

NOTICE OF TELECONFERENCE BOARD MEETING

The Board of Psychology will hold a Board Meeting via WebEx

NOTE: Pursuant to the provisions of Governor Gavin Newsom's Executive Order N-29-20, dated March 17, 2020, neither Board member locations nor a public meeting location are provided. Public participation may be through the WebEx link as provided below. If you have trouble getting on the call to listen or participate, please call 916-574-7720.

Agenda discussion and report items are subject to action being taken on them during the meeting by the Board at its discretion. Action may be taken on any item on the agenda.

Important Notice to the Public: The Board of Psychology will hold a public meeting via WebEx Events. To participate in the WebEx meeting, please log on to this website the day of the meeting:

Thursday, February 18, 2021: <https://dca-meetings.webex.com/dca-meetings/onstage/g.php?MTID=e41cbe5d1fcc8107337cc148cc63607d4>

Friday, February 19, 2021: <https://dca-meetings.webex.com/dca-meetings/onstage/g.php?MTID=eca8e0ff0c2601cce0d7b654070a152ea>

Instructions to connect to the meeting can be found at the end of this agenda. Members of the public may, but are not obligated, to provide their names or personal information as a condition of observing or participating in the meeting. When signing into the WebEx platform, participants may be asked for their name and email address. Participants who choose not to provide their names will need to provide a unique identifier such as their initials or another alternative, so that the meeting moderator can identify individuals who wish to make public comment; participants who choose not to provide their email address may utilize a fictitious email address like in the following sample format: XXXXX@mailinator.com.

Due to potential technical difficulties, please consider submitting written comments by February 17, 2021, to bopmail@dca.ca.gov for consideration.

Thursday, February 18, 2021

Board Members

Seyron Foo, President
Lea Tate, PsyD, Vice President
Sheryll Casuga, PsyD
Marisela Cervantes
Mary Harb Sheets, PhD
Julie Nystrom
Stephen Phillips, JD, PsyD
Ana Rescate
Shacunda Rodgers, PhD

Legal Counsel

Will Maguire
Clay Jackson

Board Staff

Antonette Sorrick, Executive Officer
Jon Burke, Assistant Executive Officer
Stephanie Cheung, Licensing Manager
Jason Glasspiegel, Central Services Manager
Sandra Monterrubio, Enforcement Program
Manager
Liezal McCockran, CE/Renewals
Coordinator
Mai Xiong, Licensing/BreEZe Coordinator
Cristina Rivera, Legislative and Regulatory
Analyst
Sarah Proteau, Central Services Office
Technician

Thursday, February 18, 2021

AGENDA

9:00 a.m. – 5:00 p.m. or until Completion of Business

Unless noticed for a specific time, items may be heard at any time during the period of the Board meeting.

The Board welcomes and encourages public participation at its meetings. The public may take appropriate opportunities to comment on any issue before the Board at the time the item is heard. If public comment is not specifically requested, members of the public should feel free to request an opportunity to comment.

1. Call to Order/Roll Call/Establishment of a Quorum
2. President's Welcome
3. Public Comment for Items Not on the Agenda. Note: The Board May Not Discuss or Take Action on Any Matter Raised During this Public Comment Section, Except to Decide Whether to Place the Matter on the Agenda of a Future Meeting [Government Code sections 11125 and 11125.7(a)].

4. President's Report (S. Foo)
 - a) Dates and Locations of 2021 Board and Committee Meetings
 - b) Committee Membership Updates
5. Executive Officer's Report (A. Sorrick)
 - a) Personnel Update
6. Discussion and Possible Approval of the Board Meeting Minutes: November 19-20, 2020
7. Budget Report (J. Glasspiegel/P. McDermott)
8. Licensure Committee Report and Consideration of and Possible Action on Committee Recommendations (Harb Sheets – Chairperson, Nystrom, Tate)
 - a) Projects on hold due to Limited Staffing Resources
 1. Informational Resources for Supervisors
 2. Co-host a Stakeholder Meeting on Informing Consumers Regarding the Respective Roles of a Licensed Psychologist, Licensed Educational Psychologist, and Individuals Holding a Credential with a Specialization in School Psychology
 - b) Update on Waivers
 - c) Licensing Report
 - d) Continuing Education and Renewals Report
 - e) Examination Report
 1. Subject Matter Expert – Demographic Data
 2. Examination Candidate Statistics
 3. Review, Consider and Possible Action on Proposed Amendments to 16 California Code of Regulations (CCR) section 1392, subdivision (b)-- Increase the California Psychology Law and Ethics Exam (CPLEE) Fee
 - f) Update on California Psychology Law and Ethics Exam (CPLEE) Online Administrations
 - g) Consideration and Possible action on Guidelines for Board Meeting Materials relating to Extension Requests
 - h) Consideration of Licensure Committee Recommendations Regarding Requests for an Extension of the 72-Month Registration Period Limitation for Registered Psychological Assistant Pursuant to 16 CCR section 1391.1, subdivision (b)
 - i) Consideration of Licensure Committee Recommendations Regarding Requests for an Extension of the 30-Consecutive Month Limitation to Accrue 1500 Hours of Post-Doctoral Supervised Professional Experience Pursuant to 16 CCR section 1387, subdivision (a)
9. Legislative and Regulatory Affairs Updates (Cervantes – Chairperson, Casuga, Phillips)
 - a) Board Sponsored Legislation for the 2020 Legislative Session: Review and Possible Action

