

NOTICE OF TELECONFERENCE BOARD MEETING

**Thursday & Friday, November 18-19, 2021
9:30 a.m. – 4:00 p.m. or until Completion of Business**

For Thursday, November 18, 2021:

If Joining by Computer:

<https://dca-meetings.webex.com/dca-meetings/j.php?MTID=m2b532f47b707a28c96ccd94abbc200fa>

Event number: 2485 428 8196

Event password: BOP11182021

If Joining by Phone:

+1-415-655-0001 US Toll

Access code: 248 542 88196, followed by #

Passcode: 26711182, followed by #

For Friday, November 19, 2021:

If Joining by Computer:

<https://dca-meetings.webex.com/dca-meetings/j.php?MTID=mcec7aedd21f135b4fee415b30280d2bc>

Event number: 2493 506 7782

Event password: BOP11192021

If joining by phone

+1-415-655-0001 US Toll, followed by #

Access code: 249 350 67782, followed by #

If you have trouble joining to listen or participate, please call 916-574-7720.

Due to potential technical difficulties, please consider submitting written comments by November 12, 2021, to bopmail@dca.ca.gov for consideration.

NOTE: The Board will hold this public meeting through teleconferencing and will make this public meeting accessible telephonically to all members of the public seeking to observe and to address the state body, pursuant to Gov. Code § 11133 as added by AB 361.

Action may be taken on any item on the agenda. Items may be taken out of order, tabled or held over to a subsequent meeting, for convenience, to accommodate speakers, or to maintain a quorum.

Board Members

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

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
Suzanne Costa, Legislative and Regulatory
Analyst
Sarah Proteau, Central Services Office
Technician
Rebecca Bon, Board Counsel
Heather Hoganson, Regulatory Counsel

Thursday, November 18, 2021

AGENDA

9:30 a.m. – 4:00 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. Executive Officer’s Report (A. Sorrick)

- a) Personnel Update
 - b) COVID-19 Update
5. President's Report (S. Foo)
 - a) Dates and Locations of 2022 Board and Committee Meetings
 - b) Committee Updates
 6. Discussion and Possible Approval of the Board Meeting Minutes: August 27, 2021
 7. Department of Consumer Affairs (DCA) Update
 8. Budget Report (J. Glasspiegel)
 9. Outreach and Communications Committee Report and Consideration of and Possible Action on Committee Recommendations (Tate – Chairperson, Rescate, Rodgers)
 - a) Strategic Plan Action Plan Update
 - b) Social Media Update
 - c) Website Statistics Update
 - d) Update on Newsletter
 - e) Outreach Activities Update
 - g) Updates on Communications and/or Activities of the Association of State and Provincial Psychology Boards (ASPPB)
 - h) Discuss and Develop Plan to Update “For Your Peace of Mind – A Consumer’s Guide to Psychological Services”
 - i) Action - Digital Divide – How Does the Digital Divide Impact Access to Telehealth
 1. Draft Survey Questions to Assess Barriers to Telehealth
 2. Determine Next Steps
 10. Legislative and Regulatory Affairs Committee Updates (Cervantes – Chairperson, Casuga, Phillips)
 - a) Board Sponsored Legislation for the 2021 Legislative Session: Review and Possible Action (M. Cervantes)
 - b) SB 401 (Pan) Healing arts: psychology - Amendments to sections 2960 and 2960.1 of the Business and Professions Code Regarding Denial, Suspension and Revocation for Acts of Sexual Contact
 - c) SB 801 (Roth) Healing arts: Board of Behavioral Sciences: Board of Psychology: licensees.
 - d) Legislative Update, Review, and Consideration of Additional Changes (M. Cervantes)
 - e) Bills with Active Positions Taken by the Board
 1. AB 32 (Aguiar-Curry) Telehealth
 2. AB 107 (Salas) Department of Consumer Affairs: boards: temporary licenses: military spouses
 3. SB 221 (Wiener) Health care coverage: timely access to care
 4. SB 731 (Durazo) Criminal records: relief

