




## MEMORANDUM

**Date** November 3, 2014

**To** Board of Psychology Members

**From** Sandra Monterrubio   
Enforcement Program Manager  
DCA/California Board of Psychology

**Subject** Enforcement Program Update

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In September the Board promoted Ashley Castleberry and Corey Brasier to Associate Governmental Program Analysts. Ms. Castleberry has worked for the Board since December, 2013 and was previously a Staff Services Analyst. Mr. Brasier previously worked for the Department of Justice as a Criminal Specialist. Both Ms. Castleberry and Mr. Brasier will be performing desk investigations, referring cases for formal investigation, reviewing Accusations and negotiating Stipulated Settlements with the Office of the Attorney General.

The Board is actively looking to recruit a Staff Services Analyst (SSA) and will be holding interviews mid-November in anticipation of hiring someone by December 2014. The SSA will perform desk investigations, issue citations, and provide office support for enforcement staff. When the SSA is hired, the enforcement unit will be fully staffed.

Training continues to be an ongoing need for the new BreEZe system. As such, enforcement staff will attend BreEZe training in December 2014 to learn additional tools and skills for updating casework and streamlining processes.

Additionally, Expert training has been scheduled for June 18, 2015 in Sacramento. The Experts will be trained on writing analyses, working with the Board's investigative unit (Health Quality Investigative Unit (HQIU)), and testifying at administrative hearings. The Board's Deputy Attorney General liaison, Joshua Templet, has assisted the Enforcement Program Manager in reserving a conference room at the Office of the Attorney General and requested the Deputy Attorney General's Office to assist with the training. The Enforcement Program Manager has contacted HQIU and the Office of the Administrative Hearings to also participate in training.

### COMPLAINT PROGRAM

As of July 1, 2014, the Board of Psychology has received 276 complaints. All complaints are opened and assigned to staff within 9 days of receipt, achieving the Performance Measures established by the Department of Consumer Affairs.

### CITATION PROGRAM

As of July 1, 2014, 15 citations have been served. Citation and fines are issued for minor violations that do not rise to the level of formal discipline. For example, false or misleading advertising or minor record keeping violations are considered minor violations.

### DISCIPLINE PROGRAM

As of July 1, 2014, there were 53 cases pending at the Office of the Attorney General. Of the 53 cases, 13 have been sent over since July 1, 2014.

### PROBATION PROGRAM

Enforcement staff is currently monitoring 32 probationers. Of the 32 probationers, one (1) is out of compliance. Staff will be forwarding this matter over to the Office of the Attorney General for filing of an Accusation and Petition to Revoke Probation.

### ATTACHMENTS

Please find attached the Overview of Enforcement Activity and Performance Measures.

