Include the following:

1. **Background information concerning the issue as it pertains to the board.**
2. **Short discussion of recommendations made by the Committees/Joint Committee during prior sunset review.**
3. **What action the board took in response to the recommendation or findings made under prior sunset review.**
4. **Any recommendations the board has for dealing with the issue, if appropriate.**

ISSUE # 1 *from November 1, 2011*: Will the Board be able to successfully fill vacant positions?

Background: As with other regulatory boards, the Board of Psychology has been working within the limitations of the current fiscal emergency and the resulting Executive Orders. As a result, the Board has experienced a number of vacancies and encountered considerable difficulty in filling the vacancies due to the hiring limitations. As a small Board without any redundant positions, all vacancies directly affect the productivity and timeliness of the Board's processes as the workload resulting from these vacancies must be absorbed by remaining staff.

Effective January 2011, the Board received additional budget approval through the DCA's Consumer Protection Enforcement Initiative (CPEI) to hire 2 investigators, 2 medical consultants, and one limited term analyst, bringing its staffing level to 19.5 authorized positions. The Board has worked with DCA Office of Human Resources (OHR) to fill these CPEI positions. Although these positions were funded in January 2011, the Board had been unable to fill them due to the hiring freeze implemented in August 2010.

Though the Board continues to improve its timeliness, vacancies reduce the amount of progress that can be made. At the time of its November 2011 Report, 41% of the Board's allotted positions (or 8 positions), including the positions that were granted as a result of the CPEI, were vacant. Also, because of the classification level of some of these positions, the Board indicated that it has received disappointingly low interest from potential candidates to fill those positions.

Staff Recommendation: The Board should inform the Committee of its current staffing levels. Are there current staff vacancies? What are the current challenges to fill vacant positions? What has been the effect of the staff vacancies on the Board's operations?

BOARD RESPONSE *at that time*: Issue #1:

The Board is currently filling position vacancies, as reported to the committee. Two full-time employees (one Office Technician and one Staff Services Analyst) were hired to fill two of those vacant positions prior to our March 19, 2012 review hearing. Another employee is starting on April 18th, 2012 to fill the position of main receptionist/Office Technician. We also expect for our allotted Consumer Protection Enforcement Initiative (CPEI) (four positions) to be offered by June 2012. This includes our non-sworn investigators and Medical Consultants. We are currently working with personnel in order to fill these positions. Interviews will be conducted before May 1, 2012.

The challenges with filling the positions are inherent within any large organization. The process itself sometimes delays offering the positions to your first or second choices as determined from the interview. By the time some of the "processes" are completed, those persons have accepted positions elsewhere. This, in turn, begins the whole interview process over again as the best candidates are no longer available.

Globally, the effect on staff, besides morale, as far as workload has been severely impacted. As with any less than optimal situation, we adapt as best we can and look for new ways of doing things and reinvention of previous procedures. But, there is a time when we do reach the law of diminishing returns and/or unintended consequence.

Some of the previous issues entailed:

- Cashiering becoming backlogged so we have to pull senior staff to assist on a daily basis.
- The public is not being responded to in the timeliest manner as per the Board rule of within 24 hours.
- Filing has become backed up.
- There was a delay in acknowledging applications.
- BOP mail/calls were not able to be responded to within 24 hours.
- Minor probation violations and Continuing Education deficiencies were not able to be addressed in as timely a manner based on what we use as a standard.
- Licensing processing times have increased substantially.
- Backlogged fingerprint issues related to the new regulations requiring licensees to undergo Live scan.

Not having someone to perform these daily tasks certainly impacts other processes.

As these positions fill in, I expect our Board standards to return to the point of excellence in dealings for all our stakeholders.

Currently, the challenge is to complete our hiring processes for all our allotted desk and CPEI positions, prior to any other order re-instating a hiring freeze. We expect to meet this challenge.

UPDATE:

The Board is not currently experiencing any significant vacancy issues or workload backlogs. The Board is able to fill vacant positions quickly and efficiently.

ISSUE # 2 *from November 1, 2011*: Improved enforcement workload management in spite of decreased staffing levels.

Background: The Board reported in its November 2011 Report that 41% of the allotted positions were vacant. The organizational chart submitted with the Report showed 8 vacancies out of a staff of 19.5 authorized positions. Despite its vacancies, it appears that the Board has made adjustments to

its complaint handling functions that allowed staff to meet or exceed many of its performance expectations.

In recent years, in an effort to improve its administrative functions, the Board established performance measures for four key areas: complaint intake, intake and investigation, formal discipline, and probation intake. To date, with existing staff, the Board has significantly reduced the processing times for complaint intake and desk investigations. In the last two years, the processing time for complaint intake was reduced by 40% and desk investigation has been reduced from 133 days to 32 days which represents a 76% decrease in processing time. The Board established a goal for formal discipline to reduce the processing time from an average of 1,000 days to 540 days. The Board's current processing time for formal discipline is an average of 894 days.

The Board's administrative improvements include the development of enforcement process guidelines for staff to clearly establish expected processing times. New procedures for complaint intake and overall monitoring were implemented and resulted in a 40% reduction to processing time.

The Board has further reviewed and updated its complaint procedure manuals to reflect current processes and provide staff with streamlined and detailed direction for all enforcement processes. Further administrative improvements include enhanced training for staff in investigative techniques and report writing.

In light of the reduced staffing levels, noted above, how does the Board explain the seemingly increased efficiencies in a number of its operations?

Staff Recommendation: The Board should discuss with the Committee how it has been able to achieve complaint handling efficiencies while dealing with budget and staffing reductions, vacancies and furloughs in the recent past. Are there additional changes which could be made to enable to Board to address its workload in light of its staffing limitations?

BOARD RESPONSE *at that time*: Issue #2:

Process improvement is necessary on a continual basis. During these less than perfect times, the Enforcement team has been able to develop ways to work smarter and more efficiently in order to more effectively meet our CPEI goals. Implementation of new complaint intake and desk investigation procedures resulted in a reduction in our processing times. The Board eliminated unnecessary intake procedures, reduced the time allowed to provide responses and records to the Board when requested, improved monitoring of cases under review by an expert to ensure timely completion, implemented complaint processing time staff expectations, and increased complaint monitoring to more quickly identify processing delays.

With improved manuals, increased training for current staff and not settling for the status quo (in policy) just because of difficult fiscal constraints, we have been able to affect change in a few important areas of Enforcement, Complaint intake and desk investigations. These improvements contribute to the reduction of the total times for case resolution and the meeting the CPEI standards. While the Board has no direct control over many of the processes once assigned outside of the Board, this is no reason to not enhance what we can do for the consumer complaint resolution within Board Operations.

In light of all the recent challenges, any positive changes and improvements are because of exceptional staff competence and working towards the common Department and Agency goals.

UPDATE:

Since the Board filled the enforcement positions it received as a result of the CPEI Initiative, the Board's enforcement staff has been able to meet its performance objectives.

ISSUE # 3 *from November 1, 2011*: Are regulatory or legislative changes needed regarding telehealth or the online practice of psychology?

Background: The Board states in its Report that the issue of the practice of psychology by alternative methods such as telephone and online psychotherapy has recently moved to the forefront of issues facing the profession of psychology. The Board states that California, along with many other states and provinces, are beginning to look seriously into this topic and how it affects consumers.

The Board acknowledges that there are many issues regarding providing psychological services electronically across state lines, such as the location of the recipient of the services and the location of the provider; however, there are many other issues regarding the provision of psychological services electronically within California that the Board needs to address first. These issues include, but are not limited to, safety, security, informed consent, and ethical practice.

The Board has considered conducting a symposium and inviting various individuals and organizations knowledgeable about telehealth, including the ASPPB which is currently developing guidelines that could be useful for all psychology licensing jurisdictions. The California Psychological Association (CPA) has offered to partner with the Board in this endeavor. The Board is aware of the urgency of this issue, as there are licensees who are currently practicing telehealth, and the Board will be determining if regulations regarding this issue are necessary to protect consumers of psychological services in California.

According to the Board, whether legislation or some basic regulations are needed is yet to be determined. There are many similar discussions in other jurisdictions regarding telehealth. Since this delivery of mental health services will encompass much more than our state, the Board states that efforts must be made to ensure that consumers are not harmed if receiving services from another jurisdiction. Working with the other jurisdictions (boards) in assessing what is needed for the best practice in teleheath will also benefit the California consumer when they leave the state. Telehealth would allow the continuation of therapy without interruption due to proximity to the practitioner.

Staff Recommendation: The Board should update the Committee on its evaluation of whether regulations or legislation are needed regarding telehealth or the online practice of psychology.

BOARD RESPONSE *at that time*: Issue #3:

The Board of Psychology is in the process of researching and analyzing the various aspects of telehealth and what impact this newer mode of psychotherapy delivery will have on the consumer of these services. Once this is completed, the Board will be in a better position to determine what regulatory changes will be needed.

The term "telehealth services" can be defined broadly to include all interactions that are not in-person between health care professionals and their patients. These may include telephonic communication, E-mail, texting, chat rooms, and interactive video.

<u>There are some advantages to telehealth services:</u>

- Telehealth improves access to care for people who live in remote areas or who, due to illness or mobility problems, cannot leave home
- Also this delivery mode can support clients between regularly scheduled office visits.

But, <u>there are some potential ethical and legal issues</u>, inherent in the use of telehealth, that are of concern to the Board of Psychology:

These include the following:

- <u>Competency</u> – Psychologists need to be competent not only in psychological practice, but in the practice of telehealth.

- Security and patient private – Skype and other live stream video mechanisms may not be totally secure. Further, there is no guarantee that there is confidentiality in these telehealth sessions.
- Licensing and discipline issues – These are of concern especially related to psychologists who treat clients across state and national borders outside of one's jurisdiction.
- Responses to an emergency – There is the serious problem regarding the inability of the psychologist to respond to crisis or emergency situations if the client lives so far away, especially if the psychologist is unfamiliar with resources that are local to where the client is residing.
- Many clients need for personal interface and the psychologist may need to assess whether the lack of an in-person interaction may be a potential detriment to successful care.

The Board of Psychology is most supportive of embracing the new technologies as stated in our 2011-2013 Strategic Plan. Yet, we want to make certain that there are safeguards in place to protect the consumer of these forms of psychological services.

The Board of Psychology has a telehealth work group with Dr. Michael Erickson, one of our licensed members, and Ms. Gail Evans, one of our public members, that is studying this issue. They are preparing preliminary recommendations, which will be reviewed and discussed at our next Board of Psychology meeting. Dr. Erickson and Ms. Evans will be meeting with Mr. Kahane, the Executive Officer, on May 7, 2012 to review prepared previously discussed guidelines, in order to submit to the Board for review and then post on our website as "Advisory", prior to the Board determining or adapting regulations.

Further, we are working closely with various organizations that are knowledgeable about telehealth including the Association of State and Provincial Psychology Boards (ASPPB), which is currently developing guidelines that we may be able to adapt for psychologists in California ensuring the best possible care for the consumers of California.

Once solid guidelines are established for the breadth of practice in this area, the Board of Psychology will be better able to determine the regulations or further legislation that will be needed.

UPDATE:

The Board has a Telepsychology Committee dedicated to this issue. The Committee continues to explore items of concern in this area such as the location of the recipient of the services and the location of the provider, safety, security, informed consent, and ethical practice. Telepsychology Guidelines have been developed by the Joint Task Force for the Development of Telepsychology Guidelines for Psychologists consisting of the following three entities: the ASPPB, the American Psychological Association (APA) and the APA Insurance Trust (APAIT). Additionally, Business and Professions Code section 2290.5, which speaks to the issue of telehealth, was amended by Stats. 2014, Ch. 404, Sec. 1 to address the issue of Informed Consent and became effective September 18, 2014. The Board's Committee has drafted proposed regulatory language to clarify when telehealth practice is appropriate and will present the language to the Board for consideration in 2016.

ISSUE # 4 *from November 1, 2011*: Are there regulatory or legislative changes which should be made regarding unaccredited schools?

Background: The Board states that California is the only state which allows students from unaccredited schools to sit for psychology licensing examinations. All other states require students to be from accredited institutions, accredited by either a regional or national accrediting body. This

leaves California as an outlier in the profession, and stands as an impediment to the Board entering into any reciprocity agreements with other states.

The Board indicates that the lack of reciprocity with other states is a barrier to full participation by California-licensed psychologists in national issues. The Board also would like all psychologists and students in California to be included in national organizations, able to be accepted into internship placement programs and have the ability to become licensed in other states. These limitations are among many which those practitioners from California, who attended an unaccredited school, will be subject to.

According to the Board, it is currently monitoring statistics and passing rates. The Board has recently sent out letters to all national organizations questioning their reasoning regarding the limitations they have set for those who have not attended accredited institutions. With the re-establishment of the Bureau for Private Postsecondary Education (BPPE), the Board is hopeful that these unaccredited institutions, while having their students continue to apply for licensure, will be held accountable within the new regulations, to the minimum standard of notifying those students, prior to attending, of the limitations of their graduation and degree from a non-accredited program.

Section 2914 of the Business and Professions Code requires each applicant for licensure to possess a doctoral degree in psychology, educational psychology, or in education with a field of specialization in counseling psychology or educational psychology from a regionally accredited educational institution in the United States or Canada, or from an educational institution in California that is approved by the BPPE. It provides that applicants for licensure trained in an educational institution outside the United States or Canada shall demonstrate to the satisfaction of the Board that he or she possesses a doctorate degree in psychology that is equivalent to a degree earned from a regionally accredited university in the United States or Canada.

There are currently 6 schools approved by the BPPE that meet the educational criteria to qualify for licensure. The Board has no authority over school approvals or their operation and curriculum. The Board feels very strongly about full disclosure in regards to the restrictions an unaccredited degree program in psychology has on California students in regards to mobility and membership in various professional organizations and programs within the profession. AB 611 (Gordon, Chapter 103, Statutes of 2011) set forth certain disclosure requirements pertaining to accreditation status, licensure, and related limitations for unaccredited doctoral programs.

Staff Recommendation: The Board should inform the Committee of its current efforts regarding the issue of unaccredited schools. To what extent are California students being harmed by this issue? Is there a way for the Board to better inform potential students of the differences between attending an accredited versus an unaccredited school and to keep a list of both. Are there regulatory or legislative changes that need to be made regarding unaccredited schools? What can be done to enhance the ability of California's licensed psychologists to have reciprocity with other states?

BOARD REPSONSE *at that time*: Issue #4:

The Board of Psychology exists to protect the consumers of psychological services and believes approved schools are truly a consumer and public protection issue.

After more than a year of review culminating at the February 2012 Board meeting, the Board voted to ask the legislature to eliminate from the Business and Professions Code 2914 (g), the requirement that the Board must allow students from approved schools to become candidates for licensure as a psychologist.

In the background paper for the Board of Psychology 2012 Sunset Review, the staff asked if students are being harmed by the issue of approved schools. Based on the Board's review, we believe, yes, the students are being harmed. Students go to these programs with high hopes and big dreams of becoming a psychologist.

Approved schools students graduating from their programs can sit for the BOP licensing examination. Not reported is that only 30 percent of their students pass the licensing examination. This is in comparison to our state pass rate of about 75% for the Examination for Professional Practice in Psychology (EPPP). The EPPP is the only national comparison for psychology students and students from approved schools perform significantly worse than students from regionally or professionally accredited programs. This result is based on either the quality of the program's education or the quality of students who they accept into the program or both. A recent article in the NY Times described how approved schools advertise that students will be able to reach their career goals through their programs. The overwhelming numbers of these students are not able to do so. We should protect these vulnerable students.

Students who graduate from approved schools and become licensed as a psychologist, and the legislature, appear to understand that there are many limitations to those degrees. The legislature passed a law requiring approved schools to describe these limitations to potential applicants. Students rely on the schools to be honest and provide factual information about their degrees.

Dr. Judy Hall, the Executive Director of the National Register of Health Service Providers in Psychology stated: "The most troubling aspects are that these CA state approved schools are not always forthcoming with prospective students about the limitations which will be placed upon their careers." And what are these limitations? The Board received evidence of significant limitations on degrees from approved schools:

- These students cannot become licensed as a psychologist in any other state.
- These students cannot join the national professional association – the American Psychological Association.
- These students cannot become board certified by the American Board of Professional Psychology.
- These students are not eligible to be listed in the National Register of Health Service Providers in Psychology.
- These students cannot be employed by the Veterans Health and Medical Centers, the largest employer of psychologists in the United States.

In addition, these academic programs:

- Cannot join national associations of training programs in professional psychology and they
- Cannot become accredited by Psychology's Commission on Accreditation.

The Board is concerned that psychologists from these approved schools are not eligible to actively participate in their profession. The Board is also concerned for consumers treated by those psychologists. Those practitioners attended a school that has limited oversight and does not participate in the national education and training associations, and dialogues.

The Board emphasizes that approved schools have limited oversight. The Bureau for Private and Post-Secondary Education provides limited guidance to these programs. During the February 2012 Board Meeting, one approved school program director said the school had not been reviewed by the Bureau (BBPVE or BBPE) since 1998 (that is 14 years ago).

Another program training director who recently received national accreditation reported that the program had to extensively revise and improve their program to meet the accreditation standards. Lack of oversight is problematic for the schools, the students and the public that may be served.

- For a number of years, there were only 11 approved schools whose students were eligible to become licensed as a psychologist. There now are only 6 approved schools that grant a psychology degree.
- Two of the 11 programs merged with regionally accredited and APA accredited programs; one program states on their website that they do not grant doctoral degrees – only MA degrees; one states they are not a degree granting program but rather an institute, and one received national accreditation.

The Board encourages these remaining six schools to enhance their programs, seek oversight, and become accredited. The Board believes students from these six approved schools should not be eligible for licensure as a psychologist, unless these programs become accredited. Students from unaccredited medical schools are not eligible to sit for licensure as a physician. This is as it should be for psychologists.

A quote from Dr. David Cox, the Executive Director of the American Board of Professional Psychology stated:

"I suspect that in its efforts to protect the citizens of the State of California, the legislature and the Board of Psychology, would want to at least meet, if not exceed, those minimal standards that have been accepted widely within the profession of psychology."

Those minimal standards require graduation from an accredited program. The Board believes the time to change Business and Professions Code 2914 (g) is now.

The Board is not able to dictate to the other states regarding reciprocity for California psychologists. Though we are members of the Association of State and Provincial Psychology Boards (ASPPB), with all 50 states, Canadian Provinces and US Commonwealths, each state individually does in fact have reciprocal control. As California licenses psychologists at the lowest level in the United States, though we have 24 % of all the psychologists in the US, these states can choose not to include us in any direct reciprocity agreements. As we have such a large percentage of the psychologists in the nation, the actual lack of reciprocity affects many practitioners in the state who did attend accredited schools.

UPDATE:

The Bureau for Private Postsecondary Education (BPPE) has proposed regulatory changes to implement sections of The California Private Postsecondary Education Act of 2009 (Act) added by Senate Bill (SB) 1247, Chapter 840 Statutes of 2014, which went into effect on January 1, 2015. The Act requires all non-exempt institutions to be approved by the Bureau for Private Postsecondary Education (Bureau) to operate in California, and specifies that all institutions demonstrate minimum operating standards. SB 1247 amended the minimum operating standards to require all degree-granting institutions to be accredited by an accrediting agency recognized by the Unites States Department of Education. Specifically, institutions approved by the Bureau on or before January 1, 2015, must be accredited by July 1, 2020, achieve accreditation candidacy or pre-accreditation by July 1, 2017, and to have submitted an accreditation plan by July 1, 2015. Institutions not approved by the Bureau on or before January 1, 2015, must seek "provisional approval" from the Bureau with an accreditation plan for no more than two degree programs, be accredited within five years of issuance of the provisional approval, and achieve accreditation "candidacy or pre-accreditation" within two years of the provisional approval. In all circumstances, institutions must notify students enrolling in these programs that the institution or program is not currently accredited. Failure to meet or comply with any of the requirements will result in an automatic suspension. The Act directs the Bureau to adopt emergency regulations and then permanent regulations through the regular rulemaking process to implement these sections of the Act added by SB 1247. The emergency regulations were filed on January 30, 2015 and became operational February 1, 2015.

The Board believes these changes have not gone far enough to address its original concerns.

Students of approved schools:

- are ineligible to attend accredited internship and/or postdoctoral training programs;
- have some of the lowest examination passage rates on the EPPP (significantly below the national average);
- cannot become licensed as a psychologist in virtually any other state;
- cannot join the national professional association as full members;
- cannot become Board Certified by ABPP;
- are not eligible to be listed in the National Register of Health Providers in Psychology; and
- cannot be employed by the Veterans Health & Medical Centers (the largest employer of psychologists in the United States).

Approved schools cannot join national associations of training programs in professional psychology, and their programs cannot be accredited by the only agency to accredit psychology doctoral programs, the Commission on Accreditation.

The Board is also greatly concerned about consumers being treated by graduates who attend schools with limited oversight, who cannot participate in vetted internships and postdoctoral training programs, and whose schools do not participate in dialogues of national education and training associations.

ISSUE # 5 *from November 1, 2011*: What is the status of the Board's efforts to ensure the continued competency of its licensees?

Background: The Board requires each licensee to complete 36 hours of continuing education for each two-year license renewal. The Board reports that it averages a 92% compliance rate of licensee compliance with the continuing education requirements, and that most noncompliance issues deal with deficiencies in submitting the proper documentation of the completed continuing education courses.

The Board additionally states that it has also discussed continued professional development/competency for licensed psychologists. The Board states that continued competency has been an issue on the agenda for the Board's Committee on Contemporary and Emerging Issues for the past several Board meetings. The Committee has been looking at how licensees can demonstrate competency beyond continuing education. In 2011, the Committee on Contemporary and Emerging Issues recommended referring this topic to the Board's Continuing Education Committee. The Board stated that the Committee would review models regarding continued professional development/competency created by the Association of State and Provincial Psychology Boards and the American Psychological Association at the November 2011 Board meeting. The Board states that it is also planning to partner with the California Psychological Association to address this developing issue.

Given that the Board has discussed the issue in the recent past, and more closely considered the issue of continuing competency through two of its committees, including reviewing models for demonstrating continuing competency, it would be appropriate for the Board to give its current assessment of the issue of continuing competency. Are there models for demonstrating continuing competency that appear viable, in the Board's estimation? Has the Board engaged in discussions with the California Psychological Association about continuing competency?

Staff Recommendation: The Board should discuss with the Committee its efforts to date to address continuing competency, and what it expects to accomplish in the near future regarding this issue.

BOARD RESPONSE *at that time*: Issue #5:

The Board of Psychology is working to replace the single requirement of traditional continuing education courses with a more robust continued competency model which we believe will further ensure the continued competency of California's psychologists.

