

Agenda Item 11(b):

Continuing Education
Committee

Implementation of
AB 1588

Hand carry; to be given out
at the meeting

Department of Consumer Affairs
Board of Psychology

February 20-21, 2014 Board Meeting
Sacramento, CA

Hand-Carry
Agenda Item

Agenda Item 11(b) – Implementation of AB 1588



MEMORANDUM

DATE	February 19, 2014
TO	Psychology Board Members
FROM	<i>Colette McDowell</i> Colette McDowell Continuing Education Analyst
SUBJECT	Agenda Item 11 (Continuing Education Committee) (b): Discuss Implementation of AB 1588 (Atkins) – Military Duty Licensees: Fees and Continuing Education

Background:

In 2012, Assembly Bill (AB) 1588 (Atkins, ch. 742, Stats. 2012) added §114.3 to the Business and Professions (B&P) Code. Section 114.3 allows a licensee called to active military duty to request a waiver from the renewal requirements.

B&P Code §2987.5:

- Exempts licensees from the renewal fee while engaged in full-time active service in the Army, Navy, Air Force or Marines, or in the United States Public Health Service, or while a volunteer in the Peace Corps or Vista.
- Prohibits licensees from engaging in private practice during the exemption period.
- Does not specifically apply to members of the California National Guard.
- Requires licensees to pay the renewal fee upon completion of the full time active service, unless the service is completed within six (6) months of the end of the renewal period, in which case payment is waived.

In order to comply with all related statutes and regulations, they must be read together. Staff has attached a form regarding implementation of AB 1588.

Action Requested:

Review attached documentation.

Discuss to determine whether to recommend the Board approve the attached form.



BOARD OF PSYCHOLOGY – Continuing Education / Renewals
1625 N. Market Blvd., N-215, Sacramento, CA 95834
P 916.574.7720 F 916.574.8671 www.psychboard.ca.gov



**APPLICATION TO RETURN LICENSE TO AN UNRESTRICTED STATUS
AFTER MILITARY WAIVER OF RENEWAL REQUIREMENTS**

NAME: _____

LICENSE NUMBER: PSY **EXPIRATION DATE:** _____

Fee due equals \$16.67 for each month, or portion of any month, remaining in the license cycle (from the postmark date) + \$20.00; (e.g. documentation (application, payment, etc.) postmarked in January, expiration date of April 30th = 4 months x \$16.67 = \$66.68 + \$20.00 = \$86.68)

Postmark month of Reactivation Documents:	
# of months remaining in license cycle (including postmark month):	
x	\$16.67
Subtotal:	
(\$10 Mental Health Practitioner Education Fund Fee [pursuant to B&P Code §2987.2] +\$10 CE Evaluation fee [pursuant to B&P Code §1397.69]) +	\$20.00
Total Due:	

CONVICTIONS: Since you last renewed your license, omitting traffic infractions under \$500.00 not involving alcohol, a dangerous drug, or a controlled substance, have you been convicted of any violations of law in this or any other state, the United States or its territories, military court or other county or have you been disciplined by a government agency or other disciplinary body?

YES _____ NO _____

**If you answer yes, please send certified copies of the court records to the above address.*

LAWS & ETHICS REQUIREMENT: I have obtained training in the subject of laws and ethics, as they apply to the practice of psychology in California?

YES _____ NO _____

CULTURAL DIVERSITY/SOCIAL JUSTICE REQUIREMENT: I have obtained training in the subject of cultural diversity/social justice, as they apply to the practice of psychology in California?

YES _____ NO _____

FINGERPRINT REQUIREMENT: For a license that expires after December 31, 2010, as a condition of renewal, an applicant for renewal not previously fingerprinted by the board, or for whom an electronic record of the submission of fingerprints does not exist in the Department of Justice’s criminal offender record identification database, is required to furnish to the Department of Justice, as directed by the board, a full set of fingerprints for the purpose of conducting a criminal history record check and to undergo a state and federal level criminal offender record information search conducted through the Department of Justice. Failure to submit a full set of fingerprints to the Department of Justice on or before the date required for renewal of a license or registration is grounds for discipline by the board. Have you complied with the new fingerprint requirement? Licensees who have no electronic record of their fingerprints will receive further notification from the Board.

YES _____ NO _____

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

SIGNATURE: _____ **DATE:** _____

Return this form, documentation substantiating end date of active military service, and applicable fees to the above address as soon as possible.