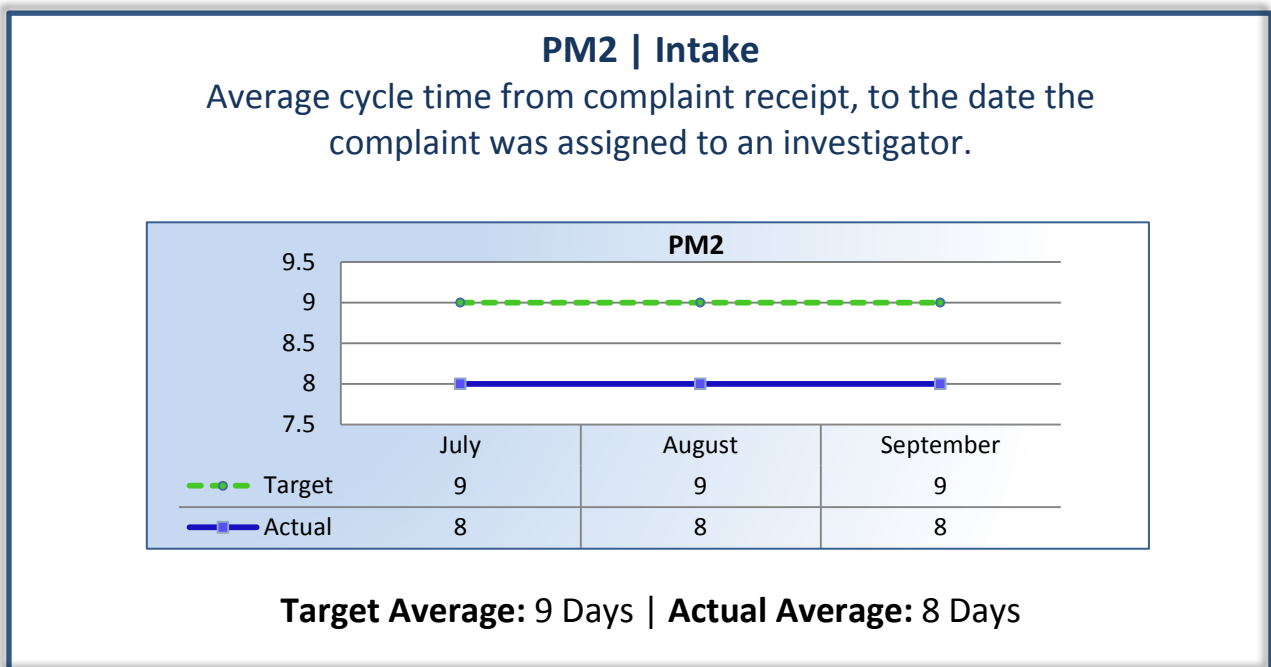
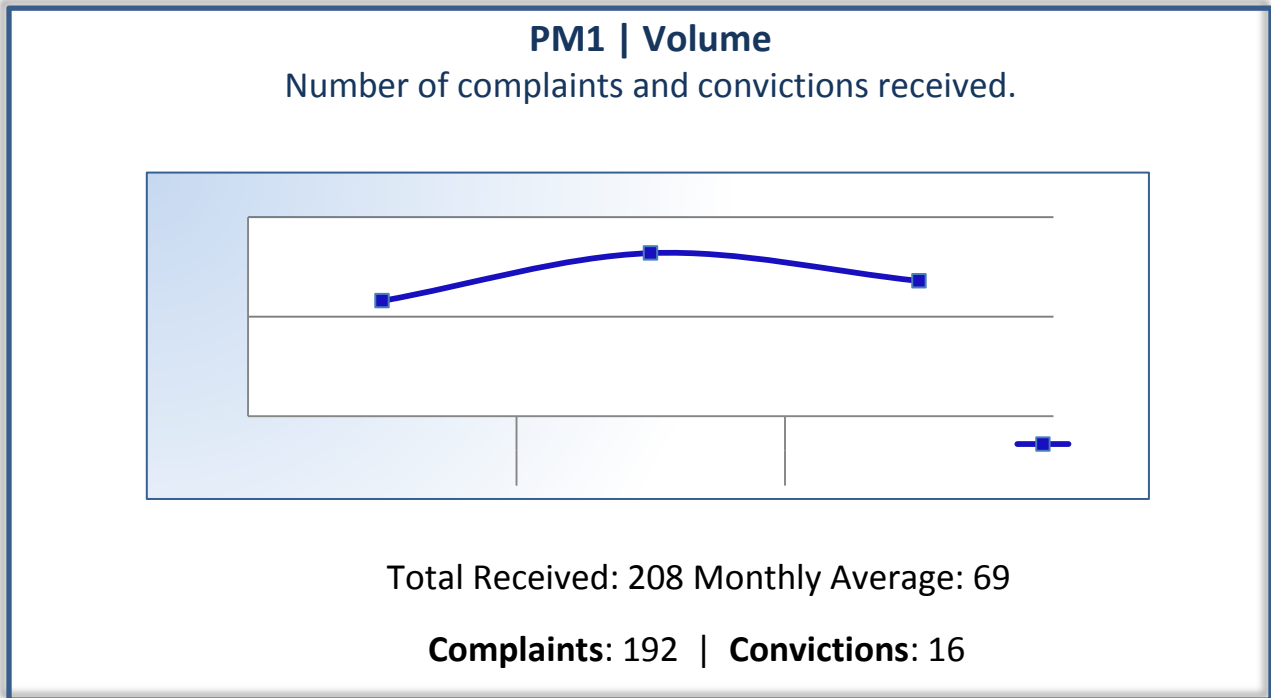
### ACTION REQUESTED

This item is for informational purposes only. No action is required.

