

MEMORANDUM

DATE	April 20, 2016
TO	Psychology Licensing Committee Members
FROM	Karen Johnson Licensing Coordinator <i>Karen Johnson</i>
SUBJECT	Agenda Item 6. Pathways to Licensure: Review and Assess Current Licensing Requirements and Recommendations for Possible Amendment (b). Review of Proposed Amendments to Sections of Title 16, California Code of Regulations: 1380.3 (definitions), 1381, 1381.1, & 1381.2 (Applications), 1381.4 (Failure to Appear for an Examination); 1381.5 (Failure to Pay Initial License Fee); 1387 (Supervised Professional Experience); 1387.1 & 1387.2 (Qualification of Primary and Delegated Supervisors); 1387.3 (Non-Mental Health Services); 1387.4 (Out-of-State Experience); 1387.5 (SPE Log); 1388, 1388.6, 1389, 1389.1 (Examinations-Waiver/Reconsideration); 1387.7, 1390, 1390.1, 1390.2, 1390.3, 1391, 1391.1, 1391.2, & 1391.3 (Registered Psychologists); 1387.6, 1391.4, 1391.5, 1391.6, 1391.7, 1391.8, 1391.10, 1391.11, & 1391.12 (Psychological Assistants)

Attached are the following:

- Licensing staff's proposed amendments to sections 1380.3, 1381, 1381.1, 1381.2, 1381.4, 1381.5, 1387 (merge with 1387.3), 1387.1, 1387.2, 1387.4, 1387.5, 1387.6, 1387.7, 1388, 1388.6, 1389, 1389.1, 1390, 1390.1, 1390.2, 1390.3, 1391, 1391.1, 1391.2, 1391.3, 1391.4, 1391.5, 1391.6, 1391.7, 1391.8, 1391.10, 1391.11, and 1391.12 of the California Code of Regulations (CCR)
- Proposed language amendments to 1387 and 1387.1 of the CCR to be heard at the May 19-20, 2016 Board meeting

Action

Review the recommended changes to the regulations that affect the pathway to licensure for possible amendment.

1 §1380.3. Definitions.

2
3 For the purpose of the regulations contained in this chapter, the term "Bboard" means
4 the Board of Psychology, and the term "Ceode" means the Business and Professions
5 Code, and the term "trainee" means a psychology trainee working under one of the
6 conditions in section 1387.

Comment [D1]: Language moved from 1387
(DONE)

7 §1381. Applications.

8
9 All applications shall be accompanied by such evidence, statements or documents as
10 required to establish that the applicant meets all of the requirements for licensing or
11 registration as set forth in the Code.

12
13 § 1381.1. Abandonment of Applications.

14
15 An application shall be withdrawn without prejudice when, in the discretion of the Board,
16 an applicant does not exercise due diligence in the completion of his or her application,
17 in furnishing additional information or documents requested or in the payment of any
18 required fees. An applicant who subsequently decides to reapply shall be required to file
19 a new application and pay the current application fee.

20
21 §1381.2. Petition for Hearing.

22
23 An applicant for examination or licensure whose credentials indicate ineligibility shall be
24 notified of the deficiency. The applicant may correct the deficiency indicated or, in the
25 alternative, file a request for hearing before the appropriate committee.

Comment [D2]: ??

26
27 §1381.4. Failure to Appear for Examination—Withdrawal of Application.

28
29 Any applicant approved to take or retake a Board licensing examination who fails to
30 appear for such examination in any twelve month period shall have his or her
31 application withdrawn. An applicant who subsequently decides to take the examination
32 shall be required to file a new application and pay the current application and
33 examination fees.

34
35 §1381.5. Failure to Pay Initial License Fee.

36
37 An application shall be deemed abandoned if an applicant fails to pay the initial license
38 fee within three years after notification by the Board. An applicant whose application has
39 been deemed abandoned may again be eligible for licensure upon the filing of a new
40 application and meeting all current licensing requirements, including payment of any
41 fees. Such applicant shall not be required to take the Examination for Professional
42 Practice in Psychology (EPPP) but shall take and pass the California Psychology Laws
43 and Ethics Examination (CPLEE).

