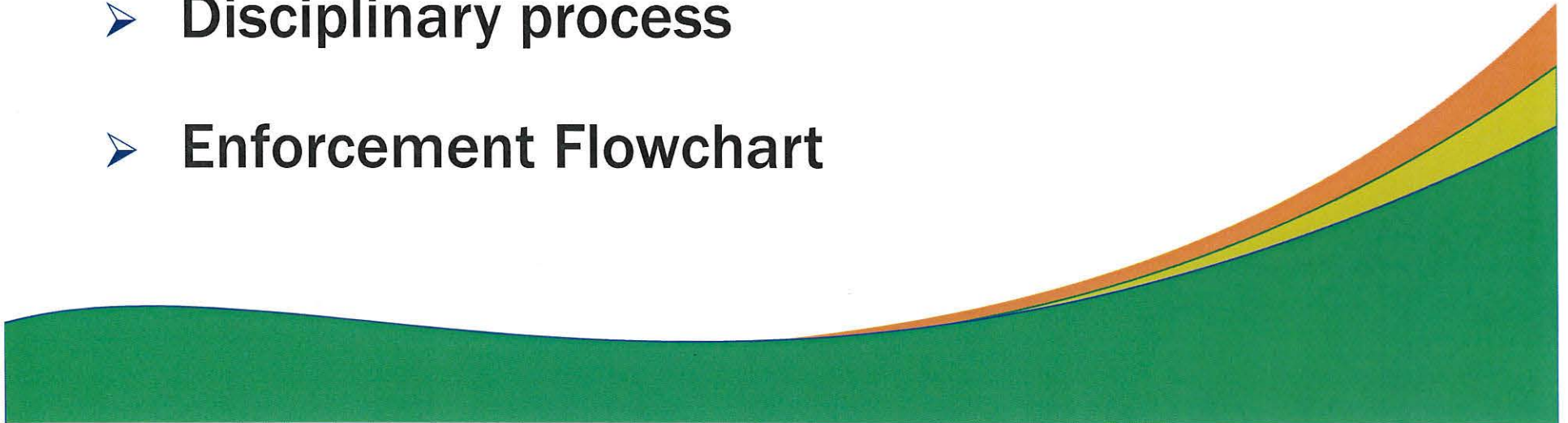


Enforcement Overview and Presentation

February 2016

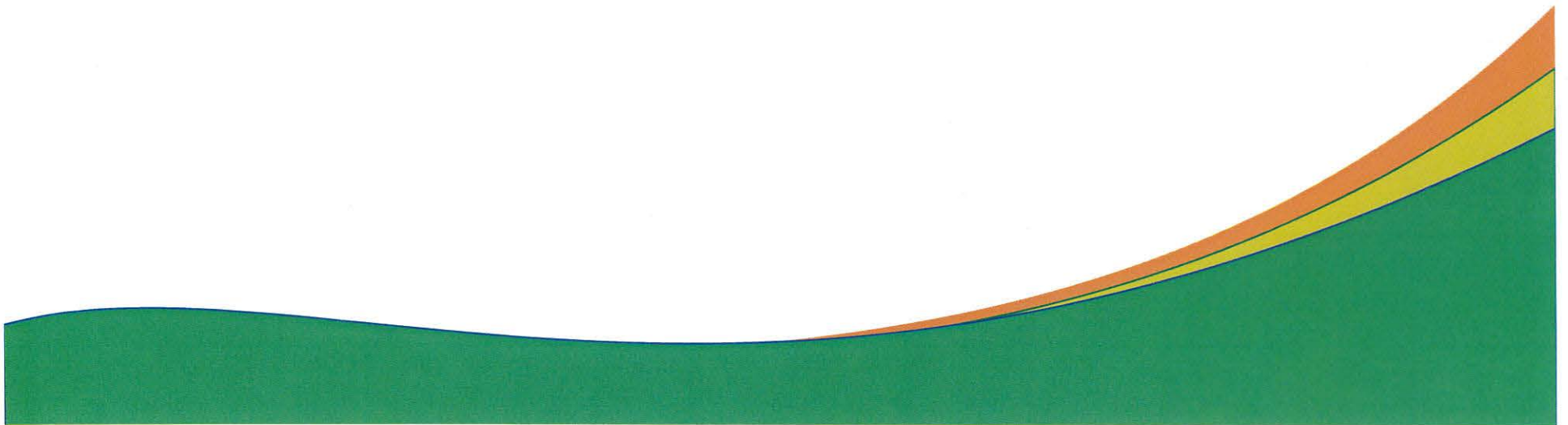
Enforcement Overview

- Complaint process
- Expert reviews
- Investigation process
- Citation and Fines
- Disciplinary process
- Enforcement Flowchart



