

Dear California Board of Psychology Stakeholders:

Assembly Bill 705 (Eggman, Chapter 218, Statutes of 2015) was enrolled on August 3, 2015, and chaptered on August 17, 2015. Changes to the affected Business and Profession Code sections will become effective January 1, 2016. Provided below are explanations of the changes and how they may affect you.

Changes

The revised law requires that unlicensed salaried employees who are practicing psychology in an exempt setting are properly supervised and working towards licensure. Such employees must be supervised by a California-licensed psychologist and primarily be earning supervised professional experience hours towards licensure within a given timeframe of five (5) years from the date of employment or from January 1st, 2016 if already employed in an exempt setting.

Such employees may only practice psychology in one of the following settings to qualify for the temporary exemption;

- Accredited or approved academic institutions
- Public schools
- Governmental agencies

Changes for unlicensed practitioners of psychology in the exempt settings specified above:

- The length of time an employee is exempt will be limited to a cumulative total of 5 (five) years. This timeframe is consistent with the exemption period specified in the Welfare and Institutions Code (WIC) Section 5751.2 (d).
- The employee must be primarily gaining the supervised professional experience required for licensure by the Board and the employees have as the primary supervisor a California- licensed psychologist.

New Language

Sections 2909, 2909.5 and 2910 of the Business and Professions Code are amended to read:

SECTION 1. Section 2909 of the Business and Professions Code is amended to read:

2909. This chapter shall not be construed as restricting or preventing activities of a psychological nature or the use of the official title of the position for which they were employed on the part of the following persons, provided those persons are performing those activities as part of the duties for which they were employed, are performing those activities solely within the confines of or under the jurisdiction of the organization in which they are employed, and do not render or offer to render psychological services, as defined in Section 2903:

- (a) Persons who hold a valid and current credential as a school psychologist issued by the Commission on Teacher Credentialing.
- (b) Persons who are employed in positions as psychologists or psychological assistants by accredited or approved colleges, junior colleges, or universities, or by federal, state, county, or municipal governmental organizations that are not primarily involved in the provision of direct health or mental health services, may conduct research and disseminate their research findings and scientific information.

SEC. 2. Section 2909.5 is added to the Business and Professions Code, to read:

2909.5. This chapter shall not be construed as restricting or preventing activities of a psychological nature or the use of the official title of the position for which persons were employed on the part of persons who meet the educational requirements of subdivision (b) of Section 2914 and who have one year or more of the supervised professional experience referenced in subdivision (c) of Section 2914, if they are employed by nonprofit community agencies that receive a minimum of 25 percent of their financial support from any federal, state, county, or municipal governmental organizations for the purpose of training and providing services, provided those persons are performing those activities as part of the duties for which they were employed, are performing those activities solely within the confines of or under the jurisdiction of the organization in which they are employed and do not render or offer to render psychological services, as defined in Section 2903. Those persons shall be registered by the agency with the board at the time of employment and shall be identified in the setting as a "registered psychologist." Those persons shall be exempt from this chapter for a maximum period of 30 months from the date of registration.

SEC. 3. Section 2910 of the Business and Professions Code is amended to read:

2910. (a) This chapter shall not be construed to restrict the practice of psychology on the part of persons who are salaried employees of accredited or approved academic institutions, public schools, or governmental agencies, if those employees are complying with the following:

- (1) Performing those psychological activities as part of the duties for which they were hired.
- (2) Performing those activities solely within the jurisdiction or confines of those organizations.
- (3) Do not hold themselves out to the public by any title or description of activities incorporating the words "psychology," "psychological," or "psychologist."
- (4) Are primarily gaining the supervised professional experience required for licensure that is being accrued consistent with the board's regulations and the employees have as the primary supervisor a psychologist licensed in the state.

(b) Commencing January 1, 2016, an individual employed or who becomes employed by one or more employers as described in subdivision (a) shall be exempt under this section for a cumulative total of five years.