Current research shows that traditional continuing education efforts have disappointing results and that one time continuing education classes do very little to ensure continued competency.

At the most recent Board of Psychology meeting in February, 2012, the Board members discussed the concept of Continued Professional Development or Continued Competency for our licensees and we reviewed some of the work done in this area by the Association of State and Provincial Psychology Boards.

We will be working on further developing our own Continued Competency Model for California psychologists at our next Board of Psychology Meeting in June, 2012.

We envision developing a Model that requires a psychologist to set professional development goals and participate in a variety of professional activities such as ongoing peer consultation, academic courses, teaching, publishing articles, attending educational conferences, in addition to taking Continued Education courses.

Our current Board President, Dr. Richard Sherman, has also volunteered to participate in a proposed Department of Consumer Affairs (DCA) Work Group on this issue so we can look at standards across all California Healing Arts Boards.

UPDATE:

Immediately following the Board's response to the Committee regarding this matter, it began the process of redeveloping and redesigning the continuing education model to replace it with a more comprehensive and relevant Continuing Professional Development (CPD) model. The proposed model expands the number of ways in which a licensed psychologist may obtain the necessary 36 hours of CPD. The newly included CPD activities, e.g. conference and convention attendance, practice outcome monitoring, peer consultation, academic instruction, etc., are designed to make use of what research indicates actually contributes to increased learning and maintenance of professional competence. The expanded CPD activities also include a variety of modes in which learning can occur and should decrease professional isolation. The proposed model also establishes a requirement that licensees engage in learning activities pertinent to cultural diversity and social justice issues as they apply to the practice of psychology in California.

The Board held a public hearing in August 2014 to approve regulatory changes for the continuing educational requirements. Based upon public comments to the proposal, the matter was referred back to committee to consider those comments as it made modifications to the proposed model. The public response continued to express substantive concerns regarding clarity of the new model. The Board voted at its August 2015 meeting to withdraw the Rulemaking File and to defer the issue to its Licensing Committee to develop new draft language for the Board to review at a future Board meeting.

ISSUE # 6 *from November 1, 2011*: What is the status of pending regulations?

Background: The Board has reviewed and implemented a number of rulemaking changes since the previous sunset review. The two regulatory packages noted above were "pending" at the time the Sunset Report was submitted to the Committee. The Board should update the Committee about the status of these two regulatory proposals, especially the regulations which would streamline and augment the Board's enforcement processes.

This regulatory proposal is in response to the DCA's request to implement regulations to enhance the Board's mandate of consumer protection. The DCA launched the Consumer Protection Enforcement Initiative (CPEI) to overhaul the enforcement processes used by healing arts boards within the Department, in order to reduce the average enforcement completion timeline from 36 months to between 12 and 18 months. The regulations implement certain elements that were reflected in

SB 1111 (Negrete McLeod) from 2010, and SB 1441 (Ridley-Thomas, Chapter 548, Statutes of 2008). The former DCA Director encouraged the boards in the Department to develop regulatory changes, as needed, to implement the changes that could be adopted through the regulatory process.

The regulations would make the following changes to enhance the Board's mandate of consumer protection:

- Delegate authority to the executive officer to approve settlement agreements for revocation, surrender, or interim suspension of a license or registration.
- Delegate authority to the executive officer to order an applicant or licensee to submit to a physical or mental examination if it appears the person may be unable to safely perform licensed duties and functions due to physical or mental illness.
- Clarify the authority of the executive officer to deny an application if the applicant is unable to safely practice, based on the review of the evaluation report.
- Prohibit "gag clauses" in civil settlement agreements that forbid the party from contacting, cooperating with, or filing a complaint with the Board, or that require a person to withdraw a complaint filed with the Board.
- Define as unprofessional conduct the failure to cooperate and participate in any Board investigation pending against a licensee or registrant.

Staff Recommendation: The Board should inform the Committee of the current status of the proposed regulations relating to delegation of functions to the executive officer and regarding unprofessional conduct for licensees.

BOARD RESPONSE *at that time*: ISSUE #6:

Our two pending regulations since the submission of our Sunset Report in December of 2011 have been our Continuing Education regulation concerning the elimination of the auditing and centralized entity, Mandatory Continuing Education for Psychologists (MCEP) Accrediting Agency and the Delegation of Functions to the Executive Officer and Unprofessional Conduct.

Continuing education audits will continue and be done by the Board, as is more in line with the national standards for the auditing of Continuing Education for psychologists. This model has been approved by national and state associations. This regulation was approved effective March 17, 2012. It will become operative January 1, 2013.

Regarding the Delegation of Functions to the Executive Officer and Unprofessional Conduct, the Board has previously had two notices regarding modified text. The last additional comments were reviewed at our February 2012 Board Meeting. This package has been submitted to the legal office as of March 29, 2012.

Recently, as of April 12, 2012, a new legal opinion was distributed to the Boards regarding the implementation of the Uniform Standards. This was received after the Sunset Committee hearing. In order to fully comply with this new current opinion, which has been determined by DCA legal as the one to follow, the Board will be reviewing our proposed text for modification at the next Board Meeting in June 2012. This will allow the Board to modify the regulations to be in accordance with the latest

legal opinion regarding any Board discretion vs. the implementation of the Uniform Standards as written.

The Board approved the proposed language in our disciplinary guidelines and the matter is being set for public hearing. We remain proactive and are proceeding accordingly.

UPDATE:

The Board currently has two regulatory proposals pending:

The Board submitted a Rulemaking File to the Office of Administrative Law (OAL) in September 2015 regarding Uniform Standards Related to Substance Abuse and Disciplinary Guidelines. OAL disapproved the file on November 6, 2015. The Board will address concerns, notice the corrections and resubmit the Rulemaking File.

The Board held a regulatory hearing at its August 2015 Board meeting proposing to continue to allow licensees to report a mailing address for purposes of establishing their address of record, acknowledging that this information is public record. The Board further proposed to require licensees to provide the Board with a physical business or residential address, which would not be disclosed to the public, when the licensee has provided a mailing-address-only as the address of record. The proposed amendment permits licensees to maintain the level of privacy they require as practicing psychologists, but also permits the Board to make necessary and efficient contact with the licensee population in order to meet its mandate of consumer protection. The Board is also proposing to require applicants and licensees who have an email address, to provide and maintain that address with the Board. Requiring licensees who have an email address to provide and maintain that address allows the Board to provide more efficient services to its licensee population. The Rulemaking File is currently pending review by the Department of Consumer Affairs for approval prior to submission to OAL.

ISSUE # 7 *from November 1, 2011*: What is the status of BreEZe implementation by the Board?

Background: Although the existing CAS system has been updated and expanded over the years, it still has inadequate performance measures, data quality errors, an inability to quickly adapt to changing laws and regulations, and a lack of available public self-service options. The DCA intends to procure a Modifiable Commercial Off-The-Shelf (or "MOTS") enterprise licensing and enforcement case management system. This system, known as the BreEZe Project will provide the DCA boards, bureaus, and committees with a new enterprise-wide enforcement and licensing system. BreEZe will replace the existing outdated legacy systems and multiple "work around" systems with an integrated solution based on updated technology.

BreEZe will provide all DCA organizations with a solution for all applicant tracking, licensing, renewal, enforcement, monitoring, cashiering, and data management capabilities. In addition to meeting these core DCA business requirements, BreEZe will improve the DCA's service to the public and connect all license types for an individual licensee. BreEZe will be web-enabled, allowing licensees to complete applications, renewals, and process payments through the Internet. The public will also be able to file complaints, access complaint status, and check licensee information. The BreEZe solution will be maintained at a three-tier State Data Center in alignment with current State IT policy.

BreEZe is an important opportunity to improve the Board operations to include electronic payments and expedite processing. Staff from numerous DCA boards and bureaus have actively participated with the BreEZe Project. Due to increased costs in the BreEZe Project, last year SB 543 (Steinberg, Chapter 448, Statutes of 2011) was amended to authorize the Department of Finance (DOF) to augment the budgets of boards and bureaus and other entities that comprise DCA for expenditure of non-General Fund moneys to pay BreEZe project costs within the 2011-2012 Budget Year.

The DCA intends to roll out BreEZe over a period of 18 months, with the first boards implementing the new changes later this year. According to the current implementation schedule, the Board will begin using BreEZe in the Summer of 2012. It would be helpful to update the Committee about the Board's current work to implement the BreEZe project.

Staff Recommendation: The Board should update the Committee about the current status of its implementation of BreEZe. What have been the challenges to implementing this new system? What are the costs of implementing this system? Is the cost of BreEZe consistent with what the BPM was told the project would cost?

BOARD RESPONSE *at that time*: Issue #7:

The Board is involved in the first phase rollout of the BreEZe Project. Currently, Board staff is actively participating in Conference Room Pilot and Data Mapping sessions with the BreEZe staff and vendor to ensure that the new system will contain the functionality the Board requires to efficiently utilize the BreEZe system. Additionally, Board staff is reviewing and correcting errors in data identified in the current systems to ensure a smooth transition during data conversion to the new system. Although these processes are very resource-draining due to the amount of time staff must dedicate, they are most certainly necessary to ensure an excellent work product that is usable by the Board.

Psychology's share of the current BreEZe BCP for FY 12/13 is $76,777 which is consistent with cost information provided in the past.

UPDATE:

The Board went live with BreEZe in October 2014.

ISSUE # 8 *from November 1, 2011*: Webcasting Board meetings.

Background: The Board reports that in August 2011, the Board began webcasting its meetings. Although as of this date only two Board meetings have been webcast, the Board anticipates utilizing this technology for all future meetings. Once the webcast is available, the Board immediately posts it on the Board's website.

Webcasting is an important tool that can allow for remote members of the public and those who may be unable to travel to a board meeting to stay apprised of the activities of the Board as well as well as trends in the profession.

Staff Recommendation: The Board should continue its efforts to webcast future Board meetings in order to allow the public the best access to meeting content and to stay apprised of the activities of the Board and trends in the profession.

BOARD RESPONSE *at that time*: Issue #8:

The Board continues to webcast its meetings and dispenses information to those not in attendance, encouraging viewing during the actual Board Meeting. The Board has also used all outreach events to inform the profession and public that these meetings are posted and available for viewing on our website shortly after the meeting and archived afterwards. As webcasting continues, the Board expects more interest from psychologists and the consumer in the Board's actions and their necessity of understanding the Board's duties, how they are accomplished and the transparency involved in all decision making by the Board.

UPDATE:

The Board has webcast all of its Board meetings since 2011 and will continue to webcast them into the future. Webcast meetings remain on the website along with the meeting agendas and materials for at least seven years.

ISSUE # 9 *from November 1, 2011*: Loans to the General Fund.

Background: Since FY2002/2003 the Board has made two loans to the General Fund; $5 million in FY2002/2003, and $2.5 million in FY2008/2009. To date, the Board has not received any repayment of the loan amounts. The total outstanding loan balance owed to the Board remains at $7.5 million.

Staff Recommendation: The Committee requests that the Board provide an update about the status of the loans and when the funds are projected to be returned. Has the Board received any report from the Department of Finance regarding the repayment of the loans?

BOARD REPSONSE *at that time*: Issue #9:

As described above in the background, the total outstanding balance remains as noted.

7.5 million dollars. The Board has not received any notification or report from the Department of Finance (or any other entity) regarding any repayment of the General Fund loans.

UPDATE:

A loan of $5.0 million was made from the Board to the General Fund in Fiscal Year (FY) 2002/03. $3.8 million is scheduled for repayment in FY 2016/17; $1.2 million is scheduled for repayment in FY 2017/18.

A loan of $2.5 million was made from the Board to the General Fund in FY 2008/09, and is scheduled for repayment in FY 2016/17.

Interest is scheduled for payment in FYs 2016/17 and 2017/18, at which time there will be no remaining balance.

ISSUE # 10 *from November 1, 2011*: Should the licensing and regulation of the practice of psychology be continued and be regulated by the current Board membership?

Background: The health, safety and welfare of consumers are protected by a well-regulated psychologist profession. The Board has shown over the years a strong commitment to improve the Board's overall efficiency and effectiveness and has worked cooperatively with the Legislature and this Committee to bring about necessary changes. The Board should be continued with a four-year extension of its sunset date so that the Committee may review once again if the issues and recommendations in this Paper and others of the Committee have been addressed.

Staff Recommendation: Recommend that the practice of psychology continue to be regulated by the current Board members in order to protect the interests of the public and be reviewed once again in four years.

BOARD RESPONSE *at that time*: Issue #10:

The Board enthusiastically agrees with the staff recommendation to continue the doctoral level Board of Psychology. The Board continues to work positively in all areas of our Strategic Plan. We look forward to maintaining our outstanding working relationship with the administration, agency and department for the utmost in consumer protection and board service to our stakeholders. Currently, the Board is in the process of addressing future important consumer protection issues regarding Telehealth and Continued Competency, including the new technologies and assessment of national models, to ensure the best guidelines and/or regulations which will be needed to continue our mission of consumer protection.

UPDATE:

In order to protect the consumers of psychological services in the State of California, the Board strongly urges the Legislature to continue the regulation of the practice of psychology by the Board of Psychology. In the next four years, the Board will seek resolution in the following major areas:

- telepsychology
- continuing professional development
- regulation of the profession of applied behavior analysis.

Section 11 – New Issues

This is the opportunity for the board to inform the Committees of solutions to issues identified by the board and by the Committees. Provide a short discussion of each of the outstanding issues, and the board's recommendation for action that could be taken by the board, by DCA or by the Legislature to resolve these issues (i.e., policy direction, budget changes, legislative changes) for each of the following:

1. **Issues that were raised under prior Sunset Review that have not been addressed.**

There are no issues that were raised under the prior Sunset Review report that have not been addressed.

2. **New issues that are identified by the board in this report.**

CONTINUING PROFESSIONAL DEVELOPMENT

Traditional models of continuing education in healing arts professions entail formal learning activities conducted in classroom or workshop settings. While these activities are beneficial, a broader approach to professional development has demonstrated benefits.

The key goals to a continuing professional development program should:

- provide relevant and current information on the practice, education, and science of the profession;
- enable licensees to keep pace with emerging issues and technologies; and
- allow licensees to maintain, develop, and increase competencies in order to improve services to the public and enhance contributions to the profession.

The Board is seeking to amend existing continuing education statutes and regulations to ensure that continuing professional development courses and programs use an evidence-based approach to bolster the knowledge, skills, and abilities of psychologists as well as to enhance a responsive practice in broader areas that reflect the diversity of consumers' needs and cultural backgrounds.

The Board is refining regulatory changes to the continuing education requirements in its Licensing Committee. As part of this effort, however, statutory changes are also necessary to Business and Professions Code section 2915 in order to incorporate broader continuing competency opportunities into existing continuing education requirements. For example, incorporating peer consultation and

practice outcome monitoring to the list of acceptable activities that can be used to meet continuing education hours.

Additional revisions to the California Psychology Licensing Law should include:

- redefining "Continuing Education" requirements as "Continuing Professional Development" requirements;
- removing specific course requirements found in the Business and Professions Code;
- enabling the Board to approve specific organizations that provide continuing professional development activities.

An updated regulatory proposal will be presented to the Board in 2016 and a detailed list of specific recommendations for statutory revisions will also be available at that time.

Expansion of Psychological Assistant Practice Areas

The Board has identified requirements to obtain a psychological assistant registration that are obsolete and not in keeping with the realities of current training environments, education and new technologies. In order to become a licensed psychologist, applicants must accrue 3,000 hours of supervised professional experience. A common way applicants accrue these hours is by registering as psychological assistants with the Board of Psychology. Psychological assistants typically will assess and provide psychological services to individuals or groups while under the supervision of a licensed psychologist or a board certified psychiatrist. These are individuals that have a Master's degree and are admitted into an appropriate doctoral program.

B&P section 2913 requires that a psychological assistant be employed by a specified entity to accrue the required hours of professional experience. There are a limited number of practice areas where psychological assistants can be employed. Specifically, psychological assistants can only be employed by psychological or medical corporations, psychology clinics licensed as such by the State of California, Bronzan-McCorquodale contract clinics, licensed psychologists, or board certified psychiatrists.

In today's environment, psychological assistants often find employment opportunities in settings that do not meet the legal requirements of section 2913. They also find training and experience opportunities that do not involve employment.

The Board proposes amending the California Business and Professions Code to change the focus of the experience options from an employment setting to a supervised setting, eliminating the limited six employment settings currently specified in statute.

Establish a Retired License Category

Under existing law, licensees that are retired have the option to pay $50 every two years to have their license placed on "inactive" status or they can choose not to pay for an inactive status in which case the license is placed on "delinquent" status for five years after which the license is cancelled. The Board is seeking to establish a "retired" licensure category, similar to many other healing arts programs. The creation of this license type would provide for a one-time fee in order to place a licensee on "retired" status and would provide a means for a licensee on "retired" status to return to "active" status under certain circumstances.

Adding this license designation is a consistent request the Board receives from licensees, so it was added to the 2014-2018 Strategic Plan as Goal 1.9. Legislation on this topic for other licensing entities is also common. Recent legislation developing" retired" license categories includes:

- Professional Fiduciaries Bureau – AB 2024 (Bonilla, Ch. 336, Statutes of 2014)
- Board of Behavioral Sciences – AB 404 (Eggman, Ch. 339, Statutes of 2013)
- Board of Optometry – SB 1215 (Emmerson, Ch. 359, Statutes of 2012)

Additionally, AB 750 (Low, 2015) would have created a retired license category for all licensing programs within the DCA. The Board took a "support" position and will continue to monitor this legislation, which is currently a "two-year bill." The Board would propose adding language similar to that found in AB 750 to a newly added section in the Psychology Licensing Law.

REMOVE REFERENCE TO COMMISSIONERS ON EXAMINATION

Business and Professions Code section 2947 is outdated, referencing the Board's ability to appoint examination commissioners. This practice is no longer utilized. The Board works with the DCA's Office of Professional Examination Services to develop the California Law and Ethics Examination, and the national psychology examination, the EPPP, is developed and operated by the ASPPB.

3. New issues not previously discussed in this report.

APPLIED BEHAVIOR ANALYSIS

Applied behavior analysis (ABA) is often used to treat adults and children with intellectual disabilities at home, school or in a clinical setting. ABA has become widely recognized as an effective treatment for autism spectrum disorder. The practice of ABA, however, is unregulated in California. The Board has agreed that the profession of ABA should be regulated and the most appropriate location for that regulation is the Board of Psychology. Legislation was introduced last year to require specified licensure and registration for practitioners under the Board of Psychology. practiceThe author chose at the end of session to not pursue the bill. The Board anticipates introduction by a new author this upcoming legislative session.

License Look-Up Information

Require the Board to post historical information on existing and past licensees' approved graduate and post-graduate education, so that consumers may see where licensees obtained their doctoral degrees. The Board proposes adding Business and Professions Code section 2934.1 with language similar to that found in the Medical Practice Act, Business and Professions Code section 2027(b)(1).

4. New issues raised by the Committees.

As of the date of this report, the Board has received no additional issues from the Committee, and has addressed all prior issues from the last Sunset Review.

Section 12 – Attachments

Please provide the following attachments:

A. Board's administrative manual.
B. Current organizational chart showing relationship of committees to the board and membership of each committee (cf., Section 1, Question 1).
C. Year-end organization charts for last four fiscal years. Each chart should include number of staff by classifications assigned to each major program area (licensing, enforcement, administration, etc.) (cf., Section 3, Question 15).
D. Quarterly and Annual Performance Measures reports from the Department of Consumer Affairs' website.

