



BOARD OF PSYCHOLOGY – Administration
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**POLICY AND ADVOCACY COMMITTEE
MEETING MINUTES**

California State Capitol
1315 10th Street
Room 112
Sacramento, CA 95814
(916) 324-0333

Thursday, February 26, 2015

Members Present:

Nicole J. Jones, Public Member, Vice-President, Chairperson
Michael Erickson, PhD, President
Andrew Harlem, PhD

Others Present:

Antonette Sorrick, Executive Officer
Jeffrey Thomas, Assistant Executive Officer
Sandra Monterrubio, Enforcement Program Manager
Karen Johnson, Licensing Coordinator
Jonathan Burke, Administrative Coordinator
Norine Marks, DCA Legal Counsel
Kurt Heppler, DCA Legal Counsel
Julie Hayden, Southern California Seminary
Raymond J. Trybus, PhD, Walden University, San Diego Psychological Association
Penelope McAlmond-Ross, PsyD, Sacramento Valley Psychological Association
Talia Cortese, Center for Public Interest Law
Shawn McCall, PsyD, San Francisco Psychological Association, Santa Clara County
Jorge Wong, PhD, California Psychological Association, San Francisco Psychological Association
Pamela McCrory, PhD, Los Angeles County Psychological Association
Jo Linder-Crow, PhD, California Psychological Association
LeOndra Clark Harvey, PhD, Assembly Business and Professions
Melodie Schaefer, PsyD, California Psychological Association Division I, II, California Psychology Internship Council
Rachel Later, California Department of Corrections and Rehabilitation
Marilyn Immoos, PhD, California Department of Corrections and Rehabilitation
Corey Scheidegger, California Department of Corrections and Rehabilitation
Dana Nussbaum, PhD
Beth Cooper Tabakin, PhD
Leslie Lessenger, PhD, Napa-Solano Psychological Association

Bruce M. Gale, PhD, Los Angeles County Psychological Association
Bruce W. Ebert, PhD, JD, Center of MH Law and Ethics
Tom Tobin, PhD, Pacific Forensic Psychological Association

a) Legislation Update and Review; Recommendations to Full Board

1) Exempt Settings Legislative Proposal (Business and Professions Code Sections 2909, 2909.5, 2910)

Mr. Burke stated that this item concerns the Board's legislative proposal and was approved in August. He stated the bill was submitted to Legislative Counsel and is being authored by Assemblymember Susan Eggman. It was introduced on February 25, 2015 as AB 705. He stated that Board staff is requesting a "Support" position from the Committee, as well as the full board.

It was M(Harlem)/S(Erickson)/C to recommend that the Board adopt a support position and send a letter of support for AB 705.

Vote: 3 aye (Erickson, Jones, Harlem) – 0 nay

2) Senate Business, Professions, and Economic Development Proposal Regarding Submission of Supervised Professional Experience (Business and Professions Code Section 2914(g))

Mr. Burke stated this item concerns the Board's omnibus bill proposal for the Senate B&P Committee. He summarized and explained the changes the omnibus bill will make and stated that it was accepted by the Senate Business, Professions, and Economic Development Committee. He stated the Board staff is requesting the Board adopt a "Support" position for this bill.

It was M(Erickson)/S(Harlem)/C to recommend that the Board adopt a support position for the omnibus bill language that was put forth in November.

Vote: 3 aye (Harlem, Jones, Erickson) – 0 nay

3) Submission of Supervised Professional Experience Legislative Proposal (Business and Professions Code Section 2914(c))

Mr. Burke stated this proposal was deemed too substantive for the omnibus legislation by the Senate B&P Committee. Therefore, the Board turned it into a legislative proposal that was submitted to Legislative Counsel before the deadline by Assemblymember Catherine Baker.

It was M(Jones)/S(Harlem)/C to recommend that the Board adopt a support position for the assembly bill once it is introduced contingent on it being introduced as it was approved by the Board and submitted by the author.

Vote: 3 aye (Erickson, Jones, Harlem) – 0 nay

4) Discussion and Consideration of Business and Professions Code Section 2903 - Licensure Requirement; Practice of Psychology; Psychotherapy; Fee

Mr. Burke stated that Legal Counsel expressed concern with the language that was approved by the Board at the January meeting. He referred to the new proposed language prepared for the February meeting.

Ms. Sorrick stated that after the January Board meeting, staff discussed going with the initial suggestion of getting rid of “for a fee,” which would be similar to the Medical Board’s language. She stated that after discussions between staff and Legal Counsel, it was decided that the language should be brought back to the Committee for consideration.

Dr. Linder-Crow stated that she wants to make sure that a psychologist that is providing services without a fee is still considered to be practicing psychology.

