

**BOARD OF PSYCHOLOGY**  
**FINAL STATEMENT OF REASONS**

Hearing Date: August 22, 2014

Subject Matter of Proposed Regulations: Examinations, License Requirements and Waiver of Examination, Reconsideration of Examinations, Psychologist Fees

Sections Affected: Title 16, California Code of Regulations Sections 1388 (a), 1388 (b), 1388 (c), 1388 (e), 1388 (f), 1388 (g), 1388.6 (a), 1388.6 (b), 1388.6 (c), 1388.6 (d), 1388.6 (e), 1388.6 (f), 1389 (a), 1392 (b), 1392 (c), 1392 (d), 1392 (e), and 1392 (f).

Updated Information

The Initial Statement of Reasons is included in the file. The information contained therein is updated as follows:

The 45-day public comment period began on July 3, 2014, and ended on August 18, 2014. The Board held a regulatory hearing on August 22, 2014, in San Francisco, California. The Board received three written comments during the 45-day comment period, either in response to the proposed regulation, or related to the CPSE generally. No comments were given at the hearing. Two comments were recommending what the proposal already sought to achieve: a fair exam. One comment was in support of the proposal to no longer use the CPSE. No modifications were proposed based upon the public comments received. Board staff reported that 16 CCR Section 1388(e) contained a typographical error omitting existing wording from the language that was being recommended for removal from regulation. Staff recommended a modification to replace the existing language and showing the proposed strike out. Staff also recommended a grammatical correction to 16 CCR Section 1392 (c) by striking the word "either" and adding the word "the" when referring to the proposed single examination.

The modified text was noticed on the Board's web site and mailed on October 17, 2014. The 15-day public comment period began on October 17, 2014, and ended on November 1, 2014. The Board received no public comments in response to the modified text.

Local Mandate

A mandate is not imposed on local agencies or school districts

Small Business Impact

This action will not have a significant adverse economic impact on small businesses.

The anticipated benefits of this regulatory proposal are:

- Clarity in the regulatory language by referencing the correct title of government entities
- Reduce redundancy for examination applicants
- Simplify the licensing examination process for applicants
- Ensure that applicants for licensure have received examination results based upon a fair and legally defensible examination
- Ensure that all applicants are treated equally when determining language barriers and when to qualify applicants for additional time during the during the examination process.

### Consideration of Alternatives

No reasonable alternative which was considered or that has otherwise been identified and brought to the attention of the Board would be more effective in carrying out the purpose for which it was proposed or would be as effective and less burdensome to affected private persons than the adopted regulation or would be more cost effective to affected private persons and equally effective in implementing the statutory policy or other provision of law. The following alternative was considered and was rejected for the reasons set forth below:

1. Do not seek a regulatory change

Reason for rejection: The Board's highest priority is the protection of the public while exercising its licensing, regulatory, and disciplinary functions. This alternative was rejected because this regulatory proposal will ensure that applicants are tested on the requisite body of knowledge by the EPPP without overlap with a California exam, while California's exam focus appropriately on its laws and ethics. In addition, the process to qualify for additional time for the exam for applicants whose first language is not English needs to be in regulation.

### Objections or Recommendations/Responses

There were no public comments received at the time of the hearing. The following written comments and recommendations were received by the Board regarding the proposed action:

- 1.) Emily Rosten, Ph.D., Psychology Internship Director, Atascadero State Hospital, commented that the Board should establish a pass level for the proposed California Psychology Laws and Ethics Examination (CPLEE). While she is unaware of how the current California Psychology Supplemental Examination

(CPSE) is scored, she is aware of some very capable psychologists who failed the test by a small margin, when, in her estimation, they were ready for independent practice.

This comment was in support of the proposed language. The proposed amendment eliminates the CPSE scoring and the Office of Professional Examination Services follows a standard and accepted protocol, complying with psychometric and legal standards when establishing passing scores. No modifications are required.

- 2.) Lee Carter Glancey, Psy.D., MBA, Atascadero State Hospital, commented that despite her education, qualifications, current license status in another state, and well-preparedness for the California examination, she failed the CPSE because, she believes, many of the questions were complicated in their wording, subjective in their content, and difficult to answer with the information provided in the question. She hoped this information might assist the Board as it developed changes to the licensing process.

This comment was in support of a fair and valid exam. The proposed amendments eliminate the CPSE. No modifications are required.

- 3.) Hillary Wright commented that the CPSE and the EPPP overlap, and she supported the switch from the CPSE to the CPLEE.

This comment was supportive of the proposed amendments. No modifications are required.

### 15-Day Notice

There were no comments concerning the modified proposal.

### Change to Section 1388(b)

The word “supplemental” was inadvertently left in the CPLEE title. The word “supplemental” was removed to correct the examination title as a supplemental version of the CPLEE does not exist.