Section 12

Attachment A

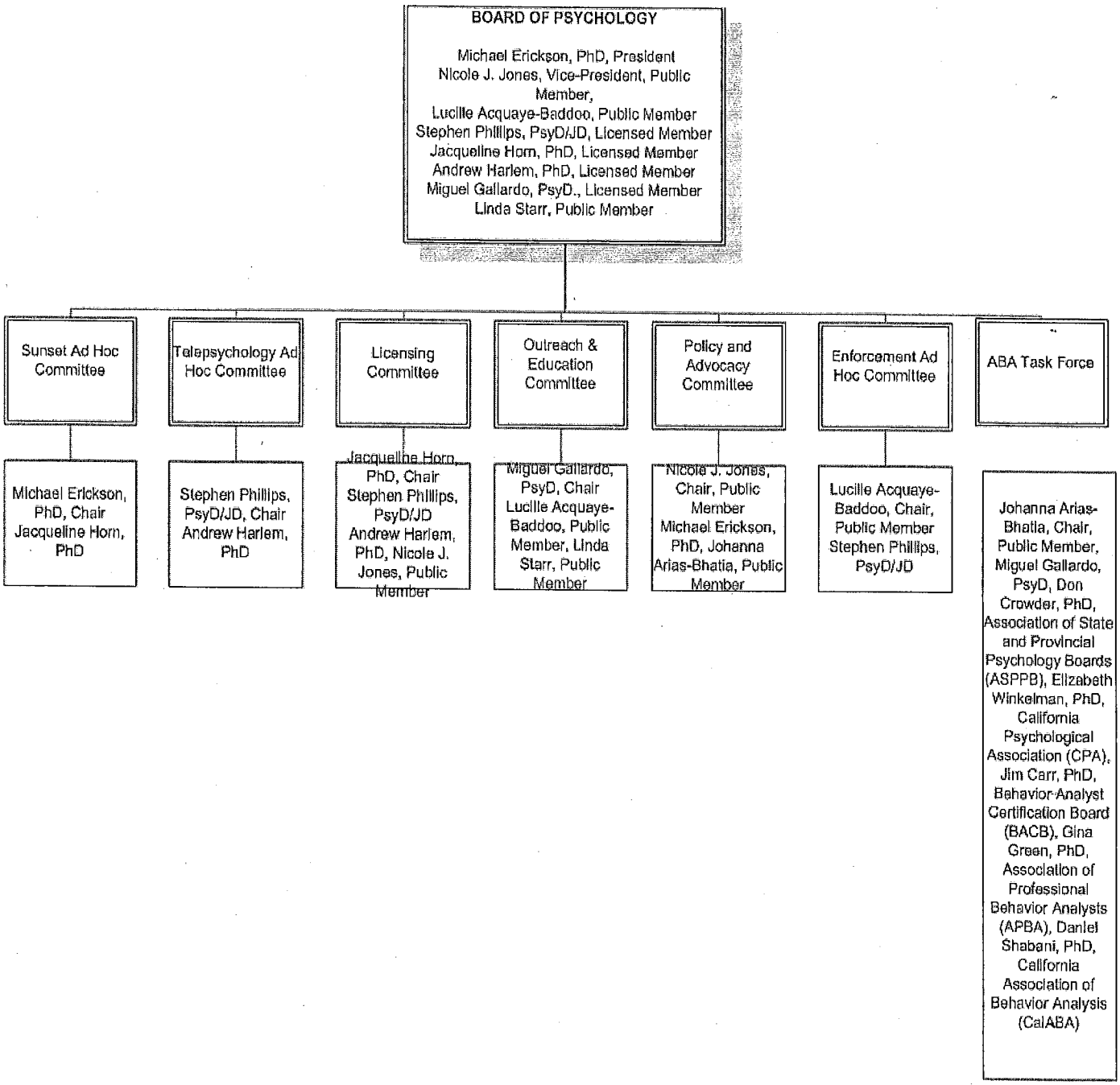
Hard Copy Included

Administrative

Procedures Manual

Section 12
Attachment B

Organizational Chart


BOARD OF PSYCHOLOGY
Michael Erickson, PhD, President
Nicole J. Jones, Vice-President, Public Member,
Lucille Acquaye-Baddoo, Public Member
Stephen Phillips, PsyD/JD, Licensed Member
Jacqueline Horn, PhD, Licensed Member
Andrew Harlem, PhD, Licensed Member
Miguel Gallardo, PsyD., Licensed Member
Linda Starr, Public Member
Sunset Ad Hoc Committee
Michael Erickson, PhD, Chair
Jacqueline Horn, PhD
Telepsychology Ad Hoc Committee
Stephen Phillips, PsyD/JD, Chair
Andrew Harlem, PhD
Licensing Committee
Jacqueline Horn, PhD, Chair
Stephen Phillips, PsyD/JD
Andrew Harlem, PhD, Nicole J. Jones, Public Member
Outreach & Education Committee
Miguel Gallardo, PsyD, Chair
Lucille Acquaye-Baddoo, Public Member, Linda Starr, Public Member
Policy and Advocacy Committee
Nicole J. Jones, Chair, Public Member
Michael Erickson, PhD, Johanna Arias-Bhatia, Public Member
Enforcement Ad Hoc Committee
Lucille Acquaye-Baddoo, Chair, Public Member
Stephen Phillips, PsyD/JD
ABA Task Force
Johanna Arias-Bhatia, Chair, Public Member, Miguel Gallardo, PsyD, Don Crowder, PhD, Association of State and Provincial Psychology Boards (ASPPB), Elizabeth Winkelman, PhD, California Psychological Association (CPA), Jim Carr, PhD, Behavior Analyst Certification Board (BACB), Gina Green, PhD, Association of Professional Behavior Analysts (APBA), Daniel Shabani, PhD, California Association of Behavior Analysis (CalABA)

Section 12

Attachment C

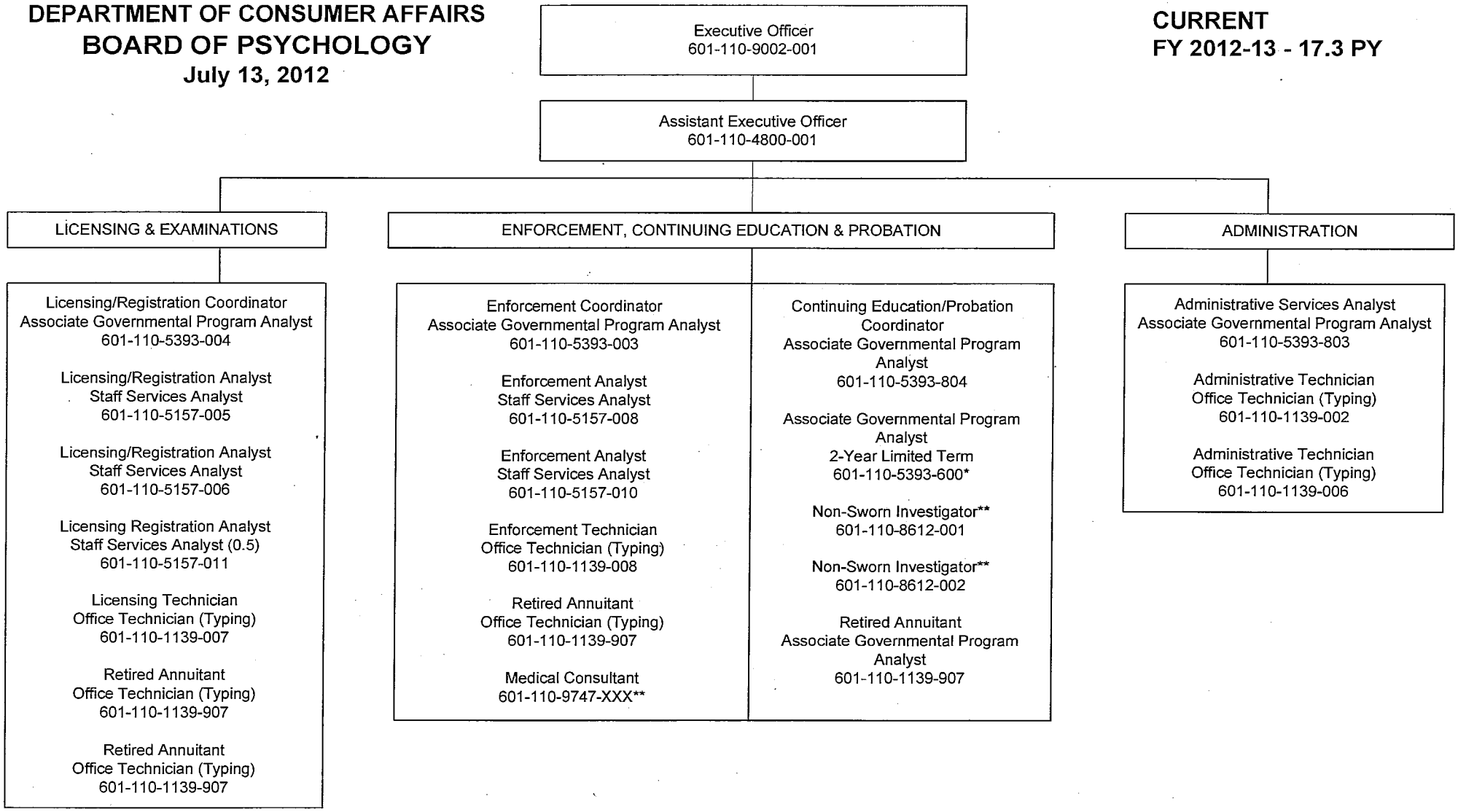
Year-end

Organization Charts

FY 12/13 – FY 15/16

DEPARTMENT OF CONSUMER AFFAIRS
BOARD OF PSYCHOLOGY
July 13, 2012

CURRENT
FY 2012-13 - 17.3 PY

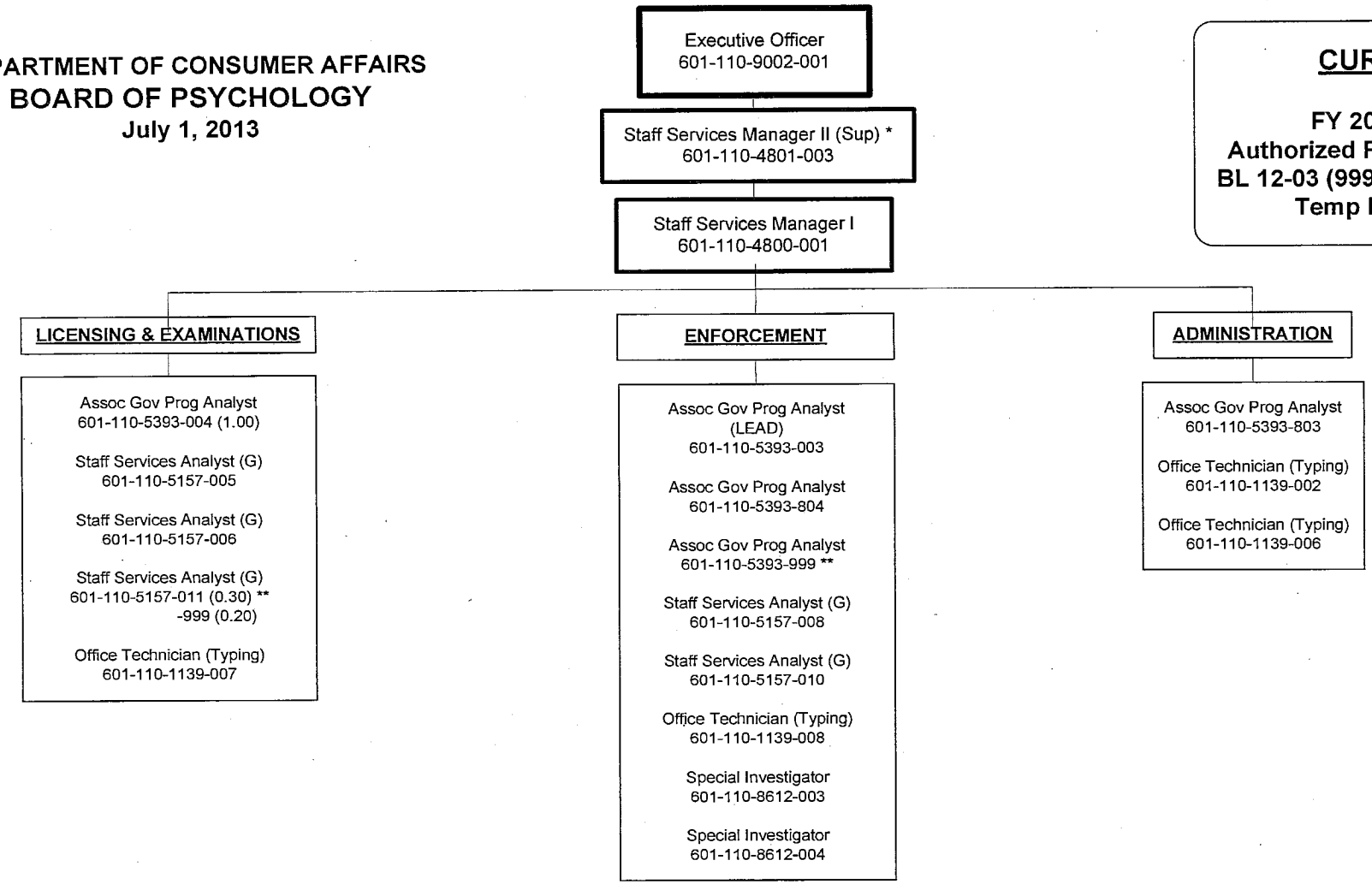


* Funding for Position October 1, 2010
** Funding for Positions January 1, 2011

DEPARTMENT OF CONSUMER AFFAIRS
BOARD OF PSYCHOLOGY
July 1, 2013

CURRENT

FY 2013-2014
Authorized Positions: 17.30
BL 12-03 (999 Blanket): 1.20**
Temp Help: 0.00

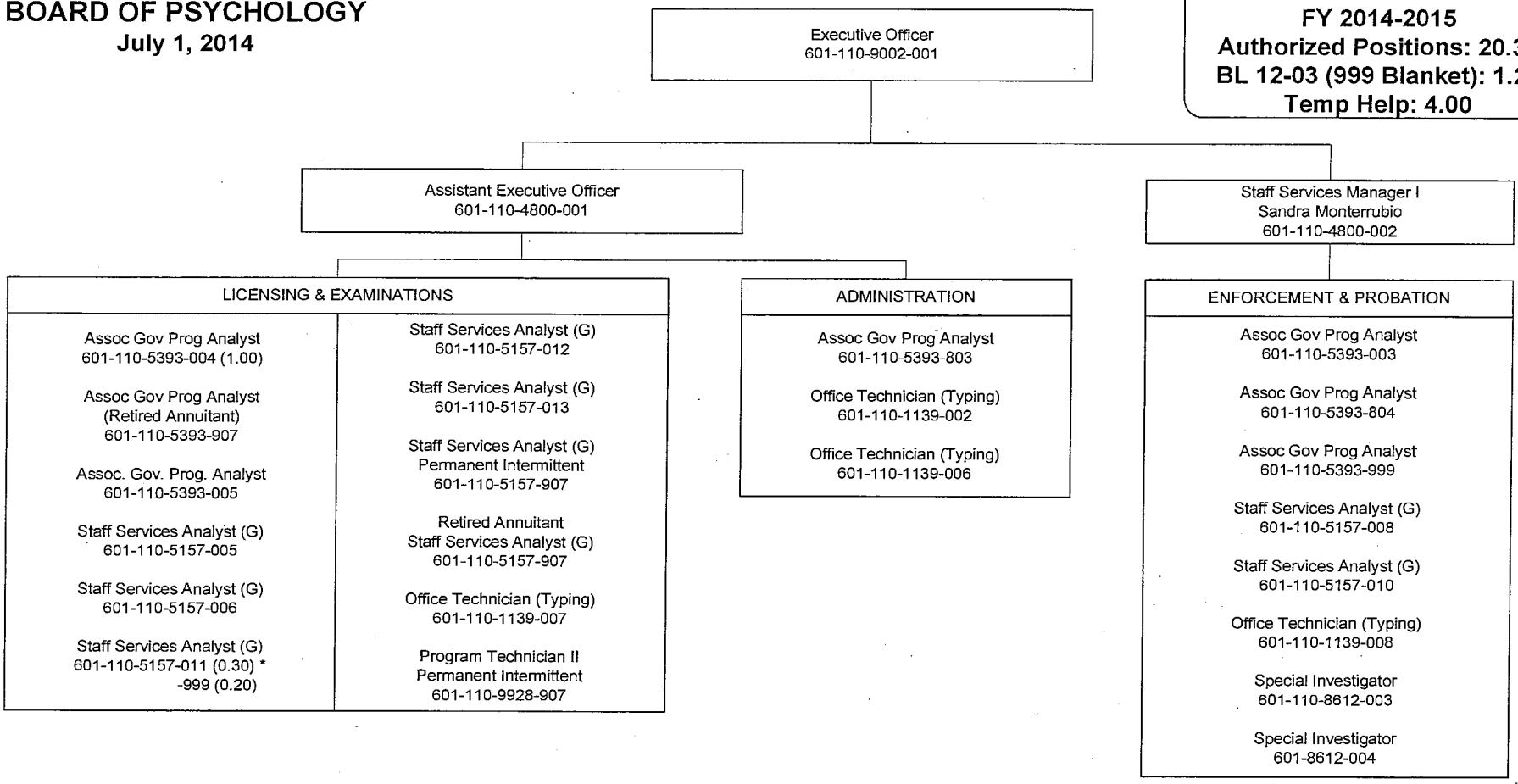


* = Position 601-110-4801-001 pending submission to DCA Office of Human Resources, and Dept. of Human Resources, for allocation review and approval.
** = Reduced Time Base of position effective 7/1/2012, due to Budget Letter 12-03.
NOTE: All positions are CORI designated.

DEPARTMENT OF CONSUMER AFFAIRS
BOARD OF PSYCHOLOGY
July 1, 2014

Current

FY 2014-2015
Authorized Positions: 20.30
BL 12-03 (999 Blanket): 1.20
Temp Help: 4.00

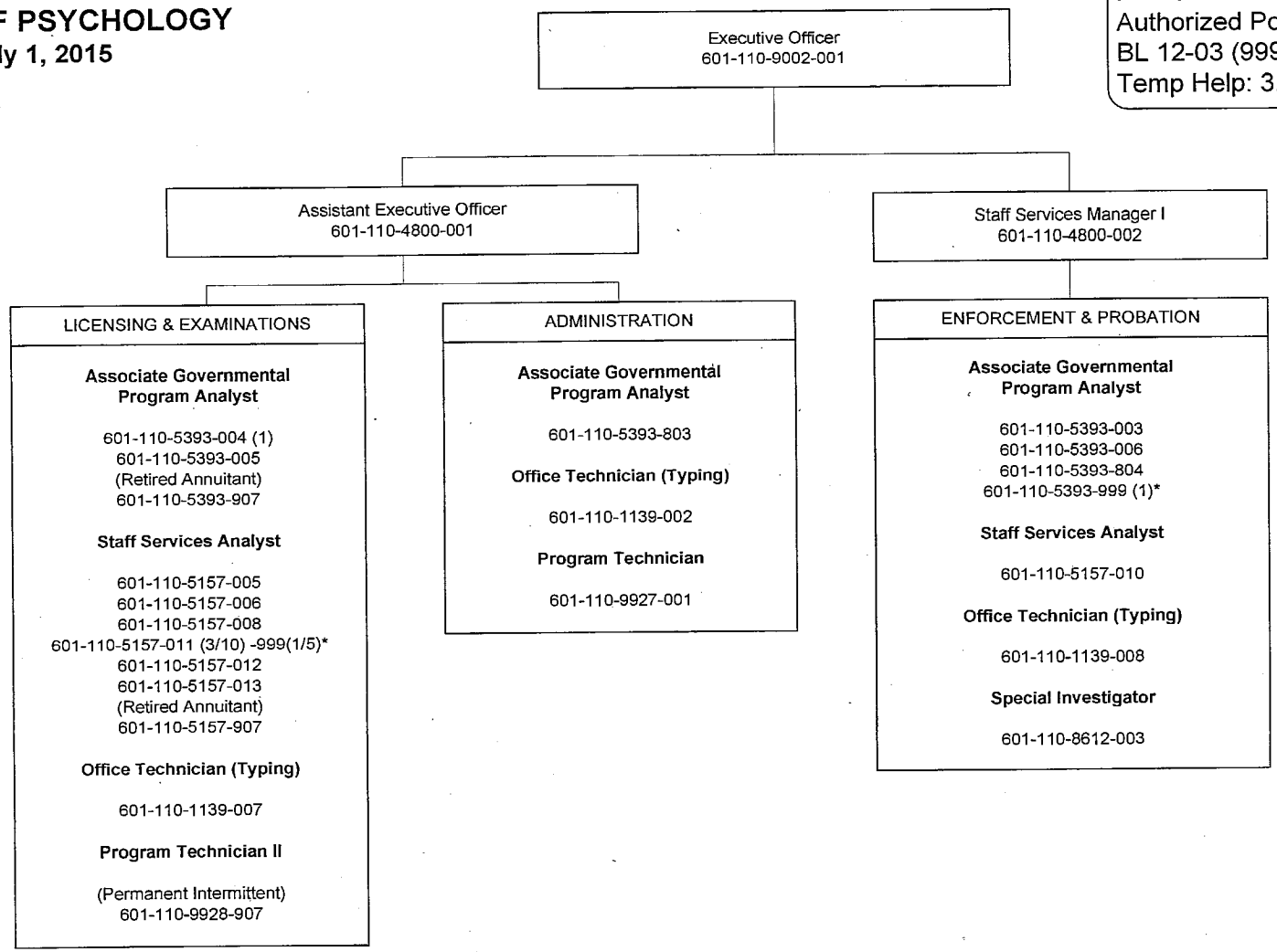


* = Reduced Time Base of position effective 7/1/2012, due to Budget Letter 12-03.

NOTE: All positions are CORI designated.

DEPARTMENT OF CONSUMER AFFAIRS
BOARD OF PSYCHOLOGY
July 1, 2015

Current
FY 2015-2016
Authorized Positions: 20.30
BL 12-03 (999 Blanket): 1.20
Temp Help: 3.00



* = Reduced Time Base of position effective 7/1/2012, due to Budget Letter 12-03.

NOTE: All positions are CORI designated.

Section 12

Attachment D

Quarterly and Annual Performance Measures

Department of Consumer Affairs

Board of Psychology

Performance Measures

Q1 Report *(July - September 2011)*

To ensure stakeholders can review the Board's progress toward meeting its enforcement goals and targets, we have developed a transparent system of performance measurement. These measures will be posted publicly on a quarterly basis.

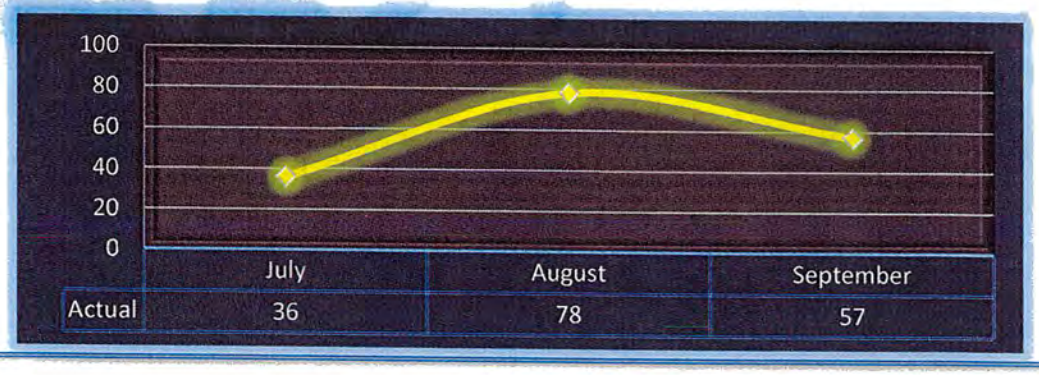
Volume

Number of complaints and convictions received.

Q1 Total: 171

Complaints: 147 Convictions: 24

Q1 Monthly Average: 57

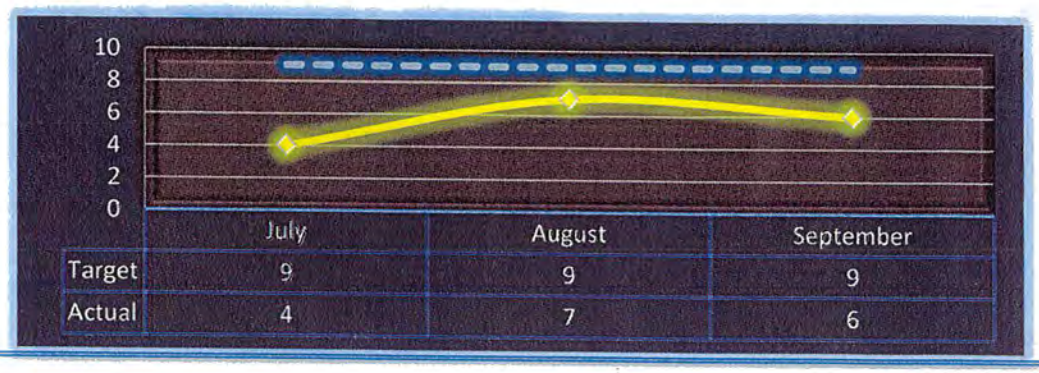


Intake

Average cycle time from complaint receipt, to the date the complaint was assigned to an investigator.