Complaint Process

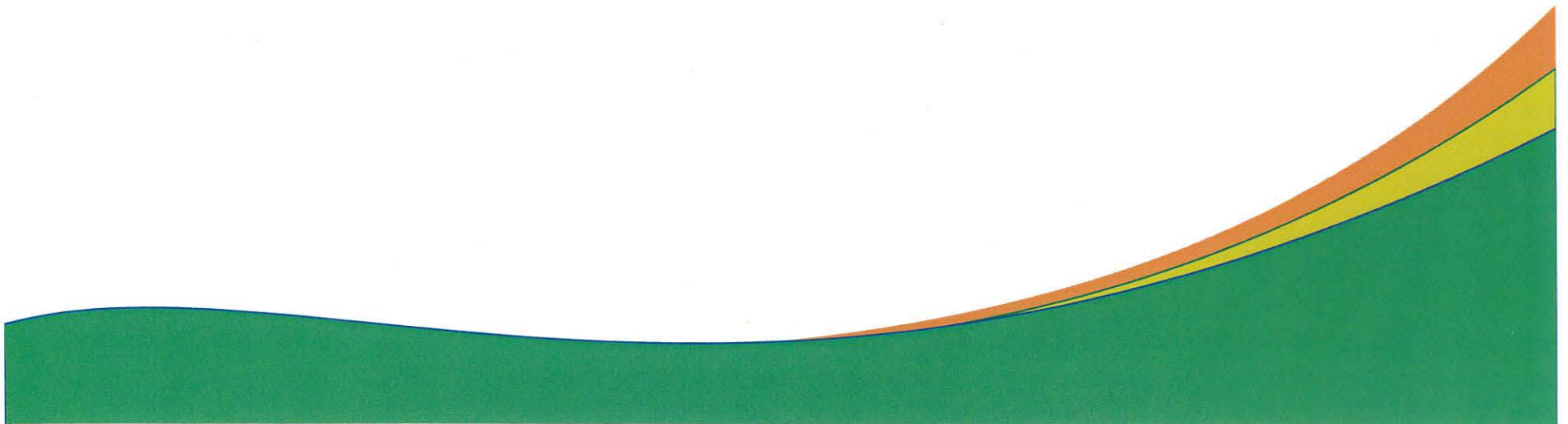
- **Who does the Board license/register?**
 - ✓ Psychologists
 - ✓ Registered psychologists
 - ✓ Psychological Assistants



Complaint Process

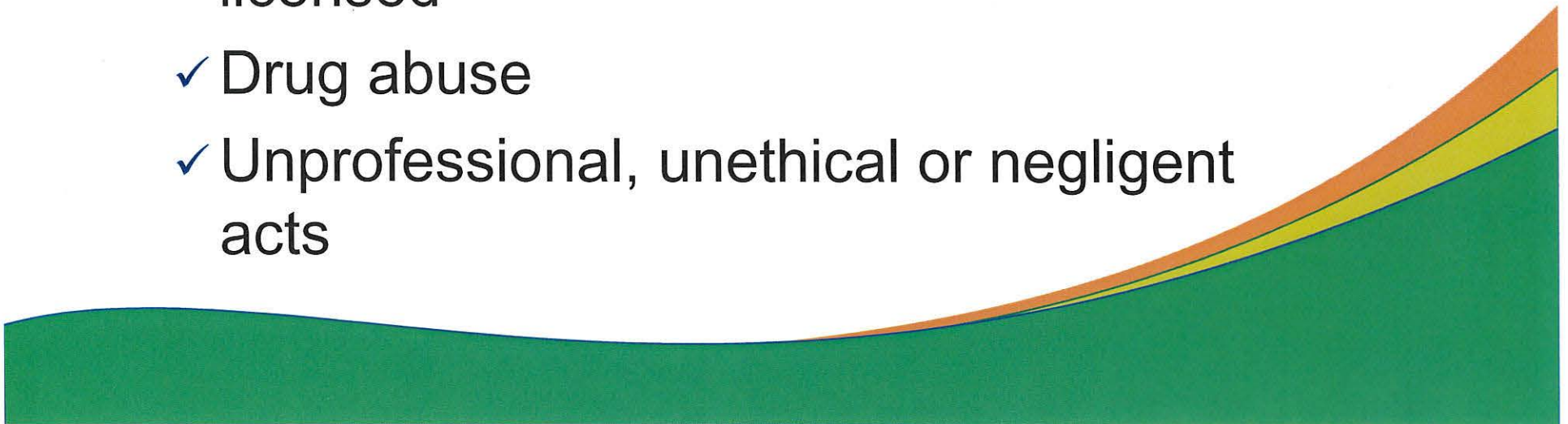
➤ Who may file a complaint?