1 **§ 1387. Supervised Professional Experience (SPE).**

2 This section applies to all trainees, ~~pre- or post-doctoral, who intend to~~ accruing ~~for hours of supervised professional experience (SPE) to count toward meeting the~~ accrue
3 ~~licensing requirements stated in section 2914(c) of the Business and Professions Code.~~
4

5 ~~These~~ All trainees accruing hours of SPE supervised experience in areas of general
6 applied psychology that do not include direct mental health services must also should
7 refer to section 1387 subdivision (e) ~~3~~ for information on establishing an alternate plan
8 for SPE.

9 (a) SPE is defined as an organized program that consists of a planned, structured and
10 administered sequence of professionally supervised comprehensive ~~clinical~~ applied
11 training experiences. SPE shall have a logical training sequence that builds upon the
12 skills and competencies of trainees to prepare them for the independent practice of
13 psychology once they become licensed. SPE shall include:

14 (1) socialization into the profession of psychology and shall be augmented by integrated
15 modalities including mentoring, didactic exposure, role-modeling, enactment,
16 observational/vicarious learning, and consultative guidance.

17 ~~SPE shall include~~ (2) activities which ~~that~~ address the integration of psychological
18 concepts and current and evolving competencies, scientific knowledge, principles, and
19 theories to the professional delivery of psychological services to the ~~consumer~~ public.

20 ~~SPE shall include~~ (3) only the time spent by the trainee engaged in psychological
21 activities that directly serve to prepare the trainee for the independent practice of
22 psychology once licensed. SPE shall not include custodial tasks such as filing,
23 transcribing or other clerical duties.

24 ~~The term "trainee" as used in these regulations means a psychology trainee working~~
25 ~~under one of the conditions listed in subsections (ab)(1) and (ab)(2) of this section.~~

26 ~~(ab)~~ Pursuant to section 2914(c) of the eCode, two years of qualifying SPE shall be
27 completed and documented prior to licensure. One year of SPE shall be defined as
28 1500 hours. At least one year of SPE shall be completed post-doctorally. Each year of
29 SPE shall be completed within a thirty (30) consecutive months period. If both years of
30 SPE (3000 hours) are completed post-doctorally, they shall be completed within a sixty
31 (60) consecutive months period. Upon showing of good cause as determined by the
32 Board, these specified time limitations may be reasonably modified.

33 (1) Pre-doctoral SPE: Up to 1500 hours of SPE may be accrued pre-doctorally but only
34 after completion of 48 semester/trimester or 72 quarter units of graduate coursework in

1 psychology not including thesis, internship or dissertation. Pre-doctoral SPE shall may
2 be accrued only as follows:

3 (A) In a formal an internship placement pursuant to section 2911 of the Ceode, which is;

4 (1) accredited by the American Psychological Association (APA);

5 (2) or which is a member of the Association of Psychology Postdoctoral and
6 Internship Centers (APPIC); or

7 (3) a member of the California Psychology Internship Council (CAPIC); And

8 Registration with the Board is not required. A formal internship placements that
9 actually began prior to January 1, 2007, and that meets the membership requirements
10 of, but is not a member of, APPIC or CAPIC will satisfy the requirements of this section;
11 or

12 (B) As an employee of an exempt setting pursuant to section 2910 of the Ceode and,
13 Registration with the Board is not required; or

14 (C) As a psychological assistant pursuant to section 2913 of the Ceode and,
15 Registration with the Board prior to commencing work is required; or

16 (D) Pursuant to a waiver issued by the State Department of Mental Health Care
17 Services Waiver (section 5751.2 of the Welfare and Institutions Code) for which
18 registration with the board is not required.

19 (2) Post-doctoral SPE: At least 1500 hours of SPE shall be accrued post-doctorally.
20 "Post-doctorally" means after the date certified as "meeting all the requirements for the
21 doctoral degree" by the Registrar or Dean of the educational institution, or by the
22 Director of Training of the doctoral program. Post-doctoral SPE shall may be accrued
23 only as follows:

24 (A) For post-doctoral SPE accrued on or after January 1, 2006, in in a formal post-
25 doctoral training placement program pursuant to section 2911 of the Ceode, which is;

26 (1) accredited by the American Psychological Association (APA);

27 (2) or which is a member of the Association of Psychology Postdoctoral and Internship
28 Centers (APPIC); or