Target: 9 Days

Q1 Average: 6 Days

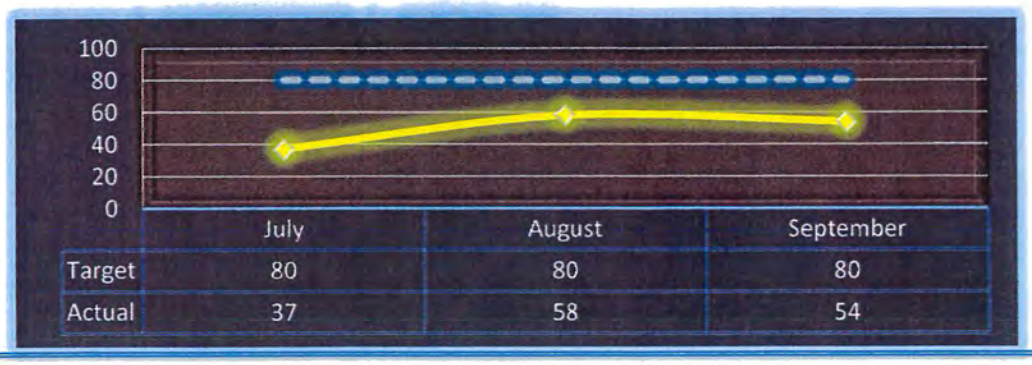


Intake & Investigation

Average cycle time from complaint receipt to closure of the investigation process. Does not include cases sent to the Attorney General or other forms of formal discipline.

Target: 80 Days

Q1 Average: 57 Days



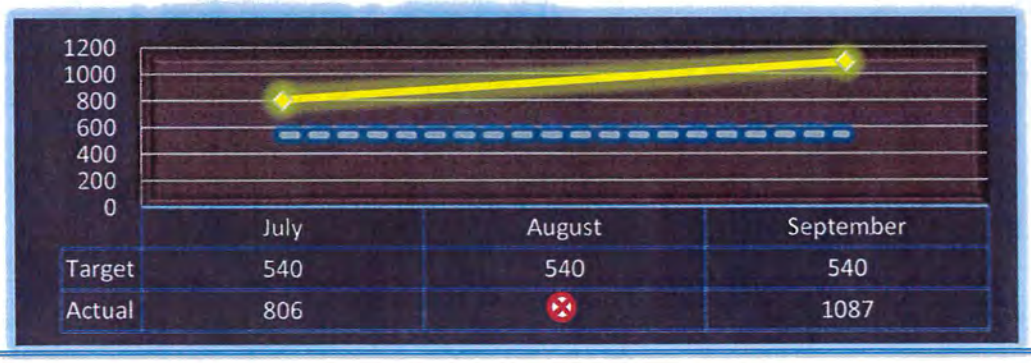
	July	August	September
Target	80	80	80
Actual	37	58	54

Formal Discipline

Average number of days to complete the entire enforcement process for cases resulting in formal discipline. (Includes intake and investigation by the Board, and prosecution by the AG)

Target: 540 Days

Q1 Average: 1040 Days



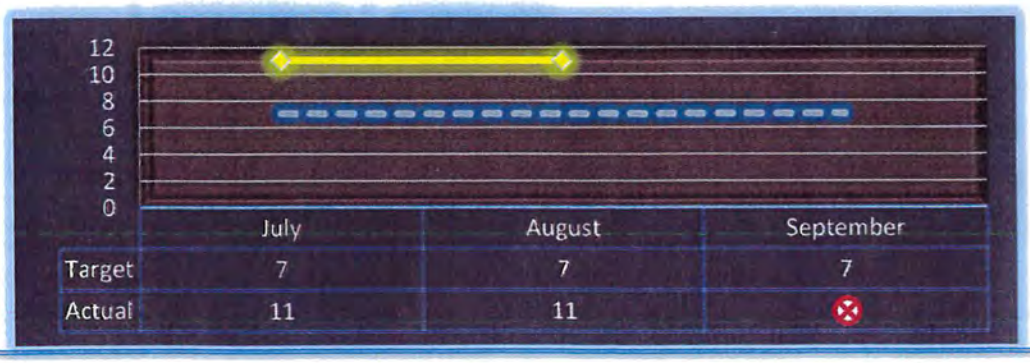
	July	August	September
Target	540	540	540
Actual	806	⊗	1087

Probation Intake

Average number of days from monitor assignment, to the date the monitor makes first contact with the probationer.

Target: 7 Days

Q1 Average: 11 Days



	July	August	September
Target	7	7	7
Actual	11	11	⊗

Probation Violation Response

Average number of days from the date a violation of probation is reported, to the date the assigned monitor initiates appropriate action.

Target: 10 Days

Q1 Average: N/A

The Board did not handle any probation violations this quarter.

Department of Consumer Affairs

Board of Psychology

Performance Measures

Q2 Report *(October - December 2011)*

To ensure stakeholders can review the Board's progress toward meeting its enforcement goals and targets, we have developed a transparent system of performance measurement. These measures will be posted publicly on a quarterly basis.

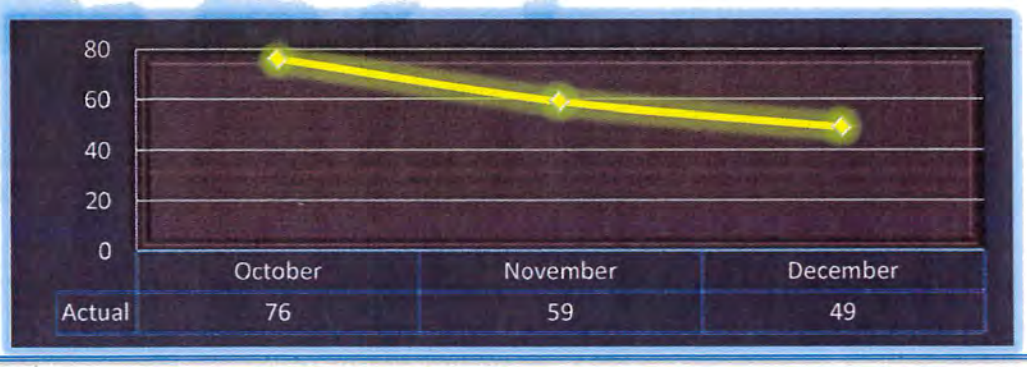
Volume

Number of complaints and convictions received.

Q2 Total: 184

Complaints: 167 Convictions: 17

Q2 Monthly Average: 61



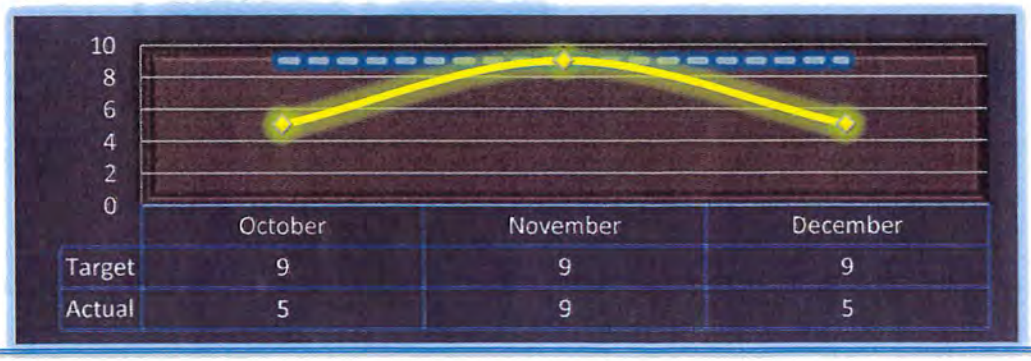
	October	November	December
Actual	76	59	49

Intake

Average cycle time from complaint receipt, to the date the complaint was assigned to an investigator.

Target: 9 Days

Q2 Average: 6 Days



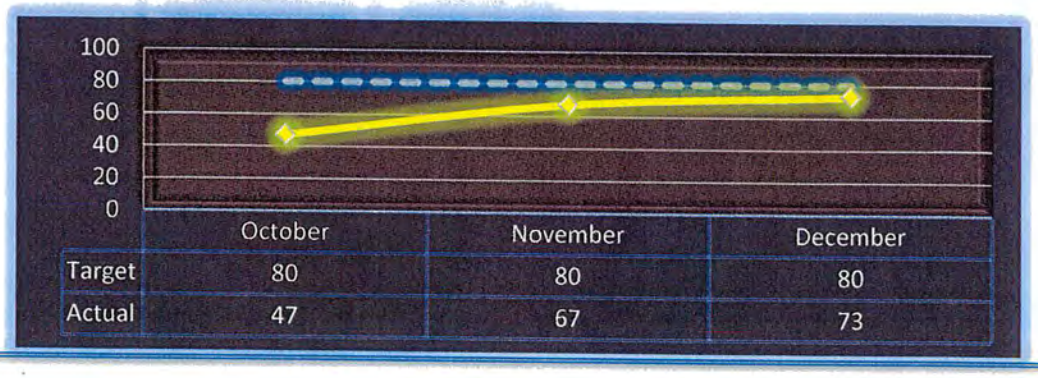
	October	November	December
Target	9	9	9
Actual	5	9	5

Intake & Investigation

Average cycle time from complaint receipt to closure of the investigation process. Does not include cases sent to the Attorney General or other forms of formal discipline.

Target: 80 Days

Q2 Average: 59 Days



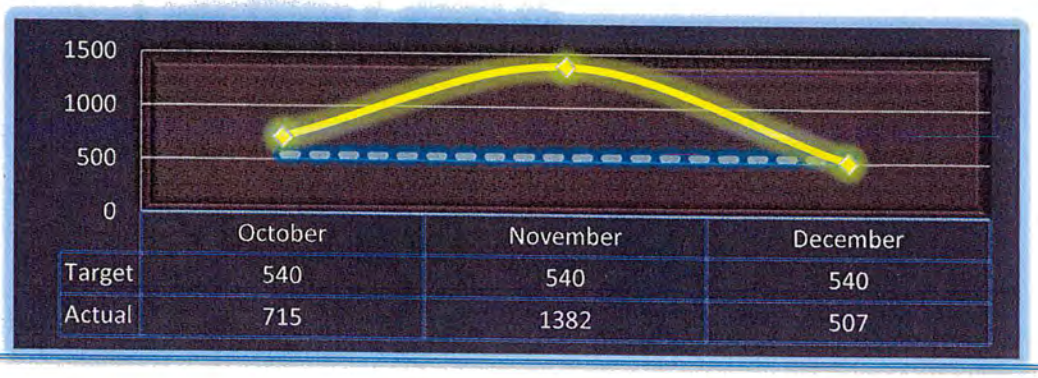
	October	November	December
Target	80	80	80
Actual	47	67	73

Formal Discipline

Average number of days to complete the entire enforcement process for cases resulting in formal discipline. (Includes intake and investigation by the Board, and prosecution by the AG)

Target: 540 Days

Q2 Average: 903 Days



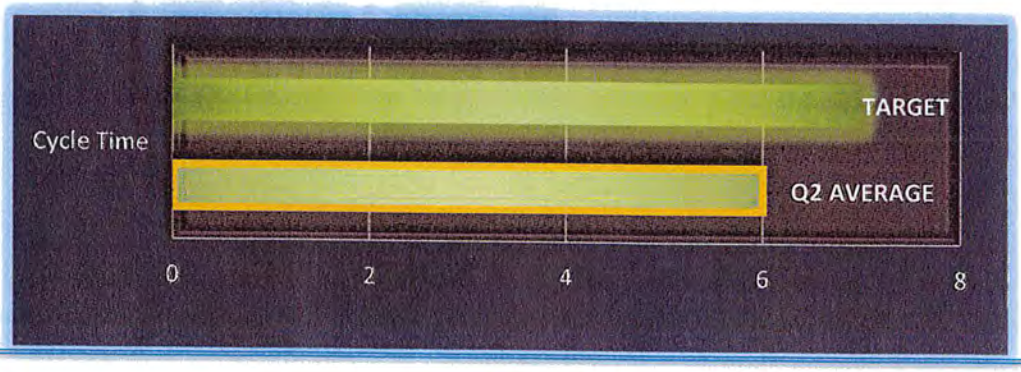
	October	November	December
Target	540	540	540
Actual	715	1382	507

Probation Intake

Average number of days from monitor assignment, to the date the monitor makes first contact with the probationer.

Target: 7 Days

Q2 Average: 6 Days



Probation Violation Response

Average number of days from the date a violation of probation is reported, to the date the assigned monitor initiates appropriate action.

Target: 10 Days

Q2 Average: N/A

The Board did not handle any probation violations this quarter.

Department of Consumer Affairs

Board of Psychology

Performance Measures

Q3 Report *(January - March 2012)*

To ensure stakeholders can review the Board's progress toward meeting its enforcement goals and targets, we have developed a transparent system of performance measurement. These measures will be posted publicly on a quarterly basis.

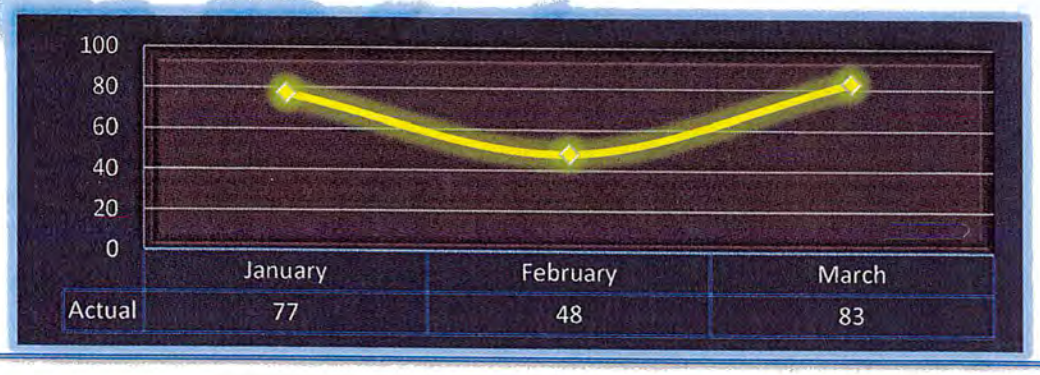
Volume

Number of complaints and convictions received.

Q3 Total: 208

Complaints: 189 Convictions: 19

Q3 Monthly Average: 69



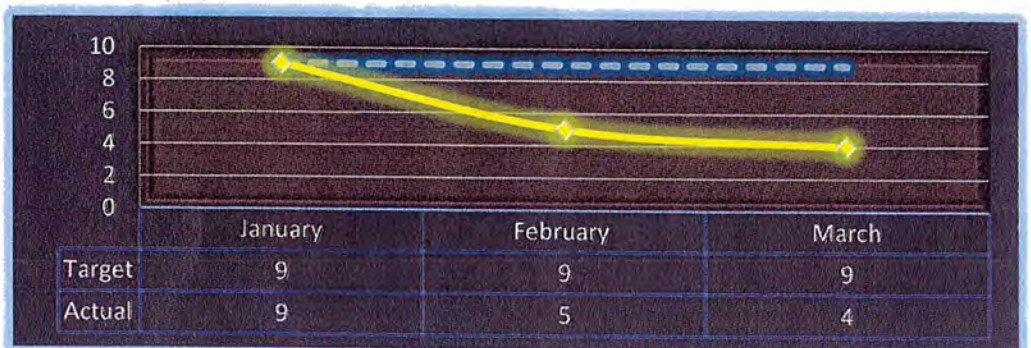
	January	February	March
Actual	77	48	83

Intake

Average cycle time from complaint receipt, to the date the complaint was assigned to an investigator.

Target: 9 Days

Q3 Average: 6 Days



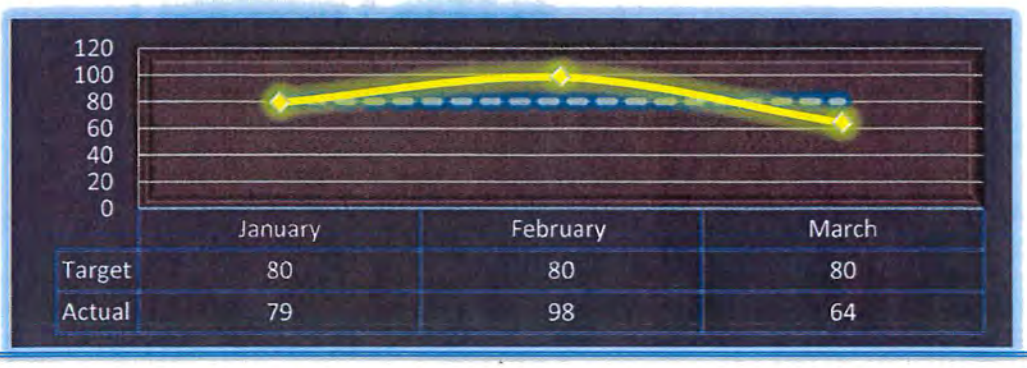
	January	February	March
Target	9	9	9
Actual	9	5	4

Intake & Investigation

Average cycle time from complaint receipt to closure of the investigation process. Does not include cases sent to the Attorney General or other forms of formal discipline.

Target: 80 Days

Q3 Average: 78 Days



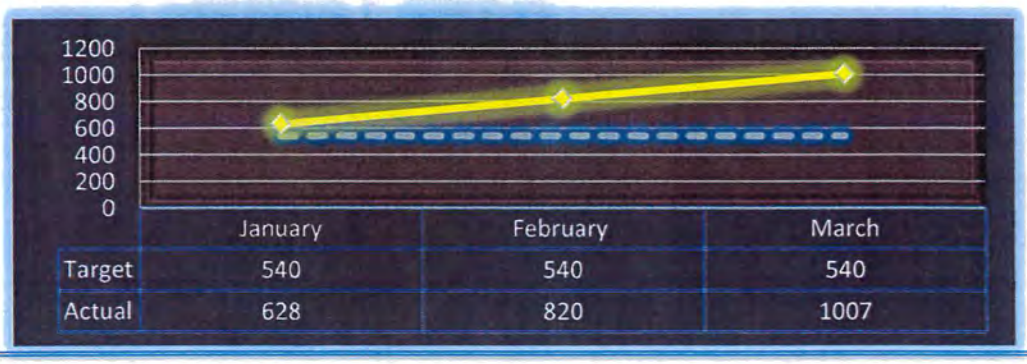
	January	February	March
Target	80	80	80
Actual	79	98	64

Formal Discipline

Average number of days to complete the entire enforcement process for cases resulting in formal discipline. (Includes intake and investigation by the Board, and prosecution by the AG)

Target: 540 Days

Q3 Average: 890 Days



	January	February	March
Target	540	540	540
Actual	628	820	1007

Probation Intake

Average number of days from monitor assignment, to the date the monitor makes first contact with the probationer.

Target: 7 Days

Q3 Average: N/A

The Board did not contact any new probationers this quarter.

Probation Violation Response

Average number of days from the date a violation of probation is reported, to the date the assigned monitor initiates appropriate action.

Target: 10 Days

Q3 Average: N/A

The Board did not handle any probation violations this quarter.

Department of Consumer Affairs

Board of Psychology

Performance Measures

Q4 Report *(April - June 2012)*

To ensure stakeholders can review the Board's progress toward meeting its enforcement goals and targets, we have developed a transparent system of performance measurement. These measures will be posted publicly on a quarterly basis.

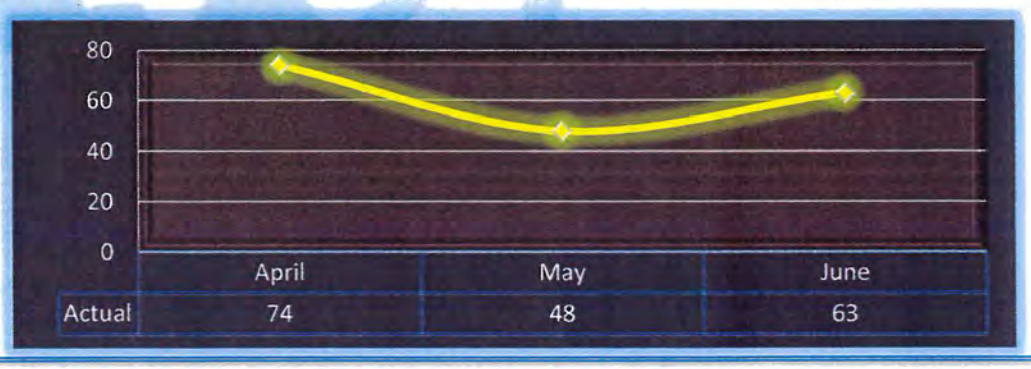
Volume

Number of complaints and convictions received.

Q4 Total: 185

Complaints: 175 Convictions: 10

Q4 Monthly Average: 62



	April	May	June
Actual	74	48	63

Intake

Average cycle time from complaint receipt, to the date the complaint was assigned to an investigator.

Target: 9 Days

Q4 Average: 3 Days

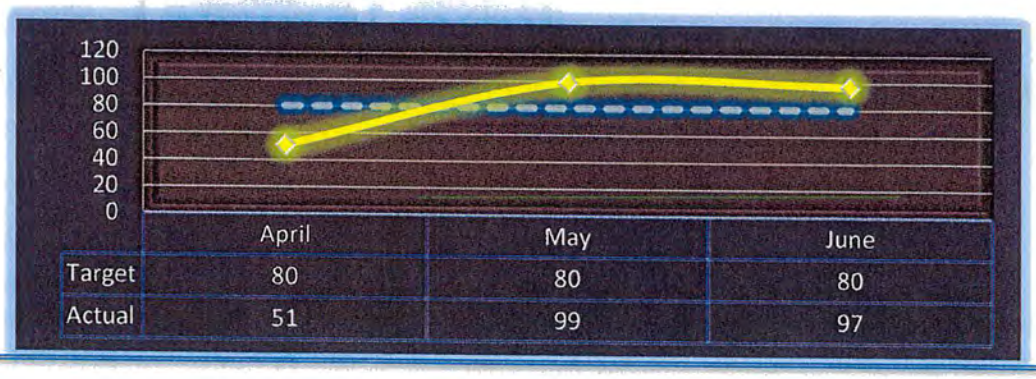
	April	May	June
Target	9	9	9
Actual	3	3	3

Intake & Investigation

Average cycle time from complaint receipt to closure of the investigation process. Does <u>not</u> include cases sent to the Attorney General or other forms of formal discipline.