✓ Anyone



Complaint Process

- **What are the most common types of complaints the Board receives?**
 - ✓ Sexual misconduct with a patient
 - ✓ Violating the patient's confidentiality
 - ✓ Providing services for which the individual has not been trained or licensed
 - ✓ Drug abuse
 - ✓ Unprofessional, unethical or negligent acts



Complaint Process

- **What types of complaints are outside the Board's jurisdiction?**
 - ✓ Fee or billing disputes
 - ✓ Personality conflicts
 - ✓ Persons who are licensed by other Boards



Complaint Process

➤ How are complaints filed?

- ✓ On-line
- ✓ By mail



Complaint Process

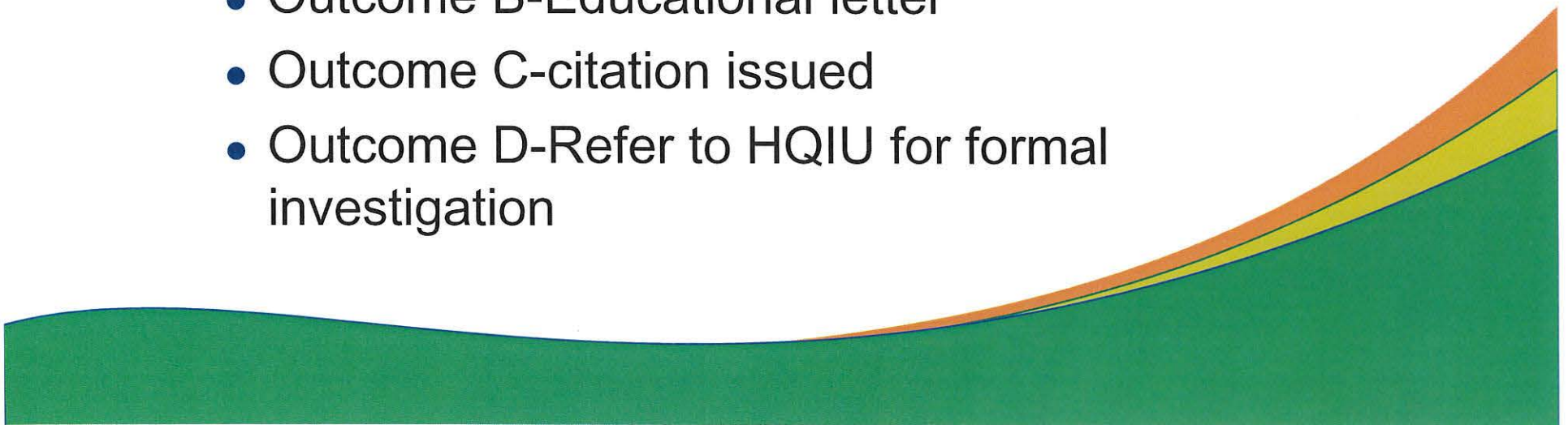
- **What happens when a complaint is filed?**
 - ✓ Complainant is notified with 10 days
 - ✓ Enforcement analyst assigned
 - ✓ Desk investigation initiated

- **Complaint Outcomes**
 - ✓ Refer to expert
 - ✓ Closed



Expert Review

- **If a case is referred to an expert, what next?**
 - ✓ Expert opines on case within 30 days
 - ✓ Board staff reviews Expert's findings
 - ✓ Possible Outcomes
 - Outcome A-Closed
 - Outcome B-Educational letter
 - Outcome C-citation issued
 - Outcome D-Refer to HQIU for formal investigation