29 (3) the California Psychology Internship Council (a member of CAPIC); and

30 Registration with the Board is not required; or

- 1 (B) As a registered psychologist pursuant to section 2909.5(d) of the Code and
2 Registration with the Board prior to commencing work is required; or
- 3 (C) As an employee of an exempt setting pursuant to section 2910 of the Code and
4 Registration with the Board is not required; or
- 5 (D) As a psychological assistant pursuant to section 2913 of the Code and
6 Registration with the Board prior to commencing work is required; or,
- 7 ~~(E) Pursuant to a waiver issued by the State Department of Mental Health Care~~
8 ~~Services Waiver (section 5751.2 of the Welfare and Institutions Code) and for which~~
9 ~~registration with the Board is not required.~~
- 10 (bc) Supervision Requirements:
- 11 (1) Primary supervisors shall meet the requirements ~~set forth in~~ of section 1387.1.
- 12 (2) Delegated supervisors shall meet the requirements ~~set forth in~~ of section 1387.2.
- 13 (3) Trainees shall have no proprietary interest in the business of the primary or
14 delegated supervisor(s) and shall not serve in any capacity ~~which that~~ would hold
15 influence over the ~~primary or delegated~~ supervisor(s)' judgment in providing supervision.
- 16 (4) Trainees shall be provided with direct supervision for 10% of the total time worked
17 each week. At least one (1) hour per week ~~shall be face-to-face of this supervision shall~~
18 ~~be, direct,~~ individual supervision with the primary supervisor. ~~(5) A maximum of forty-~~
19 ~~four (44) hours per week will be credited toward meeting the SPE requirement,~~
20 including This shall include the required 10% total supervision received.
- 21 ~~(6) The primary supervisor shall be employed by the same work setting as the trainee~~
22 ~~and be available to the trainee 100% of the time the trainee is accruing SPE. This~~
23 ~~availability may be in person, by telephone, by pager or by other appropriate~~
24 ~~technology.~~
- 25 ~~(7) Primary supervisors shall ensure that a plan is in place to protect the patient/client in~~
26 ~~the event a patient/client crisis or emergency occurs during any time the supervisor is~~
27 ~~not physically present at the established site at which the trainee is working. The~~
28 ~~primary supervisor shall ensure that the trainee thoroughly understands the plan in the~~
29 ~~event of a crisis/emergency.~~
- 30 ~~(85) SPE shall not be obtained from supervisors who have received payment, monetary~~
31 ~~or otherwise, from the trainee for the purpose of providing such supervision. No~~
32 supervisor shall request, receive, or facilitate the receipt of payment, monetary or
33 otherwise, from the trainee as a condition for the accrual of SPE.

(96) SPE Experience gained while the trainee is functioning under another mental health license shall not be credited toward meeting the SPE requirements for licensure. the psychologist's license.

(407) Except for trainees accruing hours pursuant to subdivision (b)(1)(A) or (b)(2)(A) Except for the accrual of SPE by a psychological assistant in a private practice setting as provided for in section 1387(b)(11), prior to the start of SPE the experience, the each primary supervisor and the supervisee trainee shall together prepare an agreement on a form as prescribed by the Board (SPE Plan rev.??) document that outlines the structure and sequence of the planned program of supervision to accomplish the goals and objectives of the experience. Accrual of hours prior to preparing such an agreement will may result in those hours not counting toward the licensure requirements. Any change of primary supervisor requires the preparation of a new Plan. The agreement shall accompany the application for registration, if required any, and identify identifies at least the following:

- ~~Name, license number and signature of primary supervisor;~~
- ~~Name and signature of supervisee;~~
- ~~Statutory authority under which the supervisee will function;~~
- ~~Start date of the experience and the anticipated completion date;~~
- ~~Duties to be performed in a sequential structured plan as defined in this section;~~
- ~~Name and a Address(es) of the location(s) at which the duties will be performed;~~
and
- ~~Goals and objectives of the plan for SPE, including how socialization into the profession will be achieved; and~~
- ~~How and when the primary supervisor will provide periodic assessments and feedback to the supervisee as to whether or not he or she is performing as expected.~~

Additionally, the agreement document shall reflect that both primary supervisor and supervisee have discussed and understand each term of SPE as required by the California Code of Regulations. The primary supervisor shall maintain the document until the hours of supervised experience are completed.