1. Amendments to section 2960.1 of the Business and Professions Code Regarding Denial, Suspension and Revocation for Acts of Sexual Contact
 2. Pathways to Licensure Statutory Revisions – Amendments to sections 27, 2909, 2909.5, 2910, 2911, 2913, 2914, 2915, 2915.5, 2915.7, 2942, 2944, 2946, and 2960 of the Business and Professions Code, and section 1010 of the Evidence Code.
 3. Sunset Provisions – Amendments to section 2912, and Addition of Sections Related to Reinstatement to Active after Voluntary Surrender, Licensure Committee Delegated Authority, and Authority to Issue Waivers.
 - b) Update on California Psychological Association Legislative Proposal Regarding New Registration Category for Psychological Testing Technicians.
 - c) Legislative Items for Future Meeting. The Board May Discuss Other Items of Legislation in Sufficient Detail to Determine Whether Such Items Should be on a Future Board Meeting Agenda and/or Whether to Hold a Special Meeting of the Board to Discuss Such Items Pursuant to Government Code section 11125.4
10. Enforcement Report (S. Monterrubio)
 11. Consideration of Adopting Amendments to 16 CCR sections 1381.9, 1397.60, 1397.61, 1397.62, and 1397.67, and adding sections 1397.60, 1397.61, 1397.62, and 1397.67– Continuing Education/Professional Development
 12. Consideration of Adding 16 CCR section 1396.8– Standards of Practice for Telehealth
 13. Regulatory Update, Review, and Consideration of Additional Changes (M. Cervantes)
 - a) 16 CCR sections 1391.1, 1391.2, 1391.5, 1391.6, 1391.8, 1391.10, 1391.11, 1391.12, 1392.1 – Psychological Assistants
 - b) 16 CCR sections 1381.9, 1381.10, 1392 – Retired License, Renewal of Expired License, Psychologist Fees
 - c) 16 CCR sections 1391.13, and 1391.14 – Inactive Psychological Assistant Registration and Reactivating a Psychological Assistant Registration
 - d) 16 CCR section 1394 – Substantial Relationship Criteria; Section 1395 – Rehabilitation Criteria for Denials and Reinstatements; Section 1395.1 – Rehabilitation Criteria for Denials Suspensions or Revocations

CLOSED SESSION

14. The Board Will Meet in Closed Session Pursuant to Government Code Section 11126, subdivision (c)(3) to Discuss Disciplinary Matters Including Proposed Decisions, Stipulations, Petitions for Reinstatement or Modification of Penalty, Petitions for Reconsideration, and Remands.

RECESS FOR THE DAY

9:00 a.m. – 5:00 p.m. or until Completion of Business

15. Call to Order/Roll Call/Establishment of a Quorum

CLOSED SESSION

16. The Board will Meet in Closed Session Pursuant to Government Code Section 11126, subdivision (c)(3) to Discuss Disciplinary Matters Including Proposed Decisions, Stipulations, Petitions for Reinstatement and Modification of Penalty, Petitions for Reconsideration, and Remands.

RETURN TO OPEN SESSION

17. Public Comment for Items Not on the Agenda. Note: The Board May Not Discuss or Take Action on Any Matter Raised During this Public Comment Section, Except to Decide Whether to Place the Matter on the Agenda of a Future Meeting [Government Code sections 11125 and 11125.7(a)].
18. Scope of Office of Professional Examination Services to the Board of Psychology (T. Montez)
19. Enforcement Committee Report and Consideration of and Possible Action on Committee Recommendations (Phillips – Chairperson, Foo)
- a) Child Custody Stakeholder Meeting-Implementation Plan Update
 - 1. Statutory Discussion Regarding Proposed Exception to Psychotherapist-Patient Privilege for Board Investigations
 - b) Regulatory Update, Review, and Consideration of Additional Changes
 - 1. 16 CCR section 1380.6 – Display of License Number
 - 2. 16 CCR section 1393 – Requirements for Psychologists on Probation
 - 3. 16 CCR section 1396 – Competence
 - 4. 16 CCR section 1396.1 – Interpersonal Relations
 - 5. 16 CCR section 1396.2 – Misrepresentation
 - 6. 16 CCR section 1396.3 – Test Security
 - 7. 16 CCR section 1396.4 – Professional Identification
 - 8. 16 CCR section 1396.5 – Consumer Information
 - 9. 16 CCR section 1397 – Advertising
 - 10. 16 CCR section 1397.1 – Child Abuse Reporting requirements
 - 11. 16 CCR section 1397.2 – Other Actions Constituting Unprofessional Conduct
 - 12. 16 CCR section 1397.30 – Citation
 - 13. 16 CCR section 1397.36 – Requirements for Professional Corporations
 - 14. 16 CCR section 1397.37 – Shares: Ownership and Transfer
 - 15. 16 CCR section 1397.39 – Corporate Activities
 - 16. 16 CCR section 1397.40 – Trusts
 - 17. 16 CCR Sections 1397.50 – Citations and Fines
 - 18. 16 CCR section 1397.51 – Amount of Fines