Outcome A-Closed

- **Why is a case closed with no action?**
 - ✓ No violation found



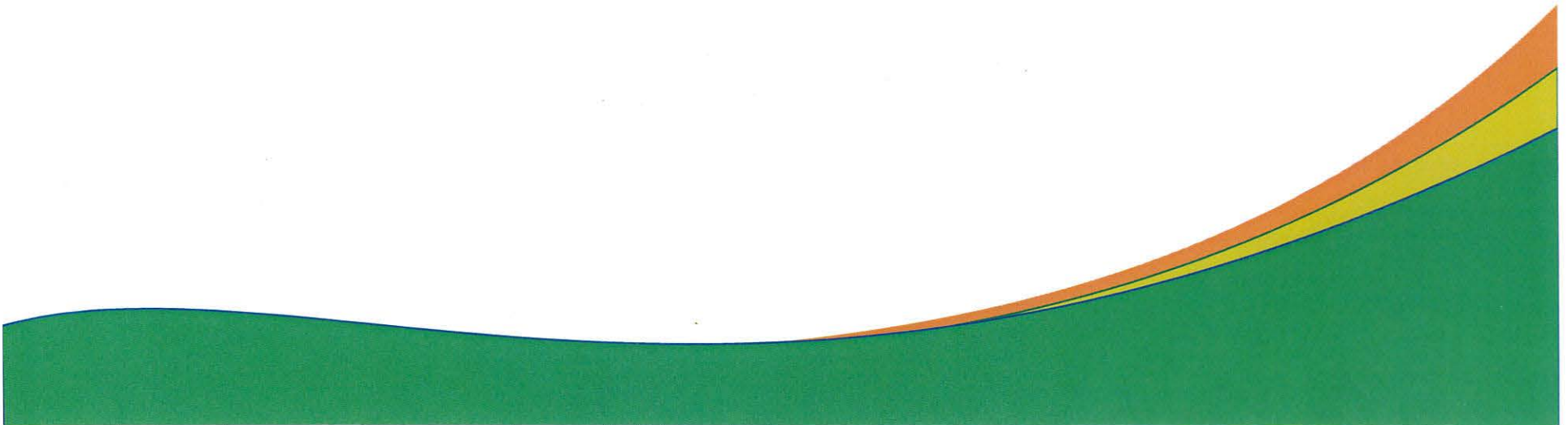
Outcome B-Educational Letter

- **Why is an educational letter issued?**
 - ✓ Minor violations found
 - ✓ No patient harm



