

## TITLE 16. BOARD OF PSYCHOLOGY

NOTICE IS HEREBY GIVEN that the Board of Psychology (hereinafter "Board") is proposing to take the action described in the Informative Digest. Any person interested may present statements or arguments orally or in writing relevant to the action proposed at a hearing to be held:

Friday, August 14, 2015 at 9:30 a.m.  
Board of Psychology Board Meeting  
The Wright Institute  
2728 Durant Ave,  
Berkeley, CA 94704  
(510) 841-9230

Written comments, including those sent by mail, facsimile, or e-mail to the addresses listed under Contact Person in this Notice, must be received by the Board at its office no later than 5:00 p.m. on August 3, 2015 or must be received by the Board at the hearing.

The Board, upon its own motion or at the instance of any interested party, may thereafter adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as contact person and will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

Authority and Reference: Pursuant to the authority vested by Section 2930 of the Business and Professions Code, and to implement, interpret or make specific Sections 12.5, 27, 136, and 2948 of said Code, the Board is considering changes to Division 13.1 of Title 16 of the California Code of Regulations as follows:

### INFORMATIVE DIGEST

The Board proposes to amend section 1380.5 of Title 16 of the California Code of Regulations. This regulation requires licensees to file and maintain with the Board his or her mailing address.

The Board proposes to amend regulations to continue to allow licensees to report a mailing address for purposes of establishing an address of record, acknowledging that this information is public record, and to require licensees provide the Board with a physical business or residential address, which will not be disclosed to the public, when the licensee has provided a mailing-address-only as the address of record. The proposal permits the Board to make contact with a licensee's physical address when necessary to meet the mandate of consumer protection. The Board is also proposing to require applicants and licensees who have an electronic mail address to provide and maintain that address with the Board, thus allowing the Board to provide efficient

services to the regulated community.

A. Anticipated Benefits of Proposal

Permitting licensees to continue to report a mail-only address will continue to allow the licensee the option of not publically disclosing personal information that could be accessed by a client/patient or other persons, which may compromise the licensee/patient boundaries, or could result in an unsafe situation for the licensee. Requiring the licensee to provide a current physical address permits the Board to meet its mandate of consumer protection in a more reliable and cost efficient manner.

Requiring that an electronic mail address be provided to the Board provides the Board with an additional tool to expeditiously communicate application deficiencies to applicants, eliminating the need for multiple staff members to receive, review and direct hardcopy correspondence. This will allow one staff member to communicate and receive correspondence from the applicant. This will also permit staff members to solve issues with applications in a more expeditious manner. Last, this change will result in applications being reviewed earlier and licenses issued in a timelier manner.

B. Consistency and Compatibility with Existing State Regulations

During the process of developing these regulations and amendments, the Board has conducted a search of any similar regulations on this topic and has concluded that these regulations are neither inconsistent nor incompatible with existing state regulations.

FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State:

The Board does foresee a minor fiscal impact. This impact will come in the additional time it will take staff to input additional addresses to the 2,635 licensees who have only a post office box or alternate address filed with the Board. It takes staff approximately two minutes to update an address in the BreEZe system. The workload will be spread out over the Board's two-year renewal cycle in the case of psychologists and the one-year renewal cycle of psychological assistants.

This impact also includes costs to the Board that will be minor and absorbable with the updating of forms and BreEZe database capabilities to retain the required information.

Nondiscretionary Costs/Savings to Local Agencies: None

Local Mandate: None

Cost to any local agency or school district which must be reimbursed in

accordance with Government Code Sections 17500 – 17630: None

Business Impact:

The Board has made an initial determination that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

Cost Impact on Representative Private Person or Business:

The Board is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Effect on Housing Costs: None

EFFECT ON SMALL BUSINESS

The Board has determined that the proposed regulations would not affect small businesses. This is because the purpose of the regulation is to require licensees to have a physical address and electronic address with the Board.

RESULTS OF ECONOMIC IMPACT ASSESSMENT/ANALYSIS:

Impact on Jobs/Businesses:

The Board has determined that this regulatory proposal will not have any impact on the creation of jobs or new businesses or the elimination of jobs or existing businesses or the expansion of businesses in the State of California.

Benefits of Regulation:

The Board has determined that this regulatory proposal will benefit the health and welfare of California residents by ensuring timely delivery of notifications of regulatory violations to mental health practitioners allowing the licensee to quickly implement corrective actions for compliance.

CONSIDERATION OF ALTERNATIVES

The Board must determine that no reasonable alternative it considered to the regulation or that has otherwise been identified and brought to its attention would be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the proposal described in this Notice, or would be more cost effective to affected private persons and equally

effective in implementing the statutory policy or other provision of law.

Any interested person may present statements or arguments orally or in writing relevant to the above determinations at the above-mentioned hearing.

### INITIAL STATEMENT OF REASONS AND INFORMATION

The Board has prepared an initial statement of the reasons for the proposed action and has available all the information upon which the proposal is based.

### TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained at the hearing or prior to the hearing upon request from the person designated in the Notice under Contact Person or by accessing the Board's website, [www.psychology.ca.gov](http://www.psychology.ca.gov)

### AVAILABILITY AND LOCATION OF THE FINAL STATEMENT OF REASONS AND RULEMAKING FILE

All the information upon which the proposed regulations are based is contained in the rulemaking file which is available for public inspection by contacting the person named below. You may obtain a copy of the final statement of reasons once it has been prepared, by making a written request to the contact person named below or by accessing the website listed below.

### CONTACT PERSON

Inquiries or comments concerning the proposed rulemaking action may be addressed to:

Name: Jonathan Burke  
Address: 1625 North Market Blvd., Suite N215  
Sacramento, CA 95834  
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E-Mail Address: [Jonathan.Burke@dca.ca.gov](mailto:Jonathan.Burke@dca.ca.gov)

The backup contact person is:

Name: Jeffrey Thomas  
Address: 1625 North Market Blvd., Suite N215  
Sacramento, CA 95834  
Telephone No.: (916) 574-7116  
Fax No.: (916) 574-8672

E-Mail Address: [Jeffrey.Thomas@dca.ca.gov](mailto:Jeffrey.Thomas@dca.ca.gov)

Website Access:

Materials regarding this proposal can be found at: [www.psychology.ca.gov](http://www.psychology.ca.gov). Click on "Laws/Regulations," "Proposed Regulations."