5. SB 772 (Ochoa Bogh) Professions and vocations: citations: minor violations
- f) Watch Bills
 1. AB 29 (Cooper) State bodies: meetings
 2. AB 54 (Kiley) COVID-19 emergency order violation: license revocation
 3. AB 225 (Gray) Department of Consumer Affairs: boards: veterans: military spouses: licenses
 4. AB 339 (Lee) State and local government: open meetings
 5. AB 361 (Rivas, Robert) Open meetings: state and local agencies: teleconferences
 6. AB 562 (Low) Frontline COVID-19 Provider Mental Health Resiliency Act of 2021: health care providers: mental health services
 7. AB 646 (Low) Department of Consumer Affairs: boards: expunged convictions
 8. AB 657 (Bonta) State civil service system: personal services contracts: professionals
 9. AB 810 (Flora) Healing arts: reports: claims against licensees
 10. AB 830 (Flora) Department of Consumer Affairs: director: powers and duties.
 11. AB 885 (Quirk) Bagley-Keene Open Meeting Act: teleconferencing
 12. AB 1026 (Smith) Business licenses: veterans.
 13. AB 1236 (Ting) Healing arts: licensees: data collection
 14. AB 1386 (Cunningham) License fees: military partners and spouses
 15. SB 102 (Melendez) COVID-19 emergency order violation: license revocation
 16. SB 224 (Portantino) Pupil instruction: mental health education
- g) 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
11. Enforcement Unit Report (S. Monterrubio)
12. Licensing Unit Report (S. Cheung)
13. Continuing Education and Renewals Program Report (L. McCockran)
14. 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 1381.9, 1397.60, 1397.61, 1397.62, 1397.67 – Continuing Professional Development

- d) 16 CCR sections 1391.13, and 1391.14 – Inactive Psychological Assistant Registration and Reactivating a Psychological Assistant Registration
- e) 16 CCR 1392 – Psychologist Fees – California Psychology Law and Ethics Examination (CPLÉE) and Initial License and Biennial Renewal Fee for a Psychologist
- f) 16 CCR 1395.2 – Disciplinary Guidelines and Uniform Standards Related to Substance-Abusing Licensees

15. **CLOSED SESSION**

The Board Will Meet in Closed Session Pursuant to Government Code Section 11126(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.

Friday, November 19, 2021

9:30 a.m. – 4:00 p.m. or until Completion of Business

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

CLOSED SESSION

17. The Board will Meet in Closed Session Pursuant to Government Code Section 11126(a)(1) to Conduct its Annual Evaluation of its Executive Officer.

CLOSED SESSION

18. The Board will Meet in Closed Session Pursuant to Government Code Section 11126(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

19. 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)].
20. EPPP2 Ad Hoc Committee Report and Consideration of and Possible Action on Committee Recommendations (Casuga – Chairperson, Foo, Harb Sheets)
- a) Establish Committee Goal
 - b) Historical Overview of the EPPP (Part 2-Skills)
 - 1. Timeline of Examination

- 2. Correspondence between the Board of Psychology and the Association of State and Provincial Psychology Boards (ASPPB)
 - 3. Identify Outstanding Issues
 - c) ASPPB Report on the EPPP (Part 2-Skills)
 - 1. Participating States
 - 2. Data from Initial Administrations
 - d) General Input Regarding the EPPP (Part 2-Skills)
 - e) DCA's Office of Professional Examination Services (OPES) Status Report of the EPPP Audit
21. Enforcement Committee Report and Consideration of and Possible Action on Committee Recommendations (Phillips – Chairperson, Cervantes)
- a) Statutory and Regulatory Update, Review, and Consideration of Additional Changes
 - 1. 16 CCR Section 1380.6 – Display of License Number
 - 2. 16 CCR Sections 1393 – Requirements for Psychologists on Probation
 - 3. 16 CCR Sections 1396 – Competence; 1396.1 – Interpersonal Relations; 1396.2 – Misrepresentation; 1396.3 – Test Security; 1396.4 – Professional Identification; 1396.5 – Consumer Information; 1397 – Advertising; 1397.1 – Child Abuse Reporting requirements; 1397.2 – Other Actions Constituting Unprofessional Conduct
 - 4. 16 CCR Sections 1397.30 – Citation; 1397.36 – Requirements for Professional Corporations; 1397.37 – Shares: Ownership and Transfer; 1397.39 – Corporate Activities; 1397.40 – Trusts
 - 5. 16 CCR Sections 1397.50 – Citations and Fines; 1397.51 – Amount of Fines; 1397.52 – Compliance with Orders of Abatement; 1397.53 – Citations for Unlicensed Practice; 1397.54 – Contest of Citations; 1397.55 – Disconnection of Telephone Service
 - 6. BPC Sections 2902 – Definitions; 2903 – Licensure requirement; Practice of psychology; Psychotherapy; 2903.1 – Biofeedback instruments; 2908 – Exemption of other professions; 2912 – Temporary practice by licensees of other state or foreign country
 - 7. BPC Section 2934.1 – Posting of license status on Web site
 - 8. BPC 2936 – Consumer and professional education in matters relevant to ethical practice; Standards of ethical conduct; Notice
 - 9. BPC Sections 2960 – Grounds for action; 2960 (a)-(r) (o); 2960.05 – Limitations period for filing accusation against licensee; 2960.1 – Sexual contact with patient; Revocation; 2960.2 – Licensee's physical, emotional and mental condition evaluated; 2960.5 – Mental illness or chemical dependency; 2960.6 – Actions by other states; 2961 – Scope of action; 2962 – Petition for reinstatement or modification of penalty; 2963 – Matters deemed conviction; 2964 – Report of license revocation or restoration; 2964.3 – Persons required to register as sex offender; 2964.5 – Conditions of probation or suspension; 2964.6 – Payment of probationary costs; 2965 – Conduct of proceedings; 2966 – Suspension during incarceration for felony conviction; Determination of substantial relationship of felony to functions of psychologist;