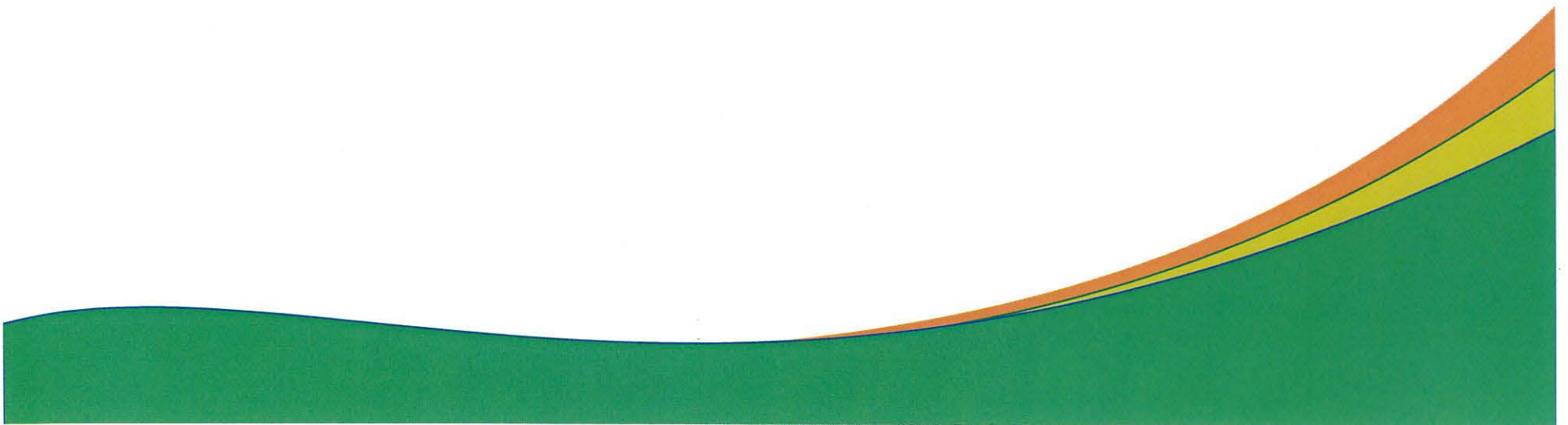
Outcome C-Citation and Fine

- **Why is a citation issued?**
 - ✓ Minor violations are found
 - ✓ An Educational Letter has already been issued
 - ✓ Unlicensed practice is discovered



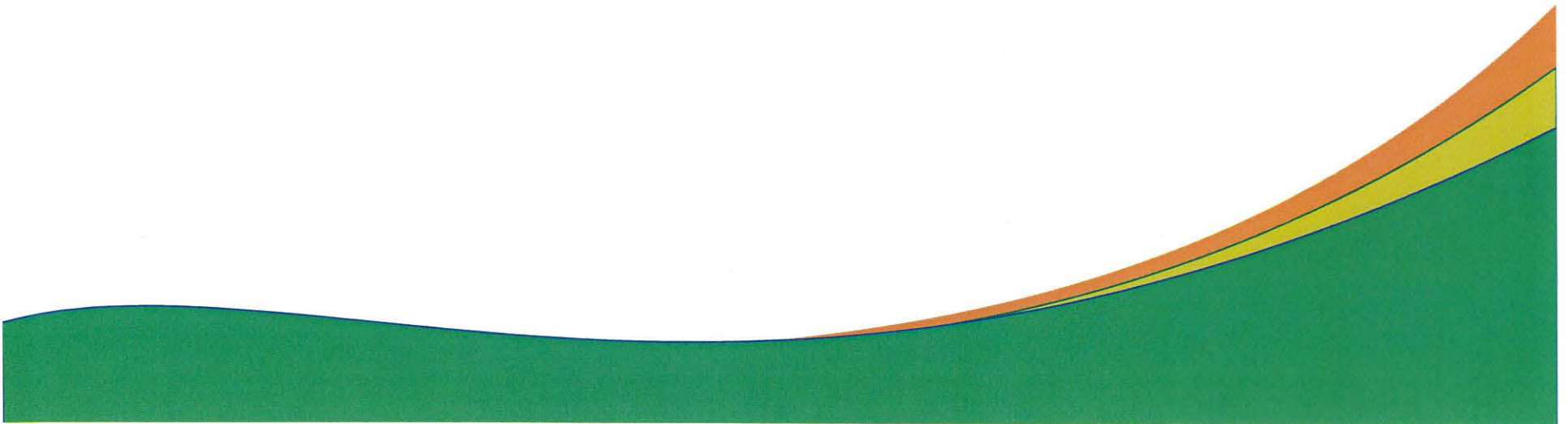
Outcome D-Refer case to HQIU

- Why would a case be referred to HQIU?
 - ✓ If a serious violation is found by expert



Investigation Process

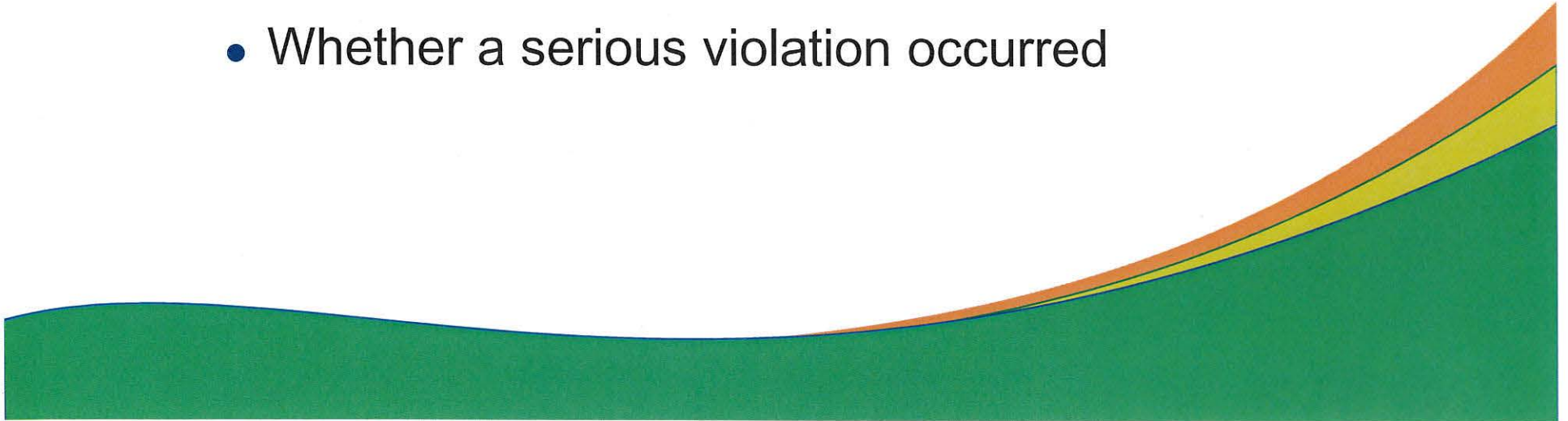
- **Two types of investigations**
 - ✓ Desk and Formal