## Performance Measures

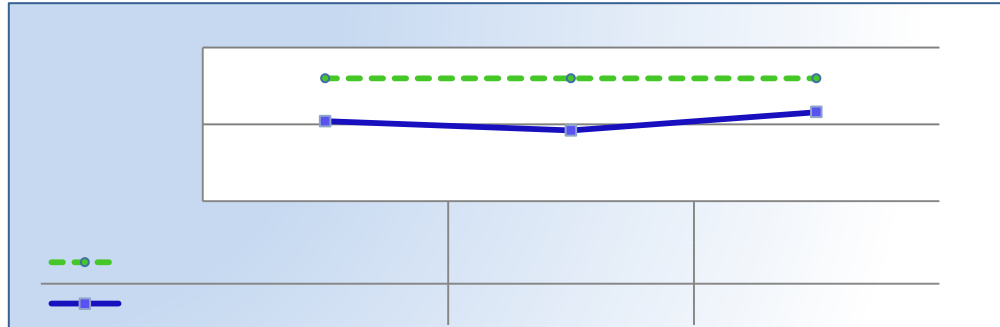
### Q1 Report (July - September 2014)

To ensure stakeholders can review the Board's progress toward meeting its enforcement goals and targets, we have developed a transparent system of performance measurement. These measures will be posted publicly on a quarterly basis.



### PM3 | Intake & Investigation

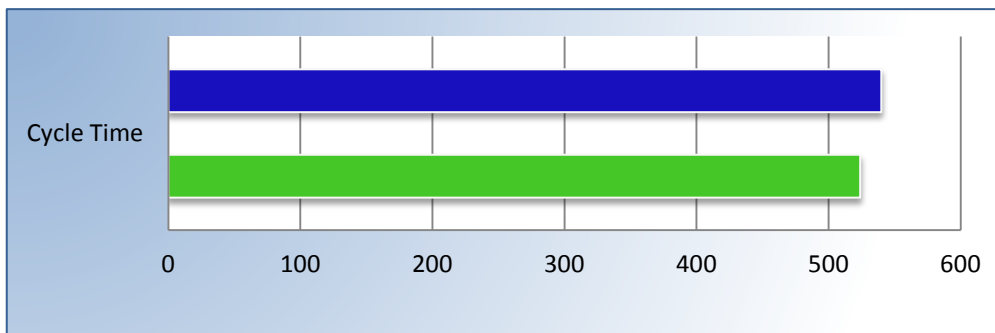
Average cycle time from complaint receipt to closure of the investigation process. Does not include cases sent to the Attorney General or other forms of formal discipline.



**Target Average: 80 Days | Actual Average: 60 Days**

### PM4 | Formal Discipline

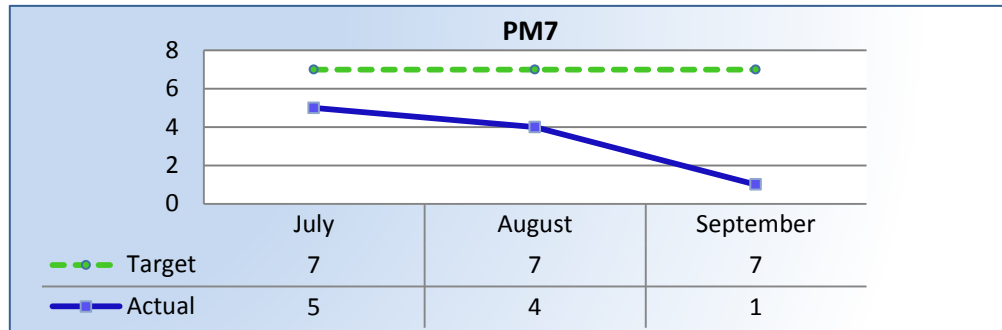
Average number of days to complete the entire enforcement process for cases resulting in formal discipline. (Includes intake and investigation by the Board and prosecution by the AG).



**Target Average: 540 Days | Actual Average: 524 Days**

### PM7 | Probation Intake

Average number of days from monitor assignment, to the date the monitor makes first contact with the probationer.



**Target Average: 7 Days | Actual Average: 4 Days**

### PM8 | Probation Violation Response

Average number of days from the date a violation of probation is reported, to the date the assigned monitor initiates appropriate action.