Target: 80 Days

Q4 Average: 81 Days



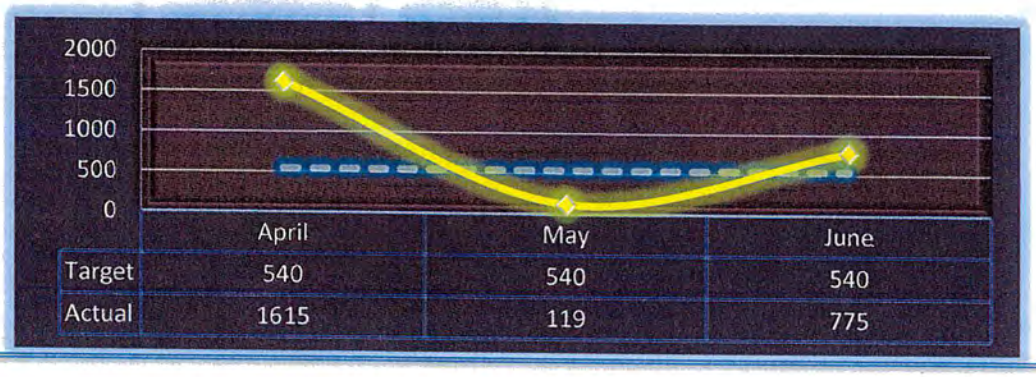
	April	May	June
Target	80	80	80
Actual	51	99	97

Formal Discipline

Average number of days to complete the entire enforcement process for cases resulting in formal discipline. (Includes intake and investigation by the Board, and prosecution by the AG)

Target: 540 Days

Q4 Average: 796 Days



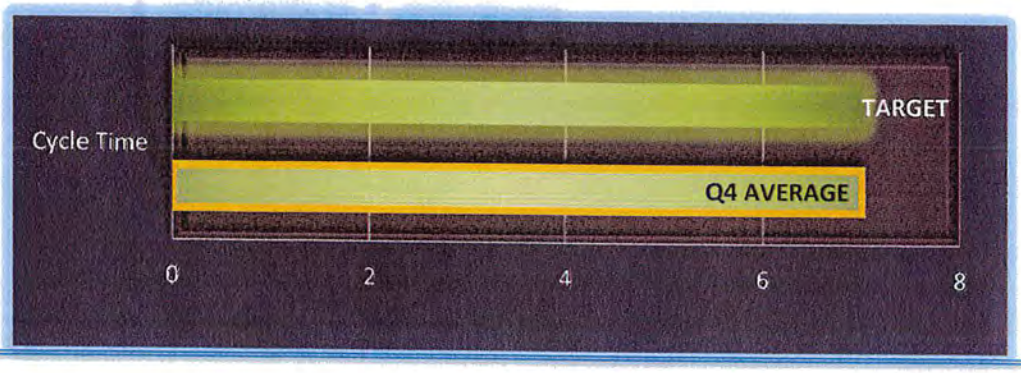
	April	May	June
Target	540	540	540
Actual	1615	119	775

Probation Intake

Average number of days from monitor assignment, to the date the monitor makes first contact with the probationer.

Target: 7 Days

Q4 Average: 7 Days



Probation Violation Response

Average number of days from the date a violation of probation is reported, to the date the assigned monitor initiates appropriate action.

Target: 10 Days

Q4 Average: N/A

The Board did not report any probation violations this quarter.

Department of Consumer Affairs

Board of Psychology

Performance Measures

Annual Report *(2011 – 2012 Fiscal Year)*

To ensure stakeholders can review the Board's progress in meeting its enforcement goals and targets, we have developed a transparent system of performance measurement. These measures are posted publicly on a quarterly basis.

This annual report represents the culmination of the four quarters worth of data.

Volume

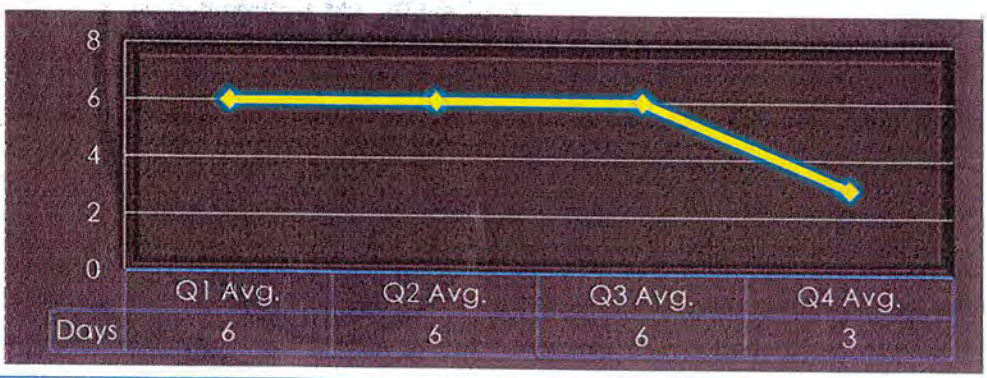
Number of complaints and convictions received.

The Board had an annual total of 748 this fiscal year.

Intake

Average cycle time from complaint receipt, to the date the complaint was assigned to an investigator.

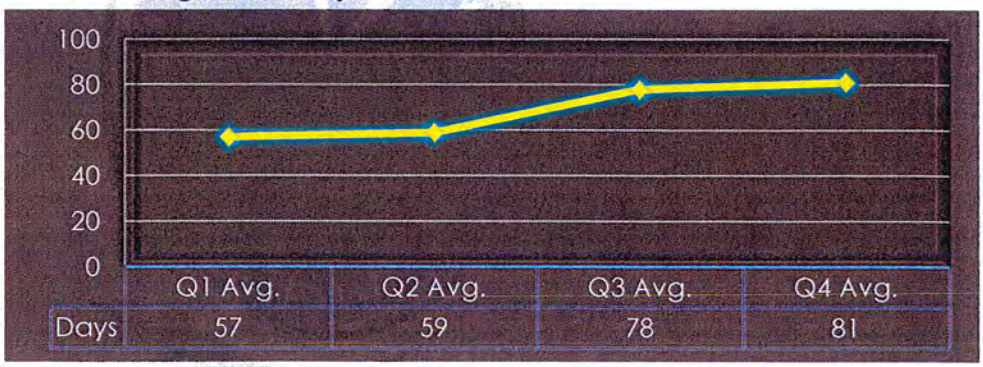
The Board has set a target of 9 days for this measure.



Intake & Investigation

Average cycle time from complaint receipt to closure of the investigation process. Does <u>not</u> include cases sent to the Attorney General or other forms of formal discipline.

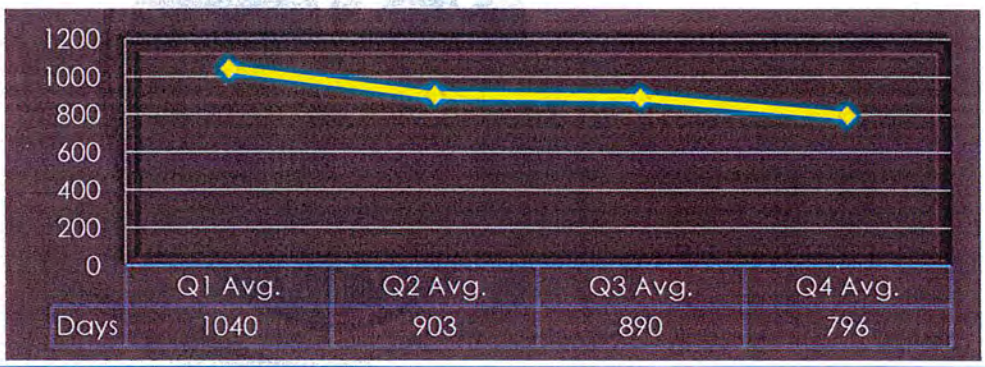
The Board has set a target of 80 days for this measure.



Formal Discipline

Average number of days to complete the entire enforcement process for cases resulting in formal discipline. (Includes intake and investigation by the Board, and prosecution by the AG)

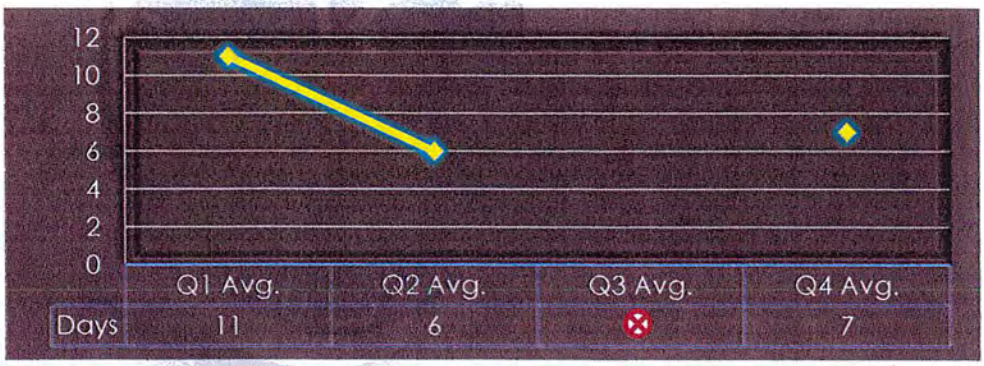
The Board has set a target of 540 days for this measure.



Probation Intake

Average number of days from monitor assignment, to the date the monitor makes first contact with the probationer.

The Board has set a target of 7 days for this measure.



Department of Consumer Affairs

Board of Psychology

Performance Measures

Q1 Report *(July - September 2012)*

To ensure stakeholders can review the Board's progress toward meeting its enforcement goals and targets, we have developed a transparent system of performance measurement. These measures will be posted publicly on a quarterly basis.

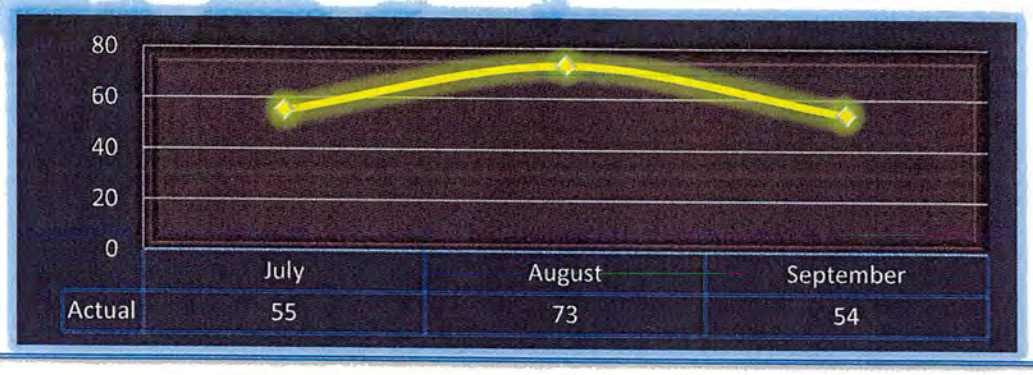
Volume

Number of complaints and convictions received.

Q1 Total: 182

Complaints: 172 Convictions: 10

Q1 Monthly Average: 61

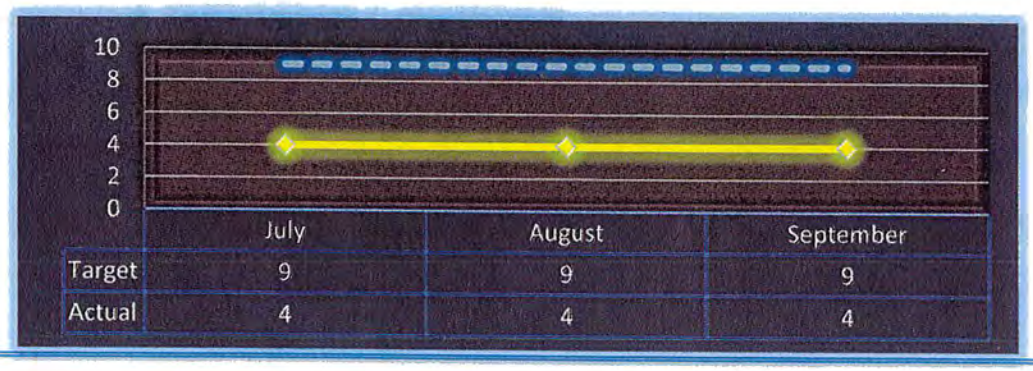


Intake

Average cycle time from complaint receipt, to the date the complaint was assigned to an investigator.

Target: 9 Days

Q1 Average: 4 Days

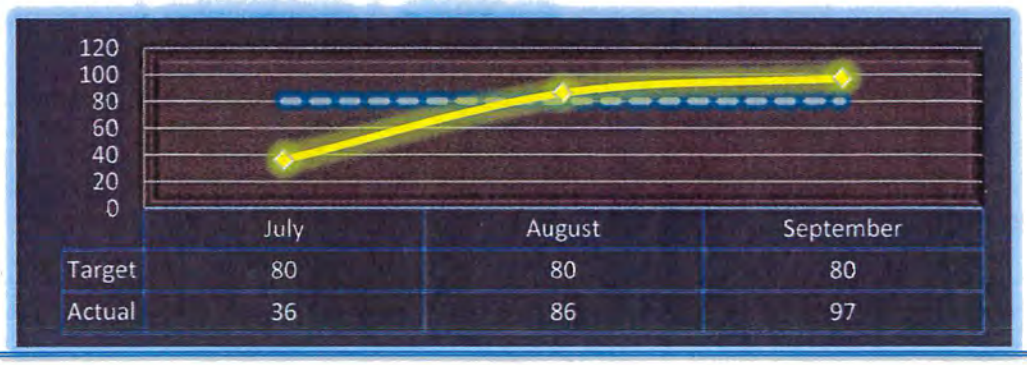


Intake & Investigation

Average cycle time from complaint receipt to closure of the investigation process. Does <u>not</u> include cases sent to the Attorney General or other forms of formal discipline.

Target: 80 Days

Q1 Average: 69 Days



	July	August	September
Target	80	80	80
Actual	36	86	97

Formal Discipline

Average number of days to complete the entire enforcement process for cases resulting in formal discipline. (Includes intake and investigation by the Board, and prosecution by the AG)

Target: 540 Days

Q1 Average: 717 Days

	July	August	September
Target	540	540	540
Actual	668	726	753

Probation Intake

Average number of days from monitor assignment, to the date the monitor makes first contact with the probationer.

Target: 7 Days

Q1 Average: N/A

The Board did not contact any probationers this quarter.

Probation Violation Response

Average number of days from the date a violation of probation is reported, to the date the assigned monitor initiates appropriate action.

Target: 10 Days

Q1 Average: N/A

The Board did not handle any probation violations this quarter.

Department of Consumer Affairs

Board of Psychology

Performance Measures

Q2 Report *(October - December 2012)*

To ensure stakeholders can review the Board's progress toward meeting its enforcement goals and targets, we have developed a transparent system of performance measurement. These measures will be posted publicly on a quarterly basis.

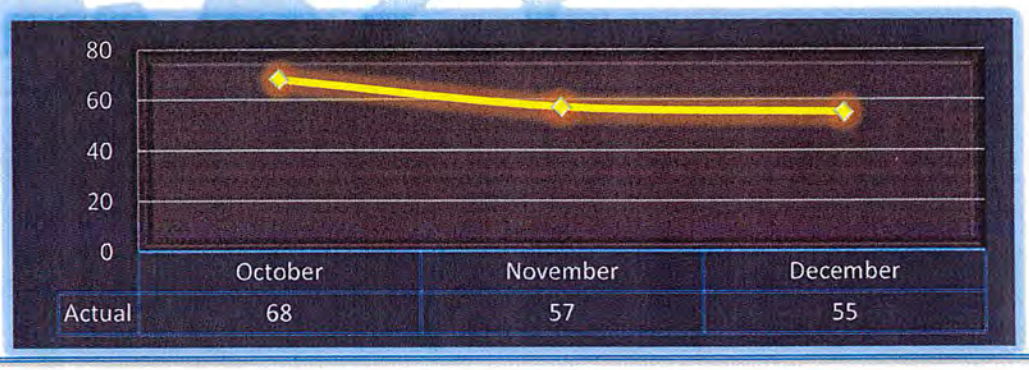
Volume

Number of complaints and convictions received.

Q2 Total: 180

Complaints: 165 Convictions: 15

Q2 Monthly Average: 60

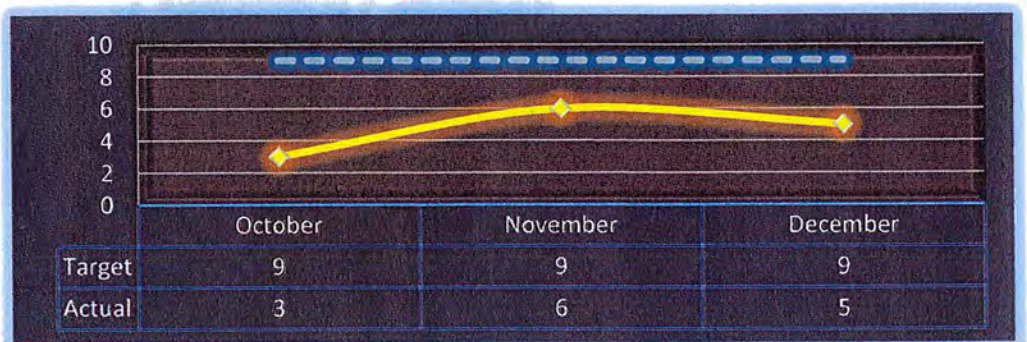


Intake

Average cycle time from complaint receipt, to the date the complaint was assigned to an investigator.

Target: 9 Days

Q2 Average: 4 Days

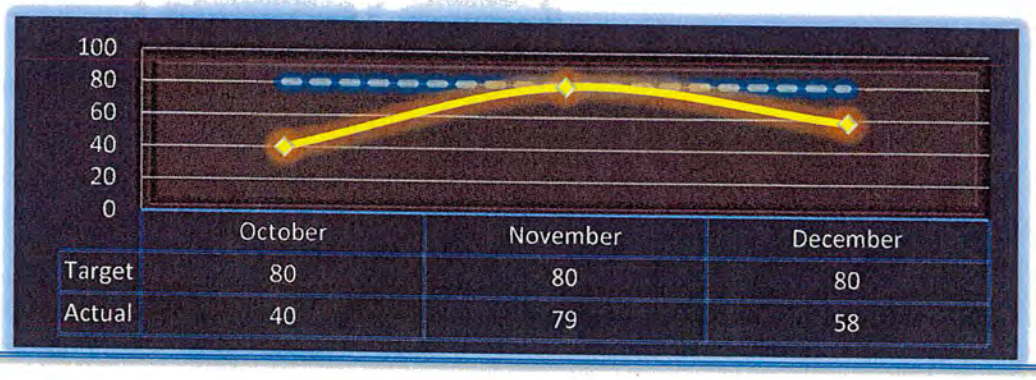


Intake & Investigation

Average cycle time from complaint receipt to closure of the investigation process. Does not include cases sent to the Attorney General or other forms of formal discipline.

Target: 80 Days

Q2 Average: 58 Days



	October	November	December
Target	80	80	80
Actual	40	79	58

Formal Discipline

Average number of days to complete the entire enforcement process for cases resulting in formal discipline. (Includes intake and investigation by the Board, and prosecution by the AG)

Target: 540 Days

Q2 Average: 1,126 Days

Probation Intake

Average number of days from monitor assignment, to the date the monitor makes first contact with the probationer.

Target: 7 Days

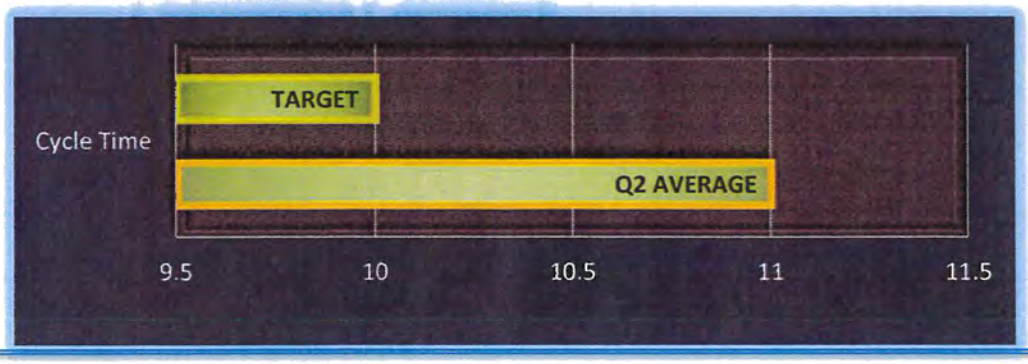
Q2 Average: 12 Days

Probation Violation Response

Average number of days from the date a violation of probation is reported, to the date the assigned monitor initiates appropriate action.

Target: 10 Days

Q2 Average: 11 Days



Department of Consumer Affairs

Board of Psychology

Performance Measures

Q3 Report *(January - March 2013)*

To ensure stakeholders can review the Board's progress toward meeting its enforcement goals and targets, we have developed a transparent system of performance measurement. These measures will be posted publicly on a quarterly basis.

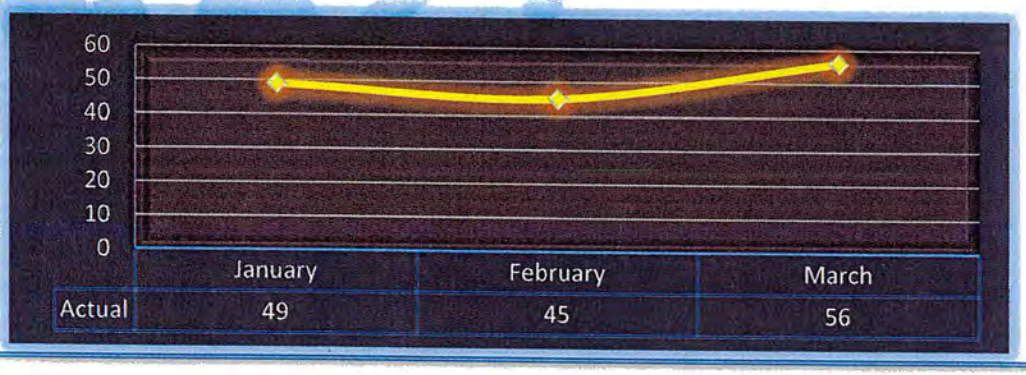
Volume

Number of complaints and convictions received.

Q3 Total: 150

Complaints: 140 Convictions: 10

Q3 Monthly Average: 50

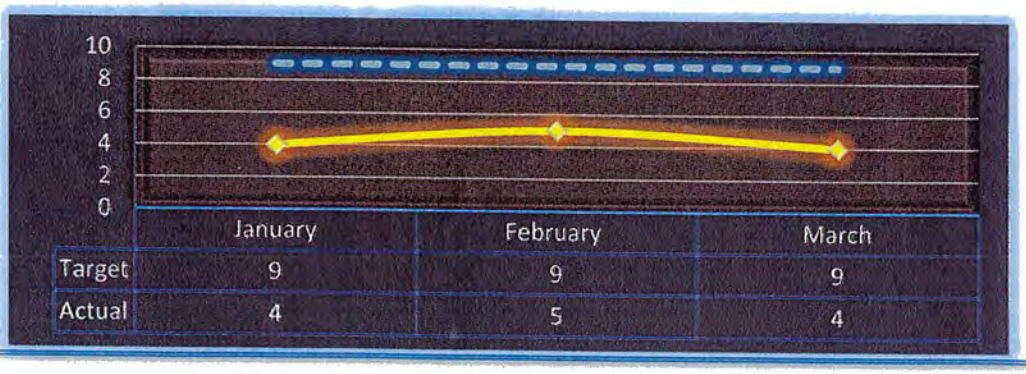


Intake

Average cycle time from complaint receipt, to the date the complaint was assigned to an investigator.