- Discipline or denial of license; 2969 – Penalties for failure to provide medical records; Failure to comply with court order; Multiple acts
- 10. BPC Sections 2970 – Violation of chapter as misdemeanor; 2971 – Injunctions
- 11. BPC 2985 – Renewal of suspended licenses; Reinstatement of revoked licenses, 2986 – Effect of failure to renew within prescribed time
- 12. BPC Section 2995 – Psychological corporation, 2996 – Violation of unprofessional conduct, 2996.1 – Conduct of practice, 2996.2 – Accrual of income to shareholder while disqualified prohibited, 2997 – Shareholders, directors and officers to be licensees, 2998 – Name, 2999 – Regulation by committee
- 13. Disciplinary Guidelines – Review and Consider Draft Language for Violations of Prohibition on Conversion Therapy

22. Election of Officers

23. 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

All times are approximate and subject to change. 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.

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 or its committees, at the time the item is heard, but the President or Committee Chair may, at his or her discretion, apportion available time among those who wish to speak. Board members who are present, but who are not members of the Committee, may listen but may not participate or vote. Members of the public are not required to submit their name or other information to attend the meeting.

This meeting is being held via WebEx Events. 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. Links to agenda items, with exhibits are available at www.psychology.ca.gov, prior to the meeting date.

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

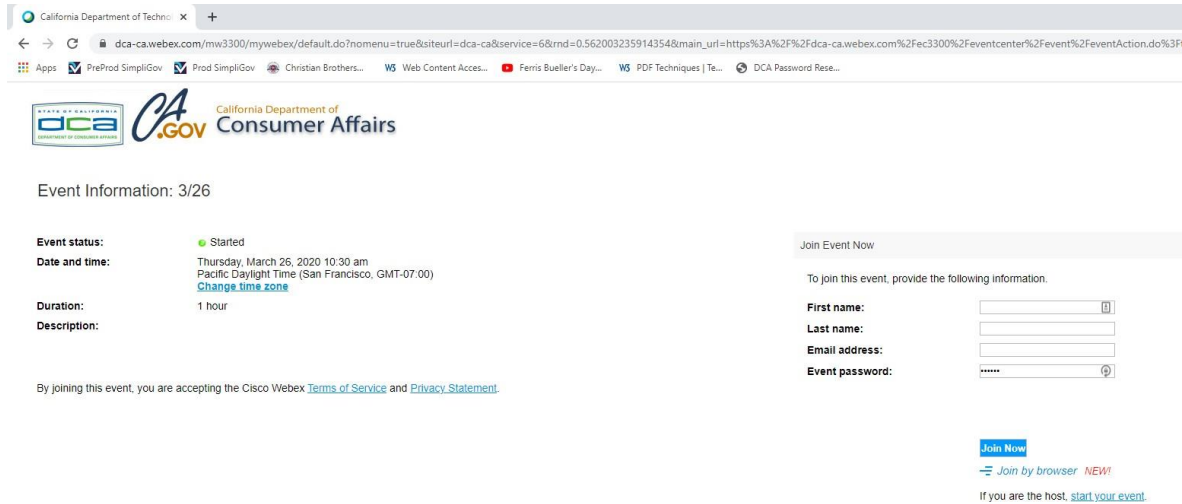
HOW TO – Join – DCA WebEx Event

The following contains instructions on how to join a WebEx event hosted by the Department of Consumer Affairs (DCA).

