



## MEMORANDUM

**Date** February 3, 2015

**To** Board of Psychology Members

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

**Subject** **Enforcement Program Update**

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Please find attached the Overview of Enforcement Activity displaying complaint, investigation, and discipline statistics for the previous five fiscal years, and the current fiscal year to date. Also included in the update are the Board's Performance Measures.

### **Complaints & Citations**

The total number of complaints received for fiscal year 2014/15 is 539. Complaint violations include but are not limited to, gross negligence, incompetence, repeated negligence acts, and unprofessional conduct. Enforcement staff has served 52 citations. Of the 52 citations, 44 were served for continuing education deficiencies.

### **Formal Discipline**

Currently there are 47 cases pending at the Office of the Attorney General (OAG). These cases include Accusations, Accusation and Petition to Revoke Probation, and Statement of Issues (License Denial). Of the 47 cases, 27 have been sent to the OAG since July 1, 2014.

### **Probation**

The Board is currently monitoring 33 active probationers and 39 tolled probationers. Of the 72 probationers, 11 are out of compliance.

Typically, once a violation is discovered, the probation coordinator takes immediate action by collecting evidence to substantiate that a violation has occurred. Depending on the violation, the probation coordinator could issue a warning letter or refer the matter to the OAG for filing of an Accusation and Petition to Revoke Probation.

### **Expert Training**

The Board will be holding its Expert Training on July 9, 2015 at the Office of the Attorney General located in Sacramento. Initially the training was scheduled for June 18, 2015, but due to a scheduling conflict the training was moved to July. The Board will have approximately 30 attendees and several presenters which include an Administrative Law Judge, two or three Deputy Attorney General's, two Health and Quality Investigation Unit Investigators, and a representative from the Department of Consumer Affairs accounting unit. Invitations to the training will be mailed out no later than March 15, 2015. To date, the Board has received approximately 120 applications.

Action Requested  
Information Only

**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	539
Criminal Conviction Reports Received	72	54	48	70	42	133	31
Investigations Opened	88	79	83	107	73	505	473
Cases sent to AG	23	38	37	34	38	41	27
<b>Filings</b>							
Accusations	8	23	21	27	31	27	15
Statement of Issues	9	8	4	4	2	4	4
Petition to Revoke Probation	0	0	0	3	1	2	3
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	1
Statement of Issues Withdrawn	5	0	2	1	0	0	0
<b>Citations</b>							
Citations Ordered	5	10	9	18	10	6	52
<b>Disciplinary Decisions</b>							
Revocations	1	3	2	4	2	4	1
Revocation, Stayed, Probation	7	9	12	11	11	11	9
Revocation, Stayed, Probation, Susp.	3	0	0	0	0	0	0
Voluntary Surrender	8	3	2	11	10	10	4
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>16</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	7
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	1
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	2
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 1/31/2015