*The Board did not report any new probation violations this quarter.*

**Target Average: 10 Days | Actual Average: N/A**

**BOARD OF PSYCHOLOGY**  
**Overview of Enforcement Activity**

<b>Cases Opened</b>	<b>08/09</b>	<b>09/10</b>	<b>10/11</b>	<b>11/12</b>	<b>12/13</b>	<b>13/14</b>	<b>14/15**</b>
Complaints Received	786	712	785	747	707	643	276
Criminal Conviction Reports Received	72	54	48	70	42	133	21
Investigations Opened	88	79	83	107	73	505	239
Cases sent to AG	23	38	37	34	38	41	13
<b>Filings</b>							
Accusations	8	23	21	27	31	27	12
Statement of Issues	9	8	4	4	2	4	1
Petition to Revoke Probation	0	0	0	3	1	2	1
Petitions to Compel Psych. Exam	0	0	1	1	0	1	0
Petitions for Penalty Relief	3	1	0	1	1	2	2
Petition for Reinstatement	1	1	0	2	1	1	2
Petitions for Reconsideration	0	1	0	0	2	0	0
<b>Filing Withdrawals/Dismissals</b>							
Accusations Withdrawn	0	0	2	0	0	2	0
Accusations Dismissed	0	1	0	1	1	0	0
Statement of Issues Withdrawn	5	0	2	1	0	0	0
<b>Citations</b>							
Citations Ordered	5	10	9	18	10	6	15
<b>Disciplinary Decisions</b>							
Revocations	1	3	2	4	2	4	0
Revocation, Stayed, Probation	7	9	12	11	11	11	6
Revocation, Stayed, Probation, Susp.	3	0	0	0	0	0	0
Voluntary Surrender	8	3	2	11	10	10	3
Reprimands	0	0	1	2	0	2	0
ISO/TRO/ASO/PC23 Ordered	3	4	1	4	3	2	1
Statement of Issues-License Denied	1	1	0	1	1	0	0
Other	2	1	2	0	1	0	1
<b>Total Disciplinary Decisions</b>	<b>25</b>	<b>21</b>	<b>20</b>	<b>33</b>	<b>28</b>	<b>29</b>	<b>11</b>
<b>Other Decisions</b>							
Statement of Issues-License Granted	4	5	4	3	6	3	0
Petitions for Penalty Relief Denied	1	0	0	0	0	0	0
Petitions for Penalty Relief Granted	3	1	1	1	1	1	1
Petition for Reinstatement Granted	1	0	0	0	1	0	0
Petition for Reinstatement Denied	0	0	1	1	1	0	0
Reconsiderations Denied	0	0	1	0	1	0	0
Reconsiderations Granted	0	1	0	0	1	0	0
Orders Compelling Psych. Exam	0	0	0	1	0	1	0
<b>Total Other Decisions</b>	<b>9</b>	<b>7</b>	<b>7</b>	<b>6</b>	<b>11</b>	<b>5</b>	<b>1</b>
<b>Violation Types</b>							
Gross Negligence/Incompetence	5	4	4	3	5	9	5
Improper Supervision	0	0	1	0	0	1	0
Repeat Negligent Acts	0	0	0	1	0	6	3
Self Abuse of Drugs or Alcohol	2	3	3	12	1	8	1
Dishonesty/Fraud	0	3	0	2	2	3	1
Mental Illness	1	0	0	0	2	1	0
Aiding Unlicensed Practice	0	0	0	0	0	1	0
General Unprofessional Conduct	1	1	1	0	2	14	2
Probation Violation	1	0	0	2	1	2	0
Sexual Misconduct	6	1	2	6	9	1	0
Conviction of a Crime	7	9	8	5	5	11	2
Discipline by Another State Board	1	0	1	1	0	0	0
Violation of Rules of Professional Conduct						0	1
Misrepresentation of License Status						1	0
<b>Professional Standards - Findings</b>						<b>13/14</b>	<b>14/15**</b>
Abandonment						1	0
Confidentiality						1	1
Failure to provide medical records						0	2
Improper Supervision						1	0
Outside of area of competence						1	0
Unfit to practice						1	1
Violation of Code (child custody)						1	1

\*\* through 10/31/2014