Target: 9 Days

Q3 Average: 4 Days

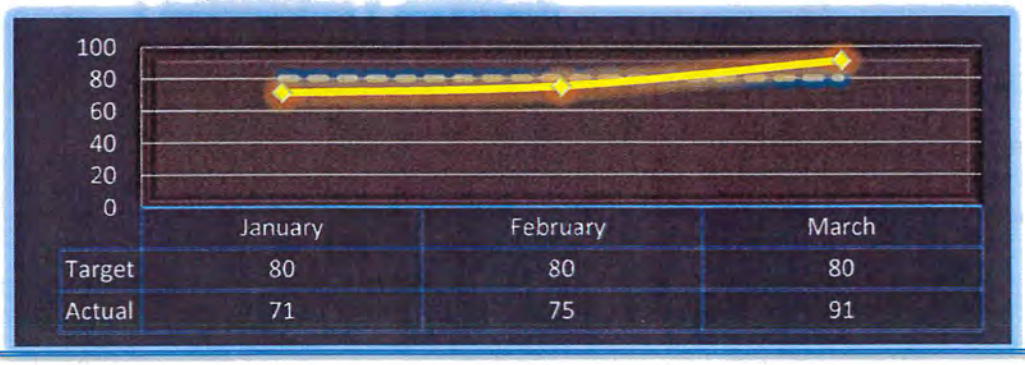


Intake & Investigation

Average cycle time from complaint receipt to closure of the investigation process. Does not include cases sent to the Attorney General or other forms of formal discipline.

Target: 80 Days

Q3 Average: 79 Days



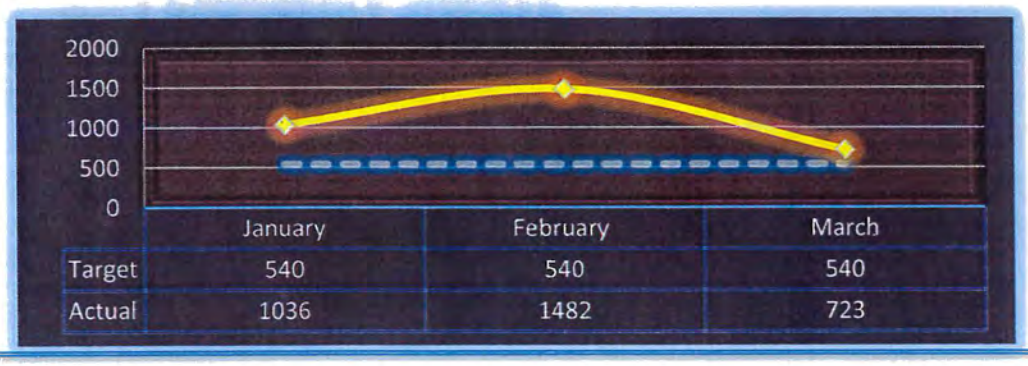
	January	February	March
Target	80	80	80
Actual	71	75	91

Formal Discipline

Average number of days to complete the entire enforcement process for cases resulting in formal discipline. (Includes intake and investigation by the Board, and prosecution by the AG)

Target: 540 Days

Q3 Average: 1,000 Days



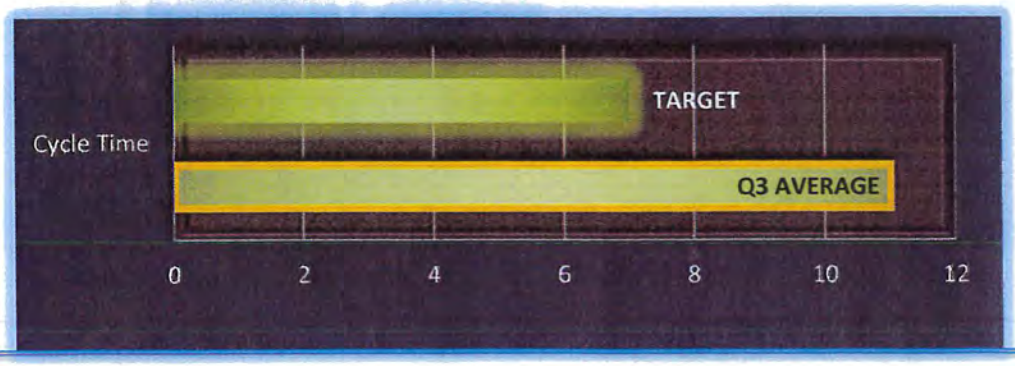
	January	February	March
Target	540	540	540
Actual	1036	1482	723

Probation Intake

Average number of days from monitor assignment, to the date the monitor makes first contact with the probationer.

Target: 7 Days

Q3 Average: 11 Days



Probation Violation Response

Average number of days from the date a violation of probation is reported, to the date the assigned monitor initiates appropriate action.

Target: 10 Days

Q3 Average: N/A

The Board did not handle any probation violations this quarter.

Department of Consumer Affairs

Board of Psychology

Performance Measures

Q4 Report *(April - June 2013)*

To ensure stakeholders can review the Board's progress toward meeting its enforcement goals and targets, we have developed a transparent system of performance measurement. These measures will be posted publicly on a quarterly basis.

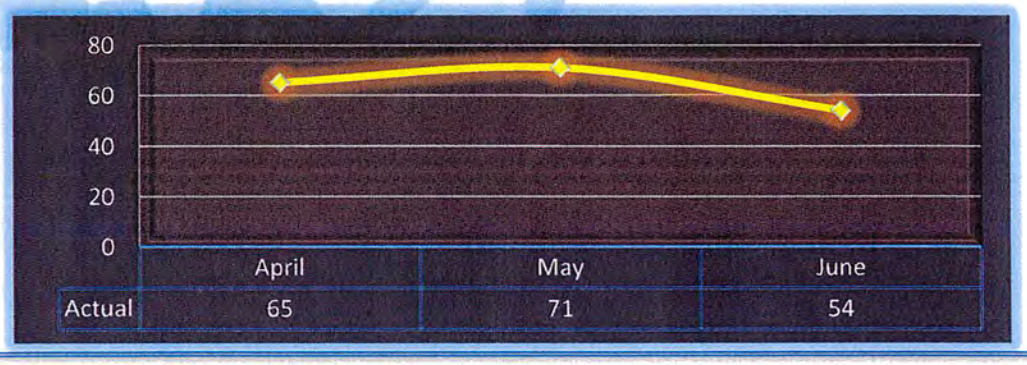
Volume

Number of complaints and convictions received.

Q4 Total: 190

Complaints: 184 Convictions: 6

Q4 Monthly Average: 63

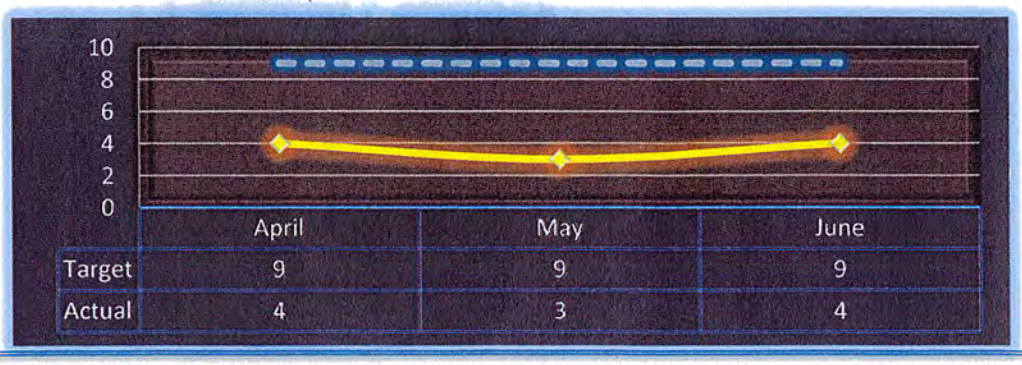


Intake

Average cycle time from complaint receipt, to the date the complaint was assigned to an investigator.

Target: 9 Days

Q4 Average: 4 Days

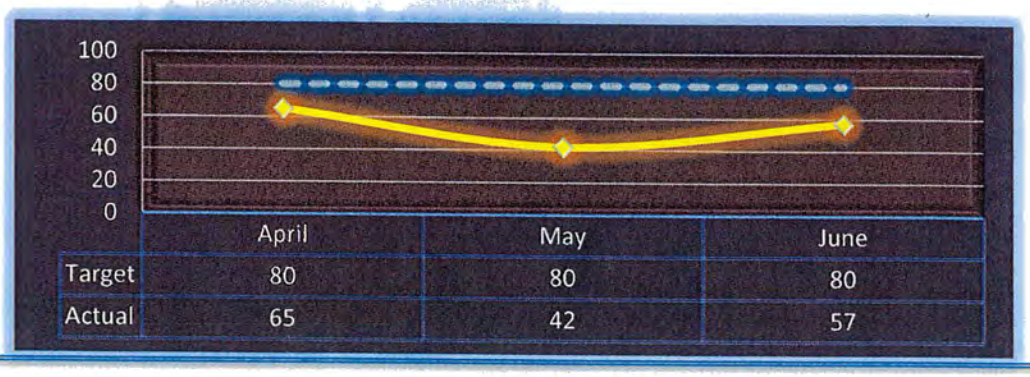


Intake & Investigation

Average cycle time from complaint receipt to closure of the investigation process. Does <u>not</u> include cases sent to the Attorney General or other forms of formal discipline.

Target: 80 Days

Q4 Average: 54 Days



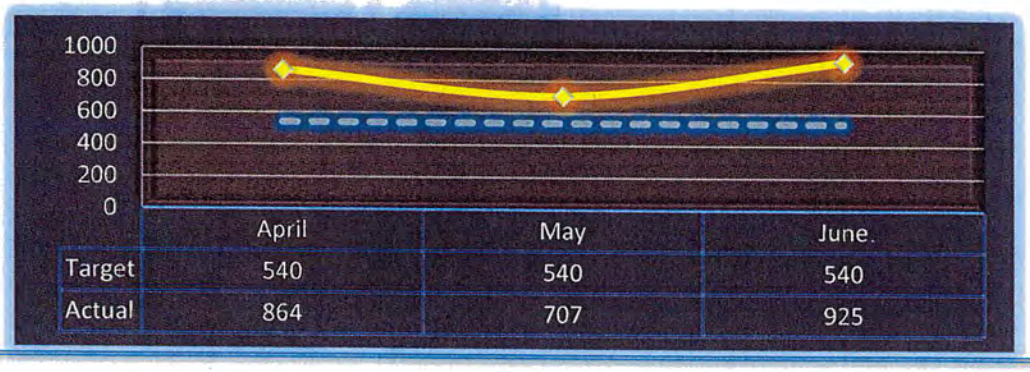
	April	May	June
Target	80	80	80
Actual	65	42	57

Formal Discipline

Average number of days to complete the entire enforcement process for cases resulting in formal discipline. (Includes intake and investigation by the Board, and prosecution by the AG)

Target: 540 Days

Q4 Average: 832 Days



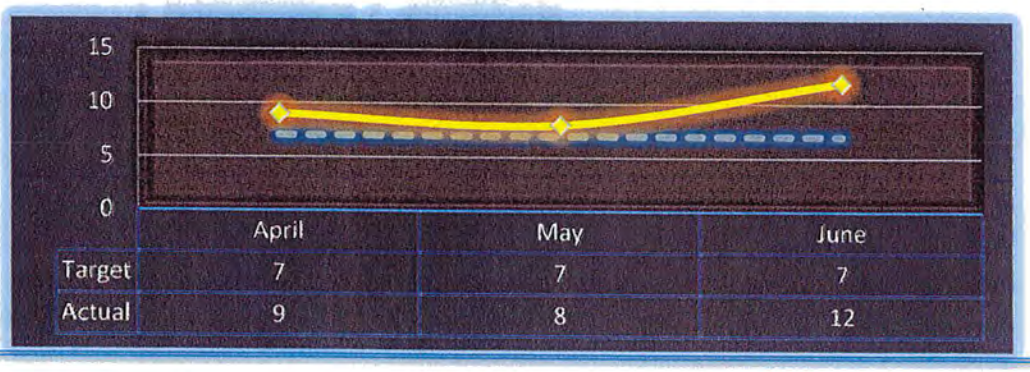
	April	May	June.
Target	540	540	540
Actual	864	707	925

Probation Intake

Average number of days from monitor assignment, to the date the monitor makes first contact with the probationer.

Target: 7 Days

Q4 Average: 10 Days



	April	May	June
Target	7	7	7
Actual	9	8	12

Probation Violation Response

Average number of days from the date a violation of probation is reported, to the date the assigned monitor initiates appropriate action.

Target: 10 Days

Q4 Average: N/A

The Board did not report any probation violations this quarter.

Department of Consumer Affairs

Board of Psychology

Performance Measures

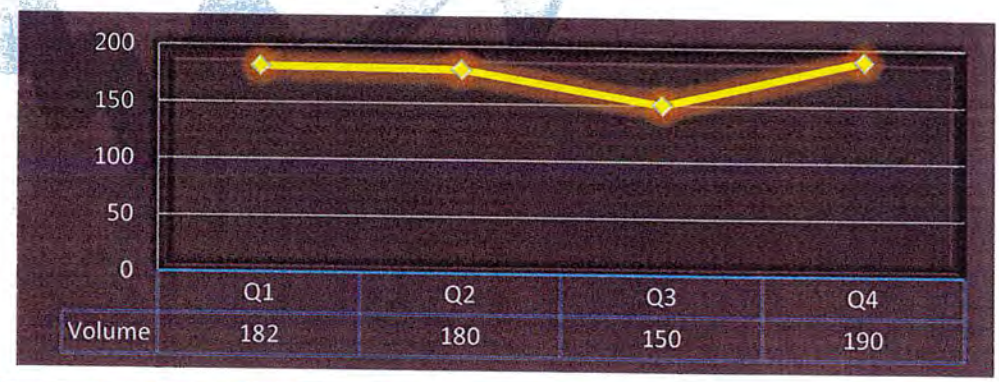
Annual Report *(2012 – 2013 Fiscal Year)*

To ensure stakeholders can review the Board's progress in meeting its enforcement goals and targets, we have developed a transparent system of performance measurement. These measures are posted publicly on a quarterly basis.

Volume

Number of complaints and convictions received.

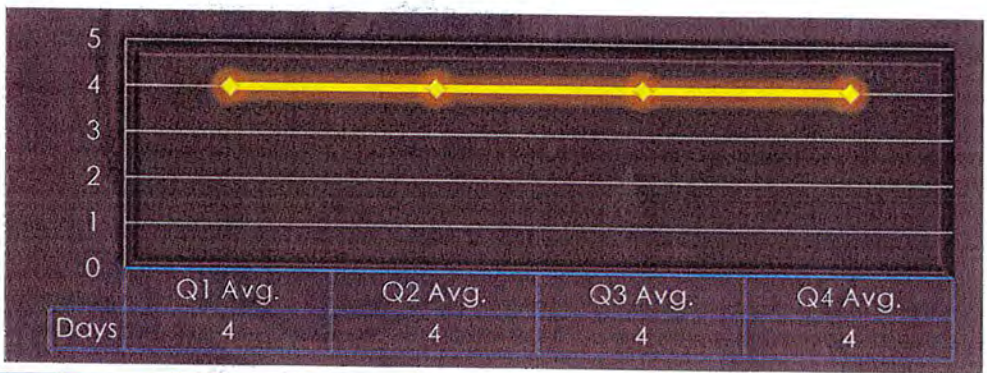
The Board had an annual total of 702 this fiscal year.



Intake

Average cycle time from complaint receipt, to the date the complaint was assigned to an investigator.

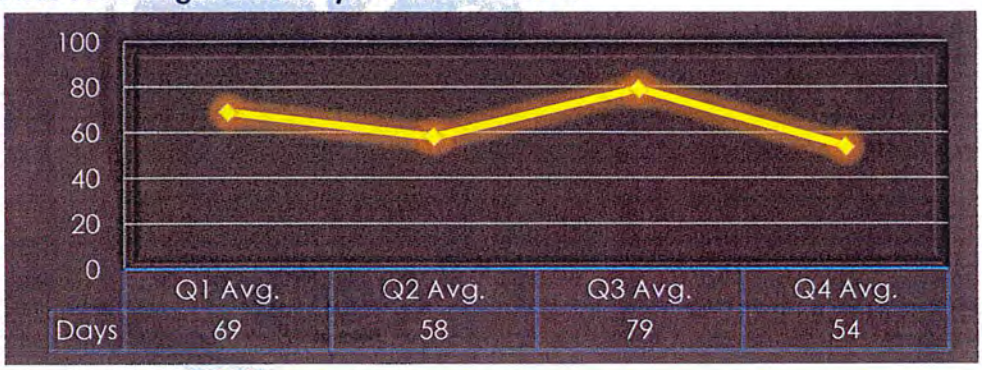
The Board has set a target of 9 days for this measure.



Intake & Investigation

Average cycle time from complaint receipt to closure of the investigation process. Does not include cases sent to the Attorney General or other forms of formal discipline.

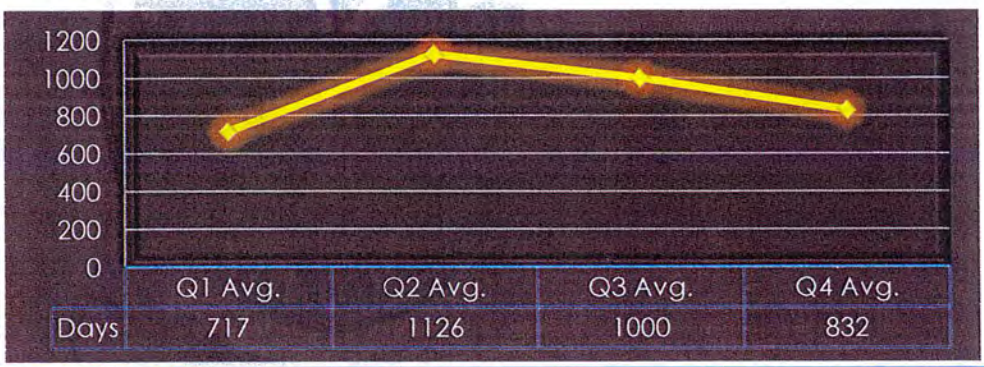
The Board has set a target of 80 days for this measure.



Formal Discipline

Average number of days to complete the entire enforcement process for cases resulting in formal discipline. (Includes intake and investigation by the Board, and prosecution by the AG)

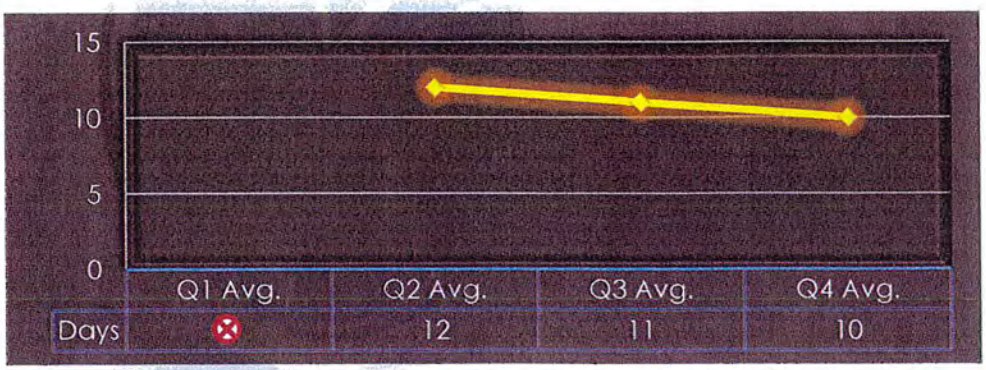
The Board has set a target of 540 days for this measure.



Probation Intake

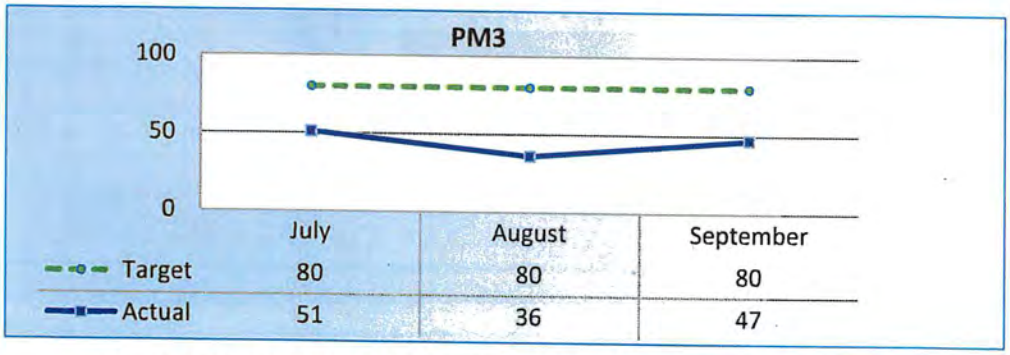
Average number of days from monitor assignment, to the date the monitor makes first contact with the probationer.

The Board has set a target of 7 days for this measure.



PM3 | Intake & Investigation

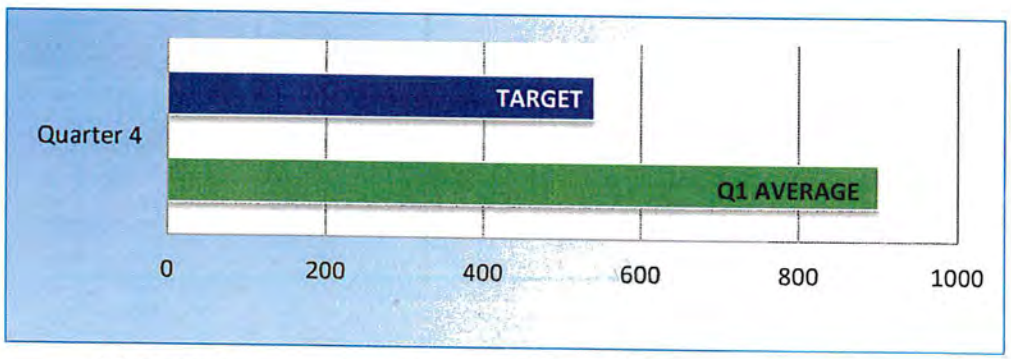
Average cycle time from complaint receipt to closure of the investigation process. Does not include cases sent to the Attorney General or other forms of formal discipline.