Ms. Marks stated that the language captures Dr. Linder-Crow’s concerns. It was M(Harlem)/S(Erickson)/C to recommend that the Board approve the language as written and give staff the authority to seek a legislative change.

Vote: 3 aye (Erickson, Jones, Harlem) – 0 nay

5) Expiration of License/Birth Date Renewal Legislative Proposal (Business and Professions Code Section 2982)

Mr. Burke stated that this issue arose because of AB 1758 (Patterson) which would have required healing arts Boards under DCA to prorate the initial license. Mr. Burke summarized the changes the proposal makes to the birth date renewal program. He stated that this proposal has been introduced by Assemblymember Catherine Baker as AB 773.

Ms. Jones and Dr. Harlem thanked Mr. Burke for his work and finding individuals to author the legislative proposals.

It was M(Jones)/S(Erickson)/C to recommend that the Board adopt a support position for AB 773 contingent upon it being the same language as submitted and approved by the Board.

Vote: 3 aye (Erickson, Jones, Harlem) – 0 nay

6) SB 128 (Wolk) – End of Life

Mr. Burke stated that the Board staff began watching this bill because it is based on the Death or Dignity Law that is in place in the state of Oregon. This law allows a licensed psychologist to counsel a person wishing to end their life and determine if he or she is competent to make the decision. No position is requested because the legislation does not directly impact psychologists.

7) AB 2198 (Levine) – Suicide Prevention – Update

Mr. Burke summarized the history of AB 2198 from the previous legislative session. He stated that surveys the Board distributed to graduate schools and internship programs were returned and collected.

Ms. Sorrick asked Assistant Deputy Director Justin Paddock if there were any updates from the Governor's Office. He responded that there will be a follow up in the future, but does not have any more information at this time.

Dr. Linder-Crow asked Mr. Burke if there is a need to get additional responses and offered CPA's help in collecting responses. Mr. Burke thanked Dr. Linder-Crow and accepted the offer of support.

b) Update regarding the California Child Abuse and Neglect Reporting Act (CANRA) and Mandated Reporting – Penal Code Sections 261.5, 288, and 11165.1

Mr. Burke stated that Board staff has been working to find a legislator to accept the Board's request. He referred to items provided in the Board packets and AB 1505 that was introduced last session which addressed the Board's concerns.

Dr. Linder-Crow asked if the letter sent to Assemblymember Cristina Garcia is available to the public and requested a copy.

Staff Counsel replied that the letter is public.

c) Regulation Update, and Review; Recommendations to Full Board

Ms. Jones invited Mr. Burke to provide the Committee the regulation update.

1) Title 16, CCR, Section 1397.12 – Uniform Standards Related to Substance Abuse and Disciplinary Guidelines

Mr. Burke summarized the history of the regulatory changes and referred to the informational items provided in the Board packets.

2) Title 16, CCR, Sections 1388, 1388.6, 1389, 1392 – Examinations, License Requirements and Waiver of Exemption, Reconsideration of Examinations, Psychologists Fees

Mr. Burke summarized the history of the regulatory changes and referred to the informational items provided in the Board packets. Mr. Burke stated that regulatory change is related to the discontinuation of the CPSE and the use of CPLEE for all applicants.

3) Title 16, CCR, Sections 1397.60, 1397.61, 1397.62, 1397.67 – Definitions, Continuing Education Requirements, Continuing

Education Exemptions and Exceptions, Renewal after Inactive or Delinquent Status

The determined that this issue, given its importance, would be best heard by the full Board, and so the matter was moved to the full Board for discussion and consideration.

4) Title 16, CCR, Section 1380.5 – Filing of Addresses

Mr. Burke summarized the regulatory changes and requested that the Board approve this language. He added that the regulation package submission deadline is March 17th if the Board would like a public hearing at the May meeting.

Dr. Erickson asked whether the Board is asking for residential addresses because most psychologists prefer to not use their residential address. He asked if that is the current language.

Ms. Marks stated that legal has recommended that the Board keep at least one physical address based on practices for enforcement.

Dr. McAlmond-Ross stated that this is a safety issue. She stated that residential addresses should not be published.

Ms. Marks and Ms. Jones pointed out that the residential addresses can be made nonpublic if another address is provided.

Ms. Sorrick stated the Board has been having administrative difficulty in contacting licensees regarding CE audits and other communications. She stated the hope is that a residential address would provide a more accountable way to contact licensees.

It was M(Erickson)/S(Harlem) to recommend that the Board approve the language.

After substantial discussion regarding safety concerns, Dr. Erickson withdrew his motion and Ms. Jones indicated that the Policy and Advocacy Committee would inform the Board about the issues and concerns around this issue and will bring revised language back to the May Board meeting