1. Navigate to the WebEx event link provided by the DCA entity (an example link is provided below for reference) via an internet browser.

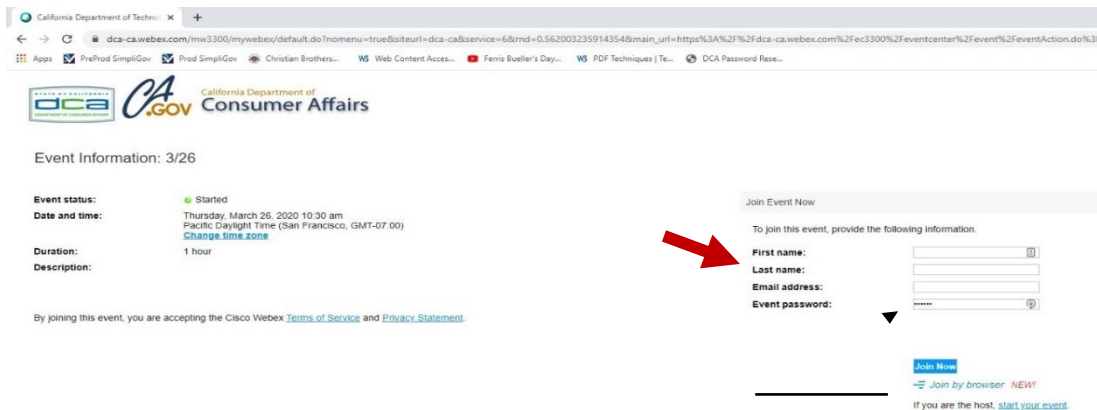
Example link:

<https://dca-ca.webex.com/dca-ca/onstage/g.php?MTID=eb0a73a251f0201d9d5ef3aaa9e978bb5>



2. The details of the event are presented on the left of the screen and the required information for you to complete is on the right.

NOTE: If there is a potential that you will participate in this event during a Public Comment period, you must identify yourself in a manner that the event Host can then identify your line and unmute it so the event participants can hear your public comment. The 'First name', 'Last name' and 'Email address' fields do not need to reflect your identity. The department will use the name or moniker you provide here to identify your communication line should you participate during public comment.



HOW TO – Join – DCA WebEx Event

3. Click the 'Join Now' button.

NOTE: The event password will be entered automatically. If you alter the password by accident, close the browser and click the event link provided again.

Join Event Now

To join this event, provide the following information.

First name:

Last name:

Email address:

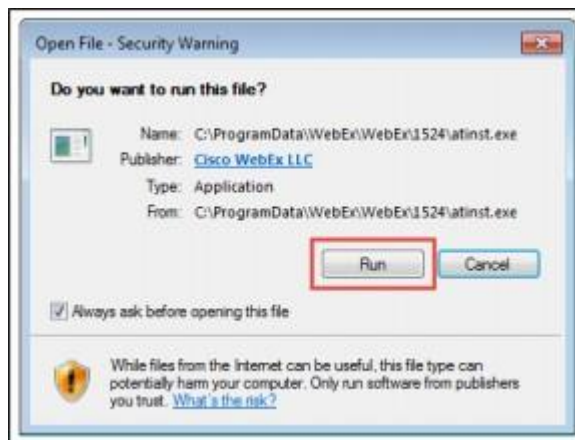
Event password:

Join Now

[Join by browser](#) **NEW!**

If you are the host, [start your event](#).

4. If you do not have the WebEx applet installed for your browser, a new window may open, so make sure your pop-up blocker is disabled. You may see a window asking you to open or run new software. Click 'Run'.



Depending on your computer's settings, you may be blocked from running the necessary software. If this is the case, click 'Cancel' and return to the browser tab that looks like the window below. You can bypass the above process.

HOW TO – Join – DCA WebEx Event

- To bypass step 4, click 'Run a temporary application'.

Starting Webex...