Target Average: 80 Days | **Actual Average:** 45 Days

PM4 | Formal Discipline

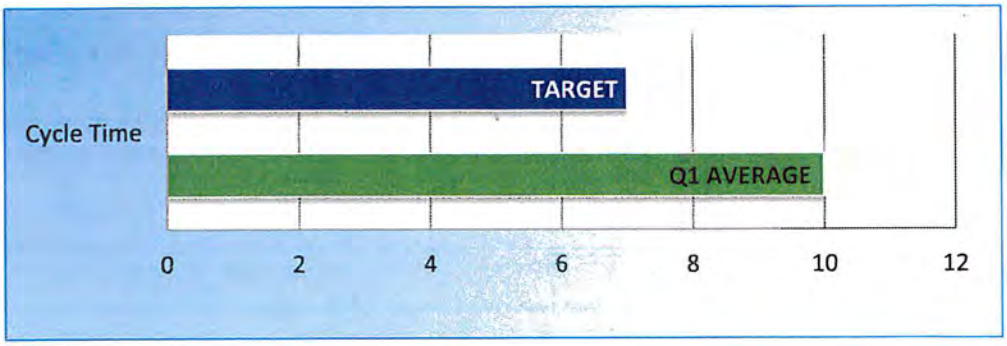
Average number of days to complete the entire enforcement process for cases resulting in formal discipline. (Includes intake and investigation by the Board and prosecution by the AG).



Target Average: 540 Days | **Actual Average:** 901 Days

PM7 | Probation Intake

Average number of days from monitor assignment, to the date the monitor makes first contact with the probationer.



Target Average: 7 Days | **Actual Average:** 10 Days

PM8 | Probation Violation Response

Average number of days from the date a violation of probation is reported, to the date the assigned monitor initiates appropriate action.

The Board did not report any new probation violations this quarter.

Target Average: 10 Days | **Actual Average:** N/A

Probation Violation Response

Average number of days from the date a violation of probation is reported, to the date the assigned monitor initiates appropriate action.

The Board has set a target of 10 days for this measure.

Department of Consumer Affairs

Board of Psychology

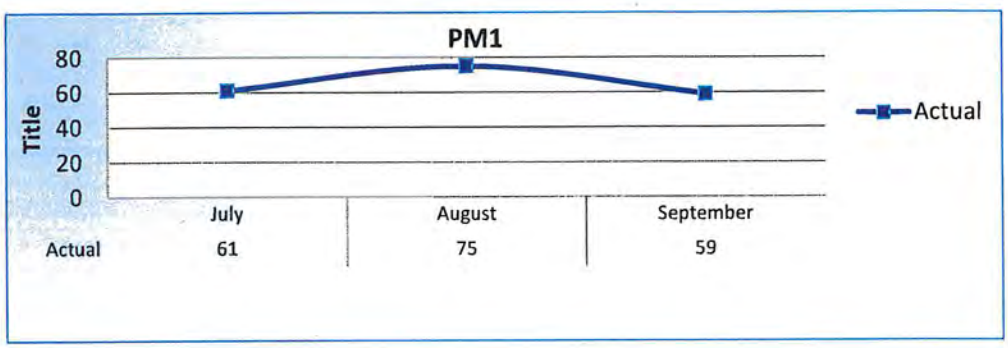
Performance Measures

Q1 Report *(July - September 2013)*

To ensure stakeholders can review the Board's progress toward meeting its enforcement goals and targets, we have developed a transparent system of performance measurement. These measures will be posted publicly on a quarterly basis.

PM1 | Volume

Number of complaints and convictions received.

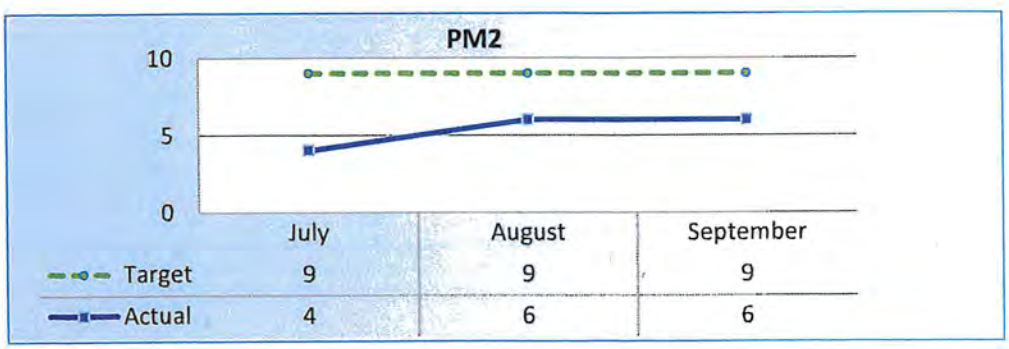


Total Received: 195 Monthly Average: 65

Complaints: 164 | **Convictions**: 31

PM2 | Intake

Average cycle time from complaint receipt, to the date the complaint was assigned to an investigator.



Target Average: 9 Days | **Actual Average:** 5 Days

Department of Consumer Affairs

Board of Psychology

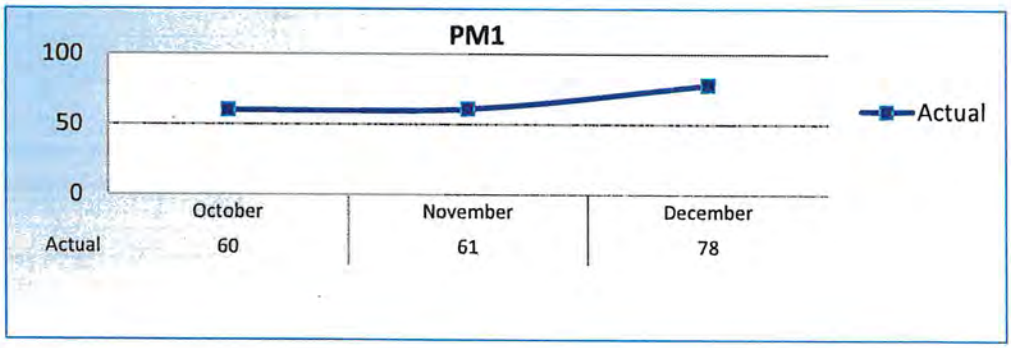
Performance Measures

Q2 Report *(October - December 2013)*

To ensure stakeholders can review the Board's progress toward meeting its enforcement goals and targets, we have developed a transparent system of performance measurement. These measures will be posted publicly on a quarterly basis.

PM1 | Volume

Number of complaints and convictions received.

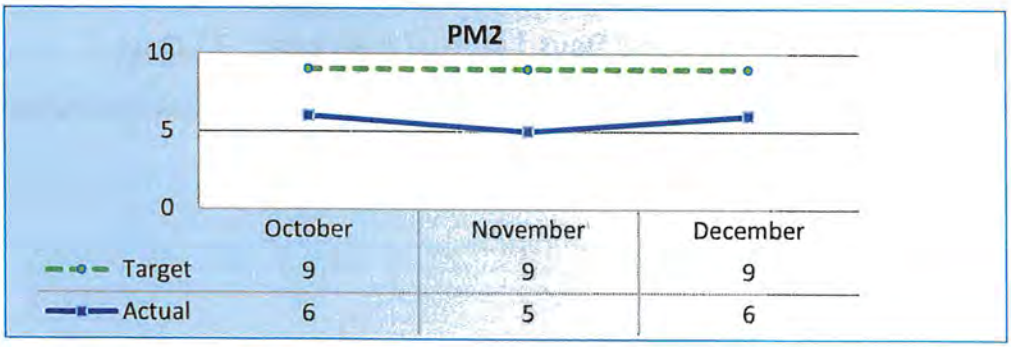


Total Received: 199 Monthly Average: 66

Complaints: 163 | **Convictions**: 36

PM2 | Intake

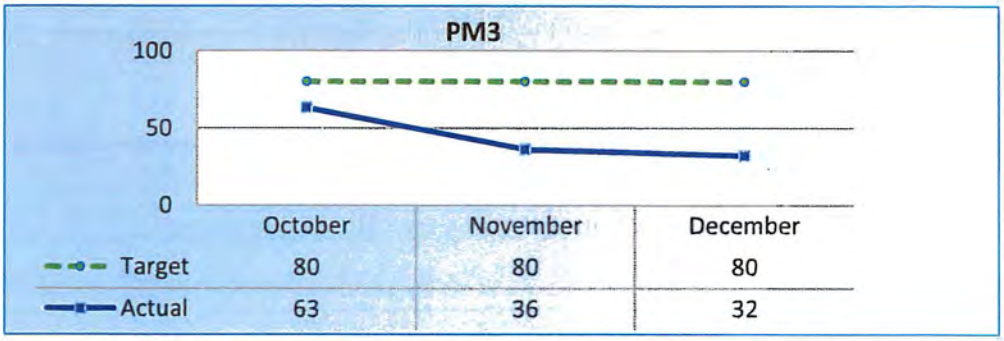
Average cycle time from complaint receipt, to the date the complaint was assigned to an investigator.



Target Average: 9 Days | **Actual Average:** 5 Days

PM3 | Intake & Investigation

Average cycle time from complaint receipt to closure of the investigation process. Does not include cases sent to the Attorney General or other forms of formal discipline.

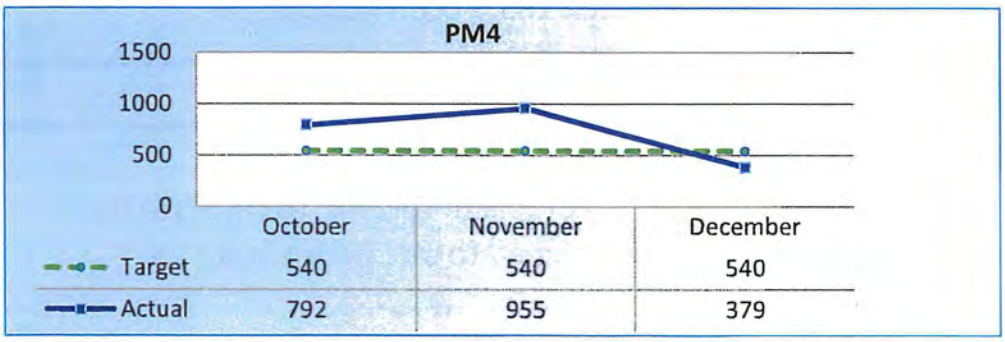


	October	November	December
Target	80	80	80
Actual	63	36	32

Target Average: 80 Days | **Actual Average:** 42 Days

PM4 | Formal Discipline

Average number of days to complete the entire enforcement process for cases resulting in formal discipline. (Includes intake and investigation by the Board and prosecution by the AG).

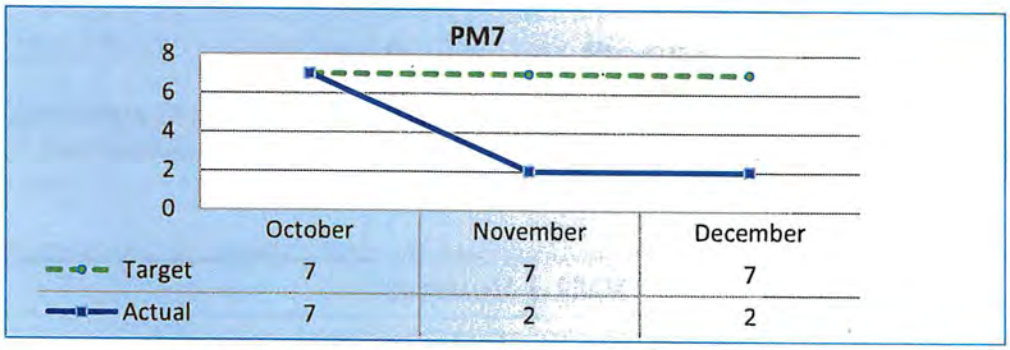


	October	November	December
Target	540	540	540
Actual	792	955	379

Target Average: 540 Days | **Actual Average:** 772 Days

PM7 | Probation Intake

Average number of days from monitor assignment, to the date the monitor makes first contact with the probationer.



	October	November	December
Target	7	7	7
Actual	7	2	2

Target Average: 7 Days | **Actual Average:** 4 Days

PM8 | Probation Violation Response

Average number of days from the date a violation of probation is reported, to the date the assigned monitor initiates appropriate action.

The Board did not report any new probation violations this quarter.

Target Average: 10 Days | **Actual Average:** N/A

Department of Consumer Affairs

Board of Psychology

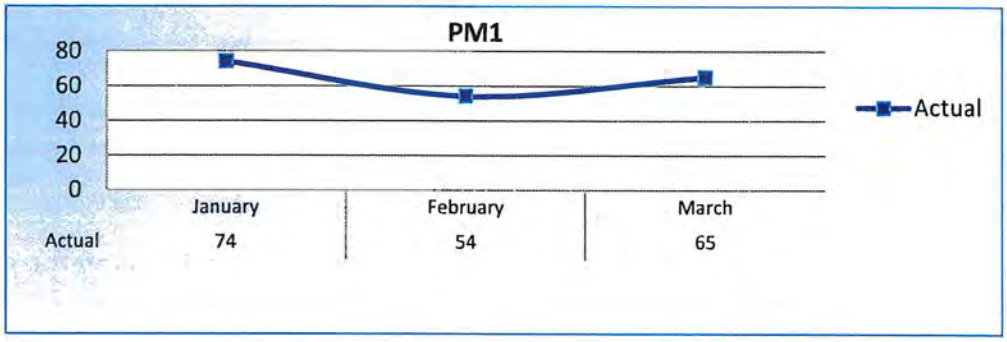
Performance Measures

Q3 Report *(January - March 2014)*

To ensure stakeholders can review the Board's progress toward meeting its enforcement goals and targets, we have developed a transparent system of performance measurement. These measures will be posted publicly on a quarterly basis.

PM1 | Volume

Number of complaints and convictions received.

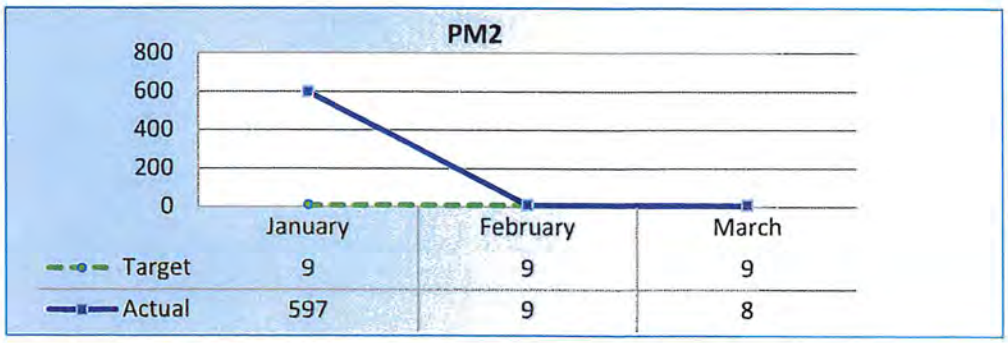


Total Received: 193 Monthly Average: 64

Complaints: 152 | **Convictions**: 41

PM2 | Intake

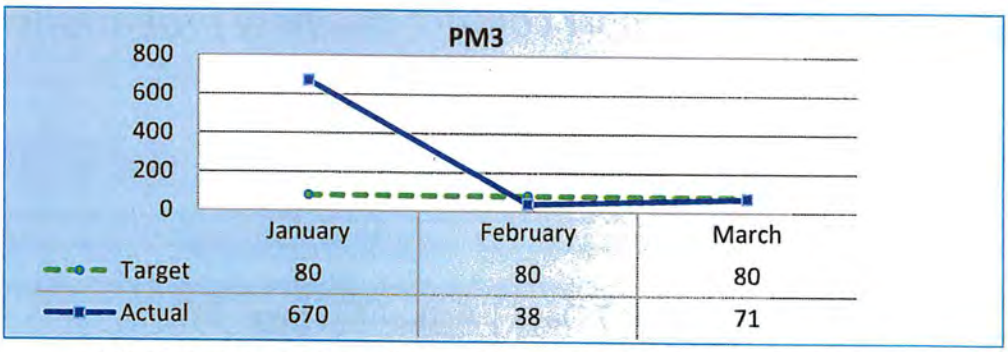
Average cycle time from complaint receipt, to the date the complaint was assigned to an investigator.



Target Average: 9 Days | **Actual Average:** 208 Days

PM3 | Intake & Investigation

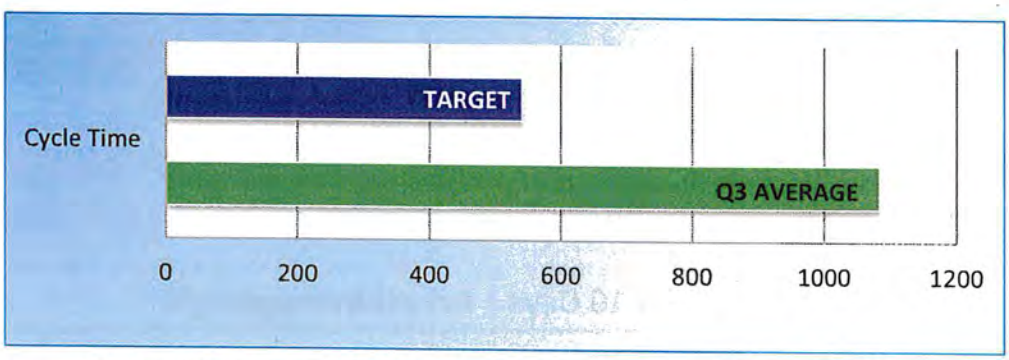
Average cycle time from complaint receipt to closure of the investigation process. Does not include cases sent to the Attorney General or other forms of formal discipline.



Target Average: 80 Days | **Actual Average:** 268 Days

PM4 | Formal Discipline

Average number of days to complete the entire enforcement process for cases resulting in formal discipline. (Includes intake and investigation by the Board and prosecution by the AG).



Target Average: 540 Days | **Actual Average:** 1,084 Days

PM7 | Probation Intake

Average number of days from monitor assignment, to the date the monitor makes first contact with the probationer.

The Board did not report contact any new probationer this quarter.

Target Average: 7 Days | **Actual Average:** N/A

PM8 | Probation Violation Response

Average number of days from the date a violation of probation is reported, to the date the assigned monitor initiates appropriate action.

The Board did not report any new probation violations this quarter.

Target Average: 10 Days | **Actual Average:** N/A

Department of Consumer Affairs

Board of Psychology

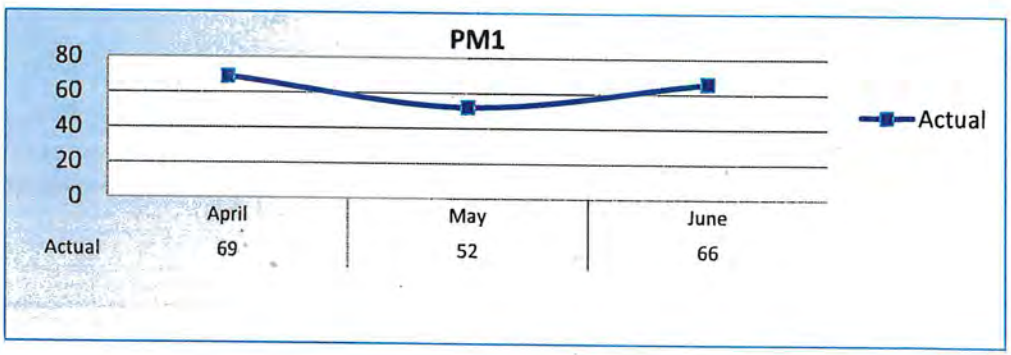
Performance Measures

Q4 Report *(April - June 2014)*

To ensure stakeholders can review the Board's progress toward meeting its enforcement goals and targets, we have developed a transparent system of performance measurement. These measures will be posted publicly on a quarterly basis.

PM1 | Volume

Number of complaints and convictions received.

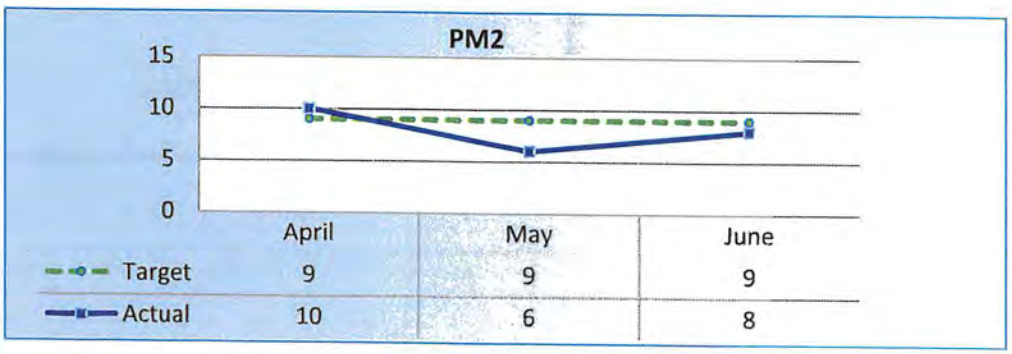


Total Received: 187 Monthly Average: 62

Complaints: 162 | **Convictions**: 25

PM2 | Intake

Average cycle time from complaint receipt, to the date the complaint was assigned to an investigator.



Target Average: 9 Days | **Actual Average:** 8 Days

PM3 | Intake & Investigation

Average cycle time from complaint receipt to closure of the investigation process. Does not include cases sent to the Attorney General or other forms of formal discipline.

Consistent data not yet available from BreEZe.

Target Average: 80 Days | **Actual Average:** N/A

PM4 | Formal Discipline

Average number of days to complete the entire enforcement process for cases resulting in formal discipline. (Includes intake and investigation by the Board and prosecution by the AG).

Consistent data not yet available from BreEZe.

Target Average: 540 Days | **Actual Average:** N/A

PM7 | Probation Intake

Average number of days from monitor assignment, to the date the monitor makes first contact with the probationer.

The Board did not report contact any new probationer this quarter.

Target Average: 7 Days | **Actual Average:** N/A

PM8 | Probation Violation Response

Average number of days from the date a violation of probation is reported, to the date the assigned monitor initiates appropriate action.

The Board did not report any new probation violations this quarter.