License reactivation takes approximately 4-6 weeks to complete.
For further assistance please call (916) 574-7720 or e-mail bopmail@dca.ca.gov

Information Regarding Application to Return License to Unrestricted Status after Military Waiver of Renewal Requirements

Exemption from Renewal Fee Requirement for Licensees Called to Active Military Duty (pursuant to B&P §§114.3 & 2987.5, as read together)

Every person licensed under this chapter is exempt from the renewal fee requirement in the event they are called to active military duty (commonly referred to as “TDY” or a “temporary duty assignment”).

Every person exempted from the renewal fee requirement by this section shall not engage in any private practice. Written documentation substantiating the qualifying active duty service must be provided, as outlined in §114.3(a)(3) in order to receive a waiver of the renewal fee requirement. Licensees are required, upon receiving notice of his or her discharge date, to notify the board of his or her discharge from active duty within 60 days, as outlined in §114.3(d).

In order for the license to be returned to an unrestricted status, the licensee must fulfill the renewal fee requirement [as outlined below in section (1)], within six (6) months following completion of his or her period of qualifying active duty:

(1) Payment shall be remitted for the pro-rated “reactivation” fee (\$16.67 per month remaining in the renewal cycle [calculated from the postmark date of the “Application to Return License to an Unrestricted Status After Military Waiver of Renewal Requirements” form] + \$10 CE Evaluation Fee [pursuant to §1397.69] + \$10 Mental Health Practitioner Education Fund Fee [pursuant to §2987.2]) for the current renewal period.

The licensee shall have a period of six (6) months after completing the period of qualifying active duty to fulfill the renewal fee requirement before the delinquency fee becomes applicable. Any person who completes his or her period of full-time active service within six (6) months of the end of a renewal period is exempt from the renewal fee requirement for that period.

The time spent in the qualifying active duty shall not be included in the computation of the three-year (3) period for renewal of a license provided in Section 2986.

The exemption provided by this policy shall not be applicable if the person engages in any practice for compensation other than full-time service in the Army, Navy, Air Force or Marines (or California National Guard) or in the United States Public Health Service or the Peace Corps or Vista.

Exemption from Continuing Education Renewal Requirement for Licensees Called to Active Military Duty (pursuant to B&P Code §§114.3 & 1397.62, as read together)

Every person licensed under this chapter is exempt from the continuing education (CE) renewal requirement in the event they are called to active military duty (commonly referred to as “TDY” or a “temporary duty assignment”).

Every person exempted from the CE renewal requirement by this section shall not engage in any private practice. Written documentation substantiating the qualifying active duty service must be provided, as outlined in §114.3(a)(3) in order to receive a waiver of the CE renewal requirement. Licensees are required, upon receiving notice of his or her discharge date, to notify the board of his or her discharge from active duty within 60 days, as outlined in §114.3(d).

In order for the license to be returned to an unrestricted status, the licensee must fulfill the CE renewal requirement [as outlined below in sections (1) and (2)], within six (6) months following completion of his or her period of qualifying active duty:

(1) Licensee shall certify on the “Application to Return License to an Unrestricted Status After Military Waiver of Renewal Requirements” form that he or she has engaged in CE learning activities in the subject of laws and ethics as they apply to the practice of psychology in California [as outlined in section 1397.61(b)], and
(2) Licensee shall certify on the “Application to Return License to an Unrestricted Status After Military Waiver of Renewal Requirements” form that he or she has engaged in CE learning activities pertinent to cultural diversity and social justice issues as they apply to the practice of psychology in California [as outlined in section 1397.61(c)].

The licensee shall have a period of six (6) months after completing the period of qualifying active duty to fulfill the CE renewal requirement. Any person who completes his or her period of full-time active service within six (6) months of the end of a renewal period is exempt from the CE renewal requirement for that period.

For the renewal period immediately subsequent to the discharge date from the qualifying military service, documentation of 1.5 hours per month (or portion of month) remaining in the renewal cycle [calculated from the postmark date of the “Application to Return License to Unrestricted Status After Military Waiver of Renewal Requirements] of CE shall be submitted.

The time spent in the qualifying active duty shall not be included in the computation of the three-year period for renewal of a license provided in Section 2986.

The exemption provided by this policy shall not be applicable if the person engages in any practice for compensation other than full-time service in the Army, Navy, Air Force or Marines (or California National Guard) or in the United States Public Health Service or the Peace Corps or Vista.