Still having trouble? [Run a temporary application](#) to join this meeting immediately.

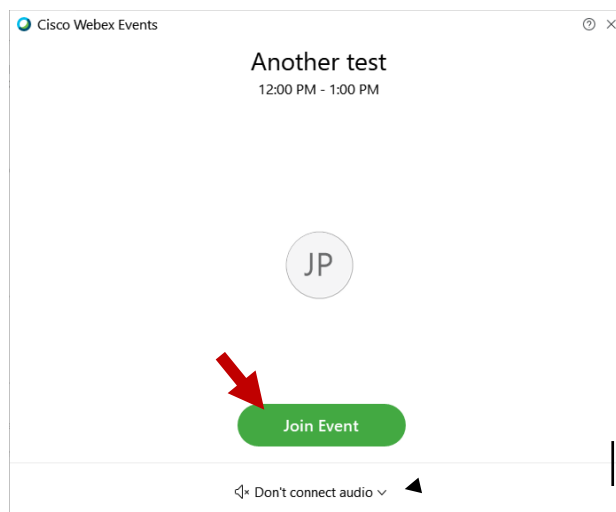
- A dialog box will appear at the bottom of the page, click 'Run'.



The temporary software will run, and the meeting window will open.

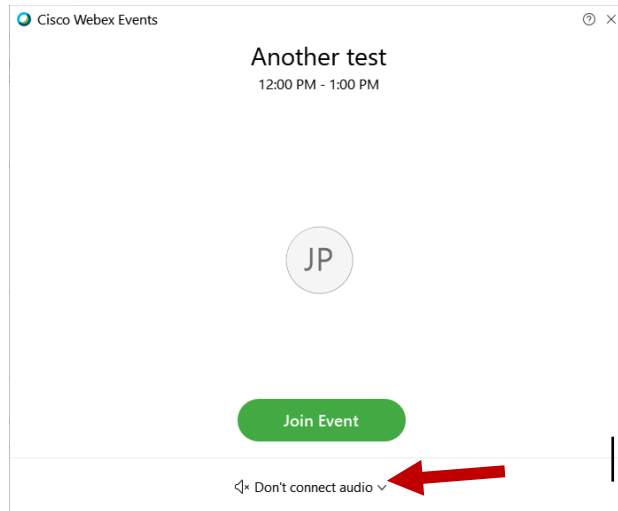
NOTE: The preferred audio connection to our event is via telephone conference or headset. Use of an open microphone and speakers through your computer could result in issue with audio clarity and potential feedback/echo.

- If using a headset plugged into your computer, click the 'Join Event' button.

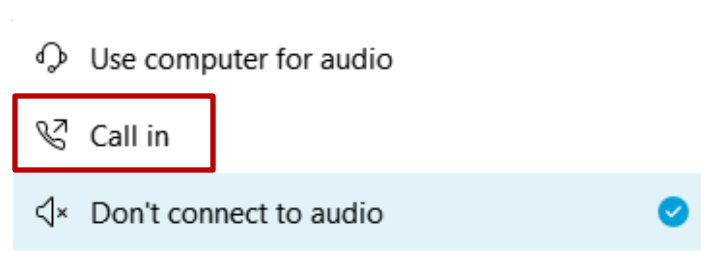


HOW TO – Join – DCA WebEx Event

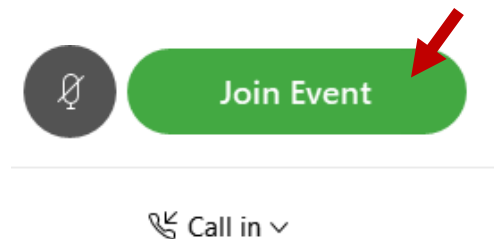
8. If using teleconference via your phone for audio, click the audio menu below the green 'Join Event' button.