Target Average: 10 Days | **Actual Average:** N/A

Department of Consumer Affairs

Board of Psychology

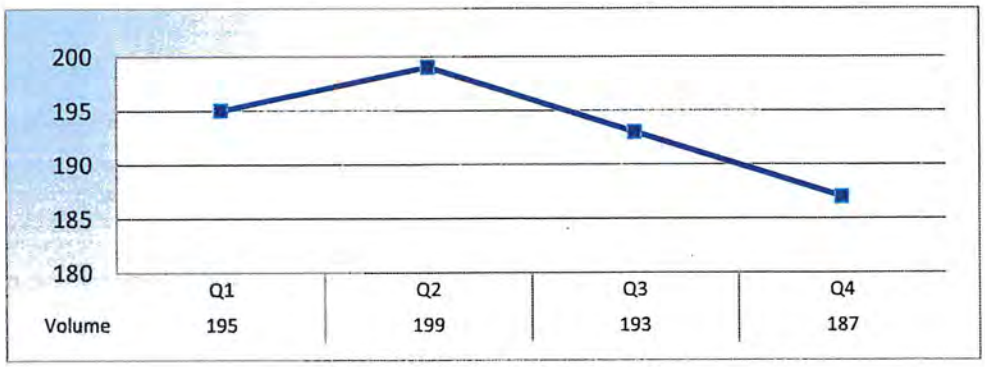
Performance Measures

Annual Report *(2013 – 2014 Fiscal Year)*

To ensure stakeholders can review the Board's progress toward meeting its enforcement goals and targets, we have developed a transparent system of performance measurement. These measures will be posted publicly on a quarterly and annual basis.

PM1 | Volume

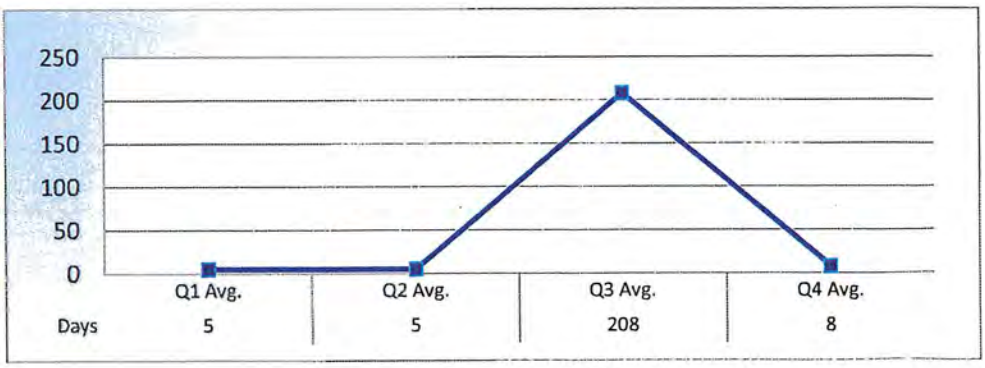
Number of complaints and convictions received.



Fiscal Year Total: 774

PM2 | Intake

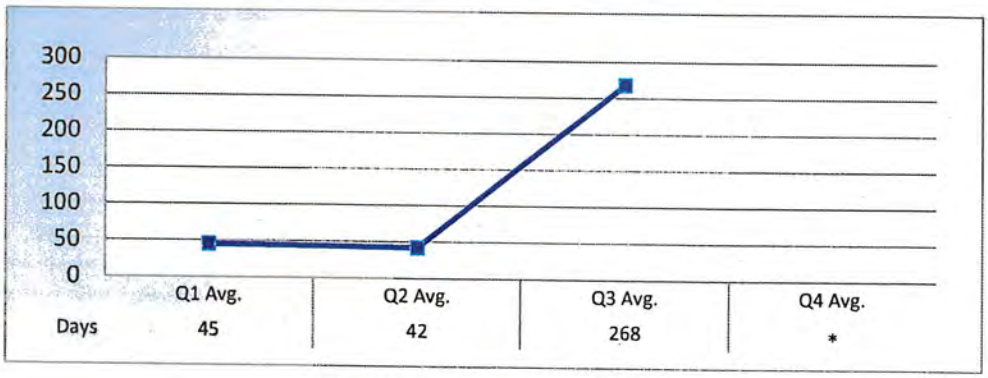
Average cycle time from complaint receipt, to the date the complaint was assigned to an investigator.



Target Average: 9 Days

PM3 | Intake & Investigation

Average cycle time from complaint receipt to closure of the investigation process. Does not include cases sent to the Attorney General or other forms of formal discipline.

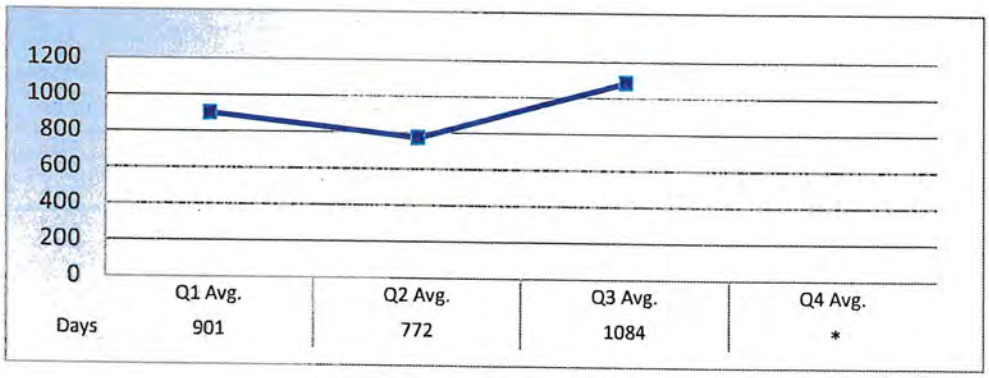


Target Average: 80 Days

**Consistent data not yet available from BreEZe.*

PM4 | Formal Discipline

Average number of days to complete the entire enforcement process for cases resulting in formal discipline. (Includes intake and investigation by the Board and prosecution by the AG).

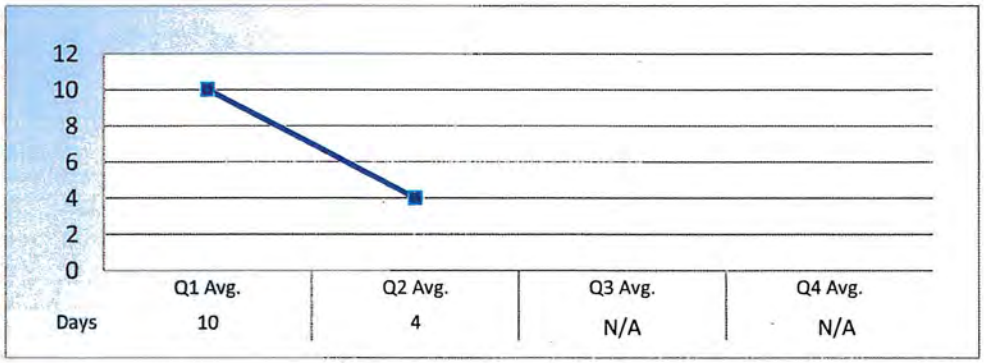


Target Average: 540 Days

**Consistent data not yet available from BreEZe.*

PM7 | Probation Intake

Average number of days from monitor assignment, to the date the monitor makes first contact with the probationer.



Target Average: 7 Days

PM8 | Probation Violation Response

Average number of days from the date a violation of probation is reported, to the date the assigned monitor initiates appropriate action.

The Board did not have any probation violations reported this year.

Target Average: 10 Days

Department of Consumer Affairs

Board of Psychology

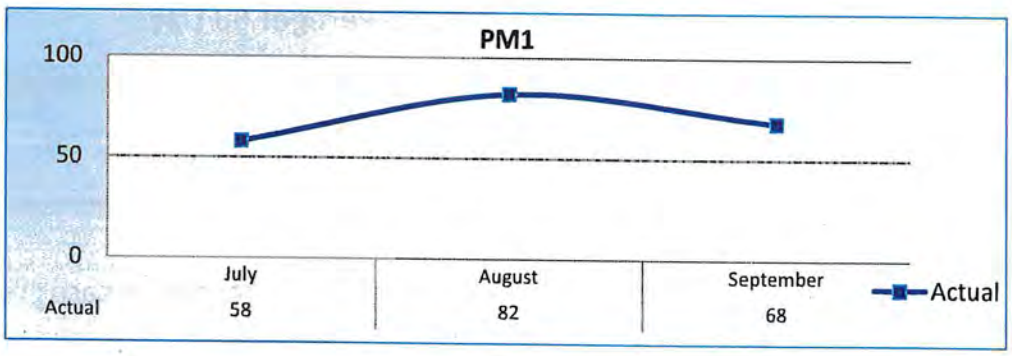
Performance Measures

Q1 Report *(July - September 2014)*

To ensure stakeholders can review the Board's progress toward meeting its enforcement goals and targets, we have developed a transparent system of performance measurement. These measures will be posted publicly on a quarterly basis.

PM1 | Volume

Number of complaints and convictions received.

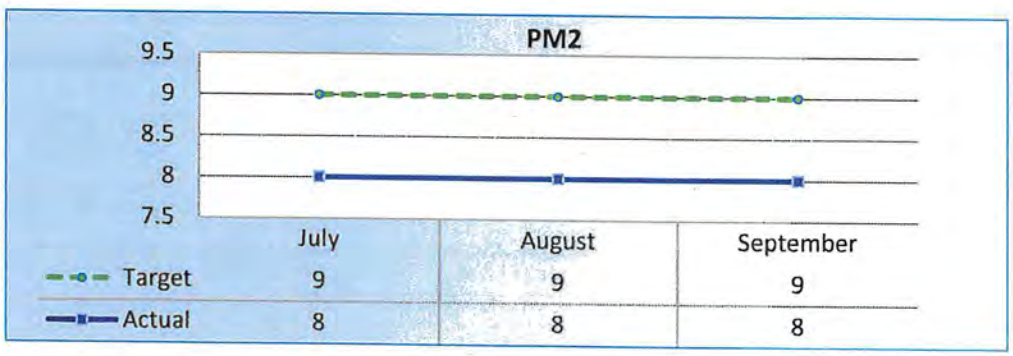


Total Received: 208 Monthly Average: 69

Complaints: 192 | **Convictions**: 16

PM2 | Intake

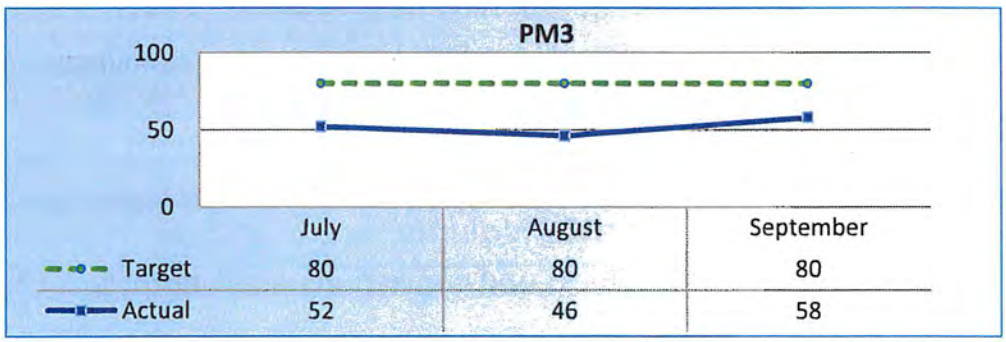
Average cycle time from complaint receipt, to the date the complaint was assigned to an investigator.



Target Average: 9 Days | **Actual Average:** 8 Days

PM3 | Intake & Investigation

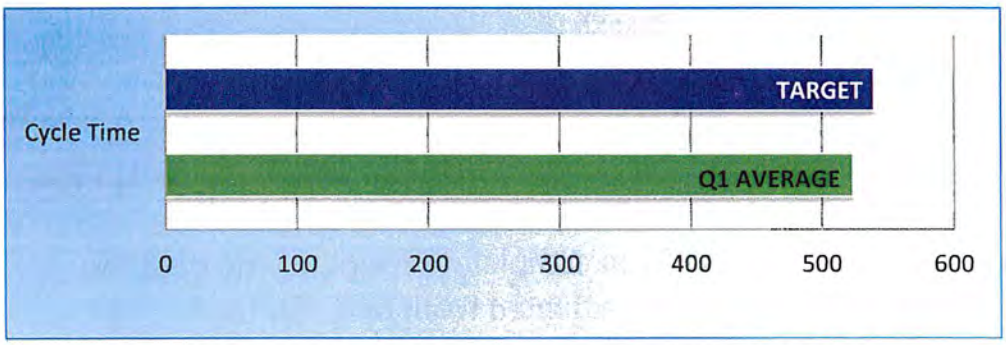
Average cycle time from complaint receipt to closure of the investigation process. Does not include cases sent to the Attorney General or other forms of formal discipline.



Target Average: 80 Days | **Actual Average:** 60 Days

PM4 | Formal Discipline

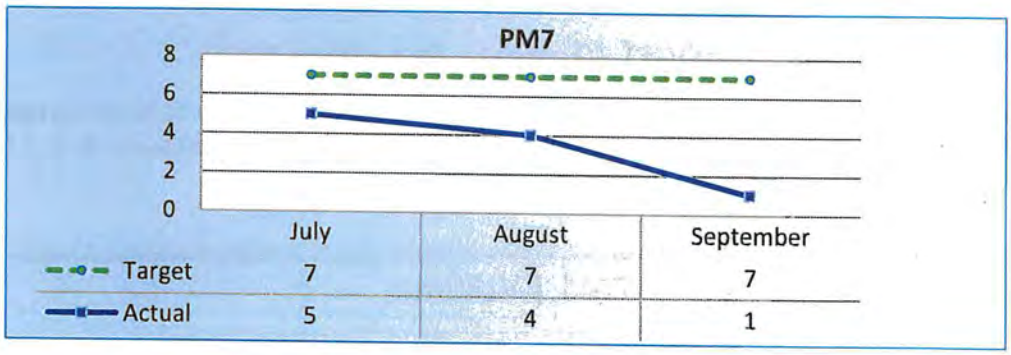
Average number of days to complete the entire enforcement process for cases resulting in formal discipline. (Includes intake and investigation by the Board and prosecution by the AG).



Target Average: 540 Days | **Actual Average:** 524 Days

PM7 | Probation Intake

Average number of days from monitor assignment, to the date the monitor makes first contact with the probationer.



Target Average: 7 Days | **Actual Average:** 4 Days

PM8 | Probation Violation Response

Average number of days from the date a violation of probation is reported, to the date the assigned monitor initiates appropriate action.

The Board did not report any new probation violations this quarter.

Target Average: 10 Days | **Actual Average:** N/A

Department of Consumer Affairs

Board of Psychology

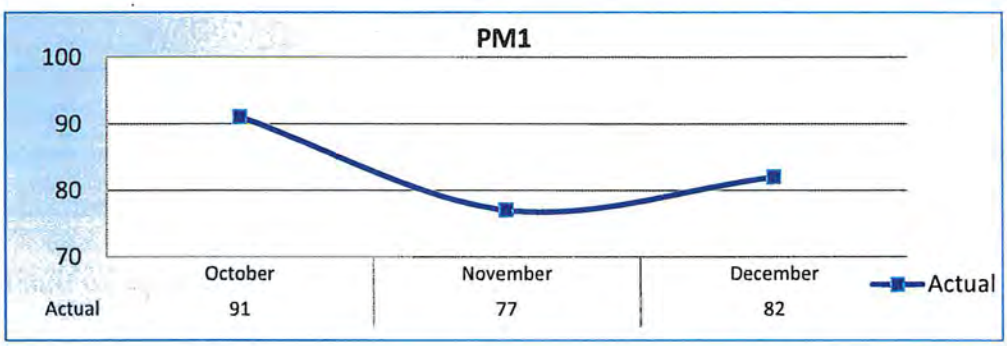
Performance Measures

Q2 Report *(October - December 2014)*

To ensure stakeholders can review the Board's progress toward meeting its enforcement goals and targets, we have developed a transparent system of performance measurement. These measures will be posted publicly on a quarterly basis.

PM1 | Volume

Number of complaints and convictions received.

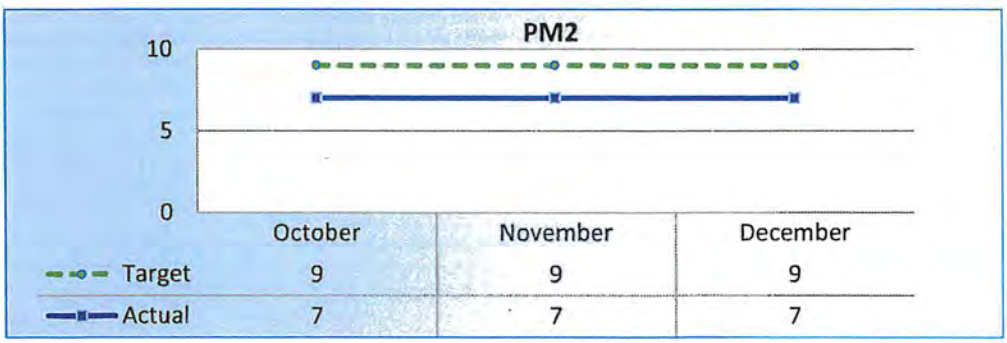


Total Received: 260 Monthly Average: 87

Complaints: 253 | **Convictions**: 7

PM2 | Intake

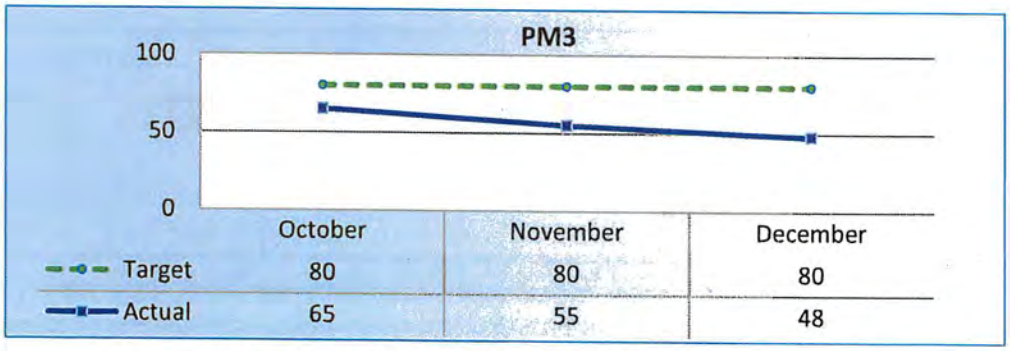
Average cycle time from complaint receipt, to the date the complaint was assigned to an investigator.



Target Average: 9 Days | **Actual Average:** 7 Days

PM3 | Intake & Investigation

Average number of days to complete the entire enforcement process for cases not transmitted to the AG. (Includes intake and investigation)

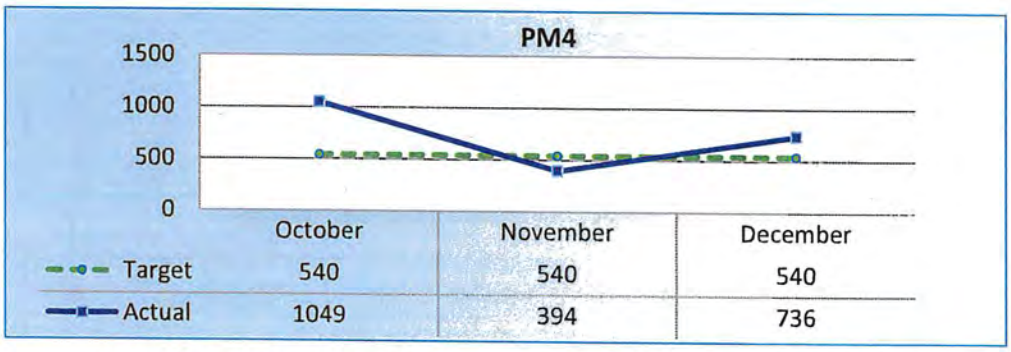


	October	November	December
Target	80	80	80
Actual	65	55	48

Target Average: 80 Days | **Actual Average:** 56 Days

PM4 | Formal Discipline

Average number of days to complete the entire enforcement process for cases transmitted to the AG for formal discipline. (Includes intake, investigation, and transmittal outcome)

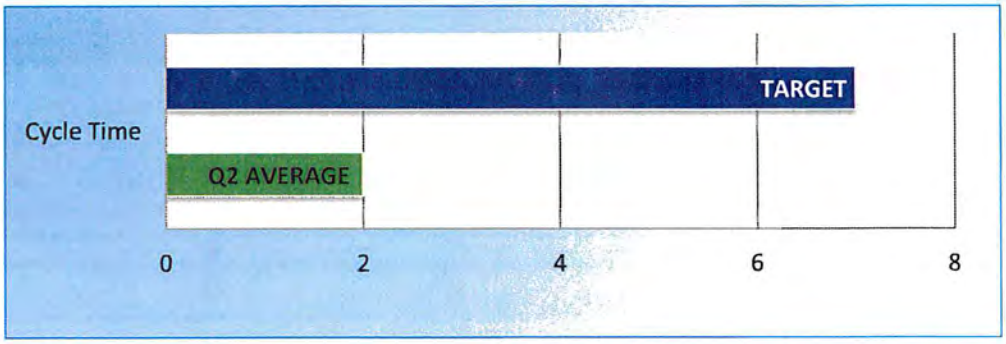


	October	November	December
Target	540	540	540
Actual	1049	394	736

Target Average: 540 Days | **Actual Average:** 1019 Days

PM7 | Probation Intake

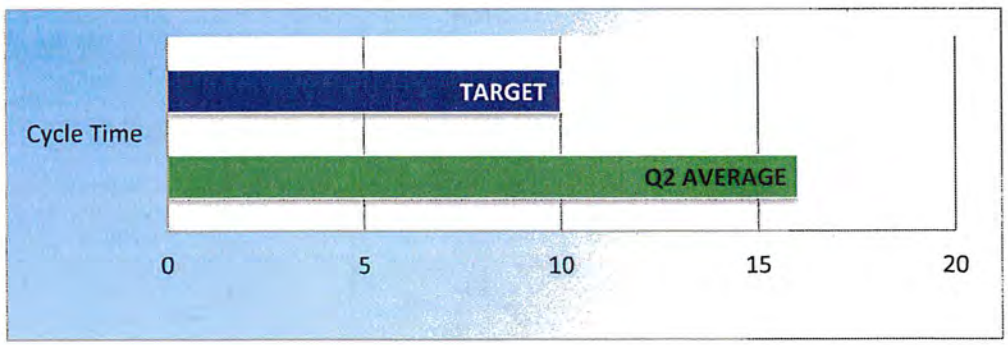
Average number of days from monitor assignment, to the date the monitor makes first contact with the probationer.



Target Average: 7 Days | **Actual Average:** 2

PM8 | Probation Violation Response

Average number of days from the date a violation of probation is reported, to the date the assigned monitor initiates appropriate action.



Target Average: 10 Days | **Actual Average:** 16