Investigation Process

➤ Desk Investigations

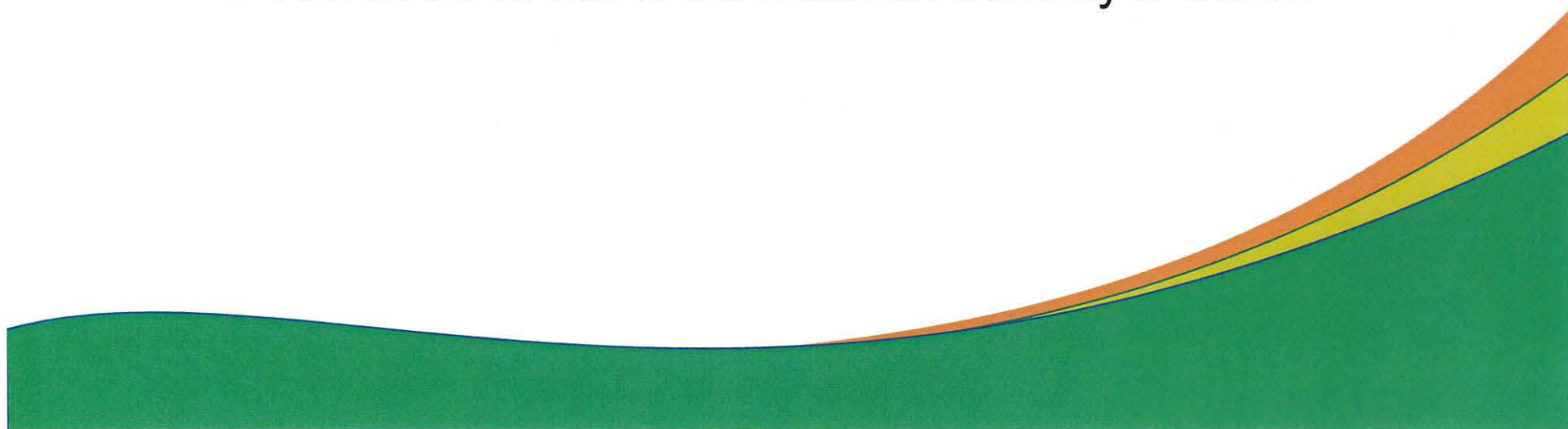
- ✓ Performed by an Enforcement Analyst (EA) or Special Investigator (SI)
- ✓ EA or SI determines if:
 - Complaint falls within Board's jurisdiction
 - Complaint involves care provided by licensee
 - Whether a minor violation occurred
 - Whether a serious violation occurred



Investigation Process

➤ Formal Investigations

- ✓ Performed by peace officers
- ✓ Upon completion of the investigation the case may be:
 - Closed
 - Referred to the Attorney General's Office
 - Referred to the local District Attorney's Office



Citation and Fines

- Issued for minor violations that do not warrant formal disciplinary actions



Disciplinary Process

- **What happens during the Discipline Process**
 - ✓ Attorney General determines if action should be initiated by filing an:
 - Accusation
 - Statement of Issues



Disciplinary Process

- **Administrative Hearing /Stipulated Settlement**
- **Board Vote**



Cal i **PSYCHOLOGY ENFORCEMENT**