9. When the audio menu appears click 'Call in'.

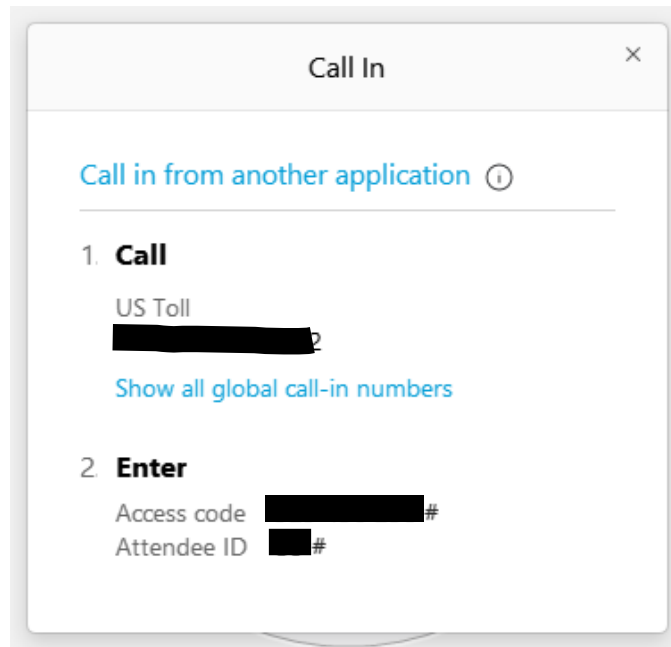


10. Click 'Join Event'. The audio conference call in information will be available after you join the Event.



HOW TO – Join – DCA WebEx Event

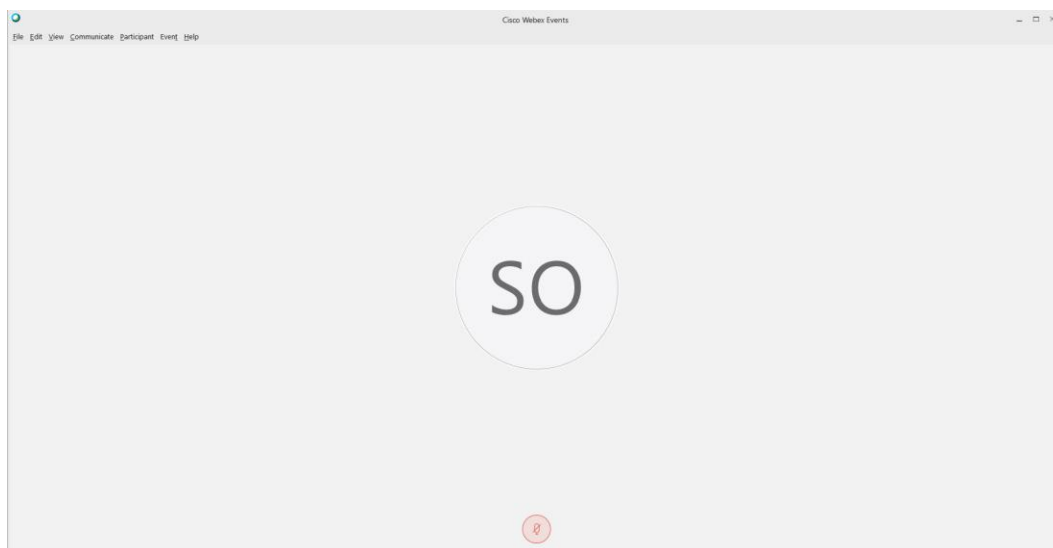
11. Call into the audio conference with the details provided.



NOTE: The audio conference is the preferred method. Using your computer's microphone and speakers is not recommended.

Once you successfully call into the audio conference with the information provided, your screen will look like the screen below and you have joined the event.

Congratulations!

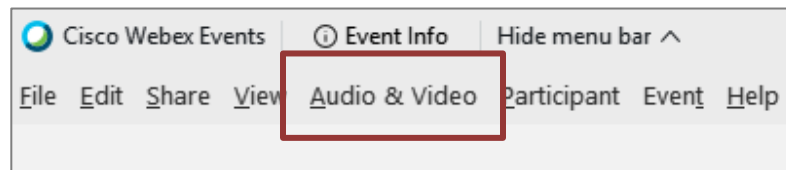


NOTE: Your audio line is muted and can only be unmuted by the event host.

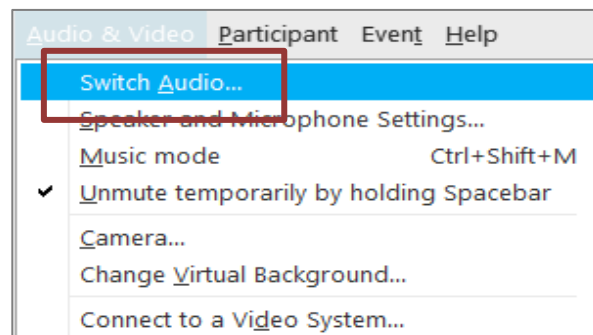
Selecting Audio Connection After Joining

If you join the meeting using your computer's microphone and audio, or you didn't connect audio at all, you can still set that up while you are in the meeting.