- 19.16 CCR section .52 – Compliance with Orders of Abatement
- 20.16 CCR section 1397.53 – Citations for Unlicensed Practice
- 21.16 CCR section 1397.54 – Contest of Citations
- 22.16 CCR section 1397.55 – Disconnection of Telephone Service

c) Statutory and Regulatory Update, Review, and Consideration of Additional Changes

- 1. Business and Professions Code (BPC) section 2902 – Definitions
- 2. BPC section 2903 – Licensure requirement; Practice of psychology; Psychotherapy
- 3. BPC section 2903.1 – Biofeedback instruments
- 4. BPC section 2908 – Exemption of other professions
- 5. BPC section 2912 – Temporary practice by licensees of other state or foreign country
- 6. BPC section 2934.1 – Posting of license status on Web site
- 7. BPC section 2936 – Consumer and professional education in matters relevant to ethical practice; Standards of ethical conduct; Notice
- 8. BPC section 2960 – Grounds for action(a)-(r) (o)
- 9. BPC section 2960.05 – Limitations period for filing accusation against licensee
- 10. BPC section 2960.1 – Sexual contact with patient; Revocation
- 11. BPC section 2960.2 – Licensee’s physical, emotional and mental condition evaluated
- 12. BPC section 2960.5 – Mental illness or chemical dependency
- 13. BPC section 2960.6 – Actions by other states
- 14. BPC section 2961 – Scope of action
- 15. BPC section 2962 – Petition for reinstatement or modification of penalty
- 16. BPC section 2963 – Matters deemed conviction
- 17. BPC section 2964 – Report of license revocation or restoration
- 18. BPC section 2964.3 – Persons required to register as sex offender
- 19. BPC section 2964.5 – Conditions of probation or suspension
- 20. BPC section 2964.6 – Payment of probationary costs
- 21. BPC section 2965 – Conduct of proceedings
- 22. BPC section 2966 – Suspension during incarceration for felony conviction; Determination of substantial relationship of felony to functions of psychologist; Discipline or denial of license
- 23. BPC section 2969 – Penalties for failure to provide medical records; Failure to comply with court order; Multiple acts
- 24. BPC section 2970 – Violation of chapter as misdemeanor
- 25. BPC section 2971 – Injunctions
- 26. BPC section 2985 – Renewal of suspended licenses; Reinstatement of revoked licenses
- 27. BPC section 2986 – Effect of failure to renew within prescribed time
- 28. BPC section 2995 – Psychological corporation
- 29. BPC section 2996 – Violation of unprofessional conduct
- 30. BPC section 2996.1 – Conduct of practice

- 31. BPC section 2996.2 – Accrual of income to shareholder while disqualified prohibited
 - 32. BPC section 2997 – Shareholders, directors and officers to be licensees
 - 33. BPC section 2998 – Name, 2999 – Regulation by committee
 - d) Failed Continuing Education Audits referred to Enforcement Unit for Discipline
 - e) Consideration of Mail Ballot/Hold for Discussion Policy
20. Recommendations for Agenda Items for Future Board Meetings. Note: The Board May Not Discuss or Take Action on Any Matter Raised During This Public Comment Section, Except to Decide Whether to Place the Matter on the Agenda of a Future Meeting [Government Code Sections 11125 and 11125.7(a)].

ADJOURNMENT

Due to technological limitations, adjournment will not be broadcast. Adjournment will immediately follow closed session, and there will be no other items of business discussed or transacted.

The meeting may be canceled without notice. For verification, please check the Board's Web site at www.psychology.ca.gov, or call (916) 574-7720. To accommodate speakers, or to maintain a quorum, items may be taken out of order, tabled or held over to a subsequent meeting, and items scheduled to be heard on Thursday may be held over to Friday, or if scheduled to be heard on Friday may be moved up to Thursday.

In the event a quorum of the Board is unable to attend the meeting, or the Board is unable to maintain a quorum once the meeting is called to order, the president may, at his discretion, continue to discuss items from the agenda and to vote to make recommendations to the full board at a future meeting [Government Code section 11125(c)].

Meetings of the Board of Psychology are open to the public except when specifically noticed otherwise in accordance with the Open Meeting Act. The public may take appropriate opportunities to comment on any issue before the Board at the time the item is heard, but the President may, at his discretion, apportion available time among those who wish to speak.

The meeting is accessible to the physically disabled. A person who needs a disability-related accommodation or modification in order to participate in the meeting may make a request by contacting Antonette Sorrick, Executive Officer, at (916) 574-7720 or email bopmail@dca.ca.gov or send a written request addressed to 1625 N. Market Boulevard, Suite N-215, Sacramento, CA 95834. Providing your request at least five (5) business days before the meeting will help ensure availability of the requested accommodation.

The Board of Psychology protects consumers of psychological services by licensing psychologists, regulating the practice of psychology, and supporting the evolution of the profession.