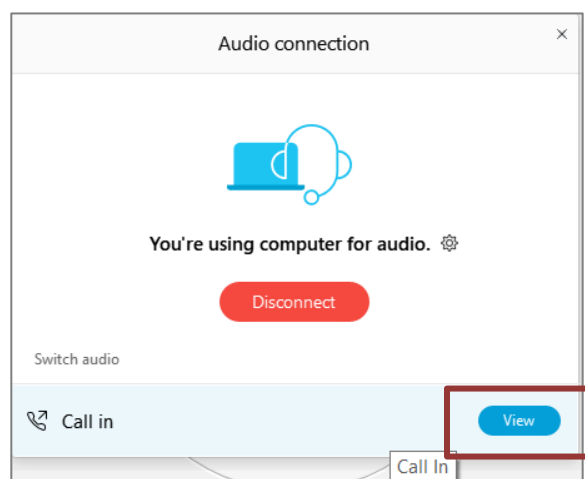
1. Select 'Audio & Video' from the menu bar at the top of your screen.



2. Select "Switch Audio" from the drop-down menu.



3. The 'Call In' information can be displayed by selecting 'View'



You will then be presented the dial in information for you to call in from any phone.

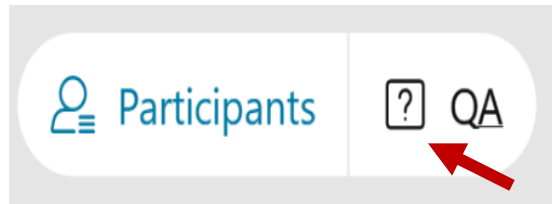
HOW TO – Join – DCA WebEx Event

Participating During a Public Comment Period

At certain times during the event, the facilitator may call for public comment.

Using the Question & Answer feature (Q&A):

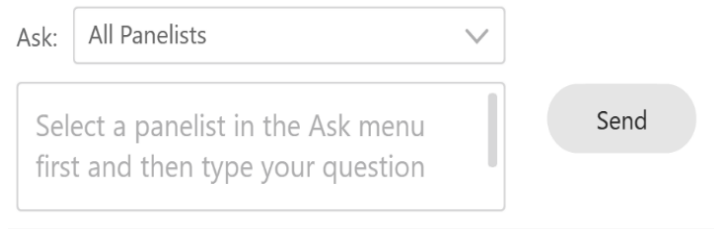
If you would like to make a public comment, click on the 'Q and A' button near the bottom, center of your WebEx session.



This will bring up the 'Q and A' chat box.

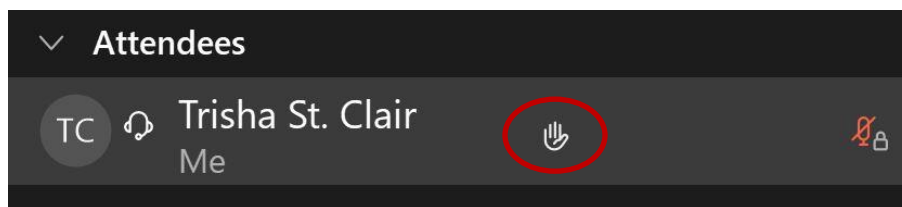
NOTE: The 'Q and A' button will only be available when the event host opens it during a public comment period.

Make sure the 'Ask' menu is set to 'All panelists' and type 'I would like to make a public comment'.



Using the hand raise feature:

If the program elects to allow use of the hand raise feature and you would like to make a public comment, click on the hand icon next to your name.



Please click on the hand icon again once your comment has been presented to lower your hand.

HOW TO – Join – DCA WebEx Event

Attendee lines will be unmuted in the order the requests were received, and you will be allowed to present public comment.

When you are identified as the next commenter, the moderator will unmute your line, sending you a request to unmute yourself. Clicking “unmute me” on the pop-up window will open your microphone. You may then begin providing your public comment.



NOTE: Your line will be muted at the end of the allotted public comment duration. You will be given a warning that your time is about to expire.