(118) Once the supervised experience outlined in the agreement document has been completed, the primary supervisor shall submit to the supervisee both the agreement, unless previously submitted pursuant to section 1387(b)(107), directly to the Board both the agreement document and a verification of the experience form signed by the primary supervisor under penalty of perjury. The agreement and verification of experience form VOE shall be in a sealed envelope signed across the seal by the primary supervisor, for submission to the Board by the supervisee along with his or her

Comment [D3]: Add language to address absences (ie vacation, etc) of the primary supervisor for extended periods of time.

Comment [K4]: Proposed language retains the bullet list of requirements and rewords this sentence to "The original agreement shall accompany the application for registration, if any, and identify at least the following."

Comment [K5]: The proposed language retains the first sentence.

1 ~~application. The verification shall certify to the completion of the hours consistent with~~
2 ~~the terms of the supervision agreement document. The primary supervisor must~~
3 ~~indicate, in his or her his/her best professional judgment, whether the supervisee~~
4 ~~demonstrated an overall performance at or above the level of minimal competence~~
5 ~~expected for the trainee supervisee's level of education, training and experience. When~~
6 ~~SPE is accrued in a formal pre-doctoral internship or post-doctoral training program, the~~
7 ~~program's Ttraining Ddirector shall be authorized to perform the verification and rating~~
8 ~~duties of the primary supervisor provided that the internship Training Director is a~~
9 ~~licensed psychologist who possesses a valid, active license free of any disciplinary~~
10 ~~action.~~

Comment [D6]: For stakeholder meeting, discussion regarding verification of SPE in the absence of primary supervisor.

11 (8) Once the SPE outlined in the agreement has been completed, the primary
12 supervisor shall submit to the trainee both the agreement, unless previously submitted
13 pursuant to section 1387(b)(7), and verification of experience on a form as prescribed
14 by the Board (VOE rev. 5/15) signed by the primary supervisor under penalty of perjury.
15 The primary supervisor must indicate on the VOE, in his or her professional judgment,
16 whether the trainee performed at or above the level of competence expected for the
17 trainee's level of education, training, and experience. The agreement and VOE shall be
18 provided in a sealed envelope, signed across the seal by the primary supervisor, for
19 submission to the Board by the trainee along with his or her application.

Comment [KJ7]: Proposed language almost identical.

20 If the SPE is not consistent with the terms of the agreement or if the trainee did not
21 perform at or above the level of competence expected for the trainee's level of
22 education, training and experience, the SPE shall not count toward the licensure
23 requirements.

Comment [D8]: Replaces strikethrough wording in paragraph above.

24 ~~(11) Due to lack of standardization in training, a psychological assistant in a private~~
25 ~~practice setting shall submit the plan as described in subsection (b)(10) for supervised~~
26 ~~professional experience to the Board for prior approval as provided for in section~~
27 ~~2914(c) of the Code prior to the accrual of SPE. A private practice setting is defined as~~
28 ~~those settings allowed pursuant to section 1387(a)(1)(C) and 1387(a)(2)(D), except a~~
29 ~~Welfare and Institutions Code section 5614 clinic or a Health and Safety Code section~~
30 ~~4204.1 clinic. SPE that is accrued prior to the approval of the plan will not count toward~~
31 ~~qualifying the applicant for licensure.~~

32 (de) Delegated Supervision Requirements:

33 (1) Except as provided in section 1391.5, which regulates the supervision of
34 psychological assistants, primary supervisors may delegate supervision to other
35 qualified licensed psychologists or to other qualified licensed mental health
36 professionals including licensed marriage and family therapists, licensed educational
37 psychologists, licensed clinical social workers, licensed professional clinical counselors,

and board certified psychiatrists. Upon such delegation, the primary supervisor shall maintain responsibility for:

~~(2) The primary supervisor remains responsible for (A) providing the minimum one (1) hour per week of direct, individual face-to-face supervision.~~

~~(3) The primary supervisor remains responsible for (B) ensuring compliance with this section.~~

~~(e) Alternate Plan for Supervised Professional Experience in General Applied Psychological Non-Mental Health Services.~~

Comment [D9]: Section 1387.3 is being moved here. For final language, this entire section will need to be underlined.

~~This section pertains only applies to these trainees who are preparing for practice, once licensed, in the non-mental health areas of general applied the profession of psychology including, but not limited to, applied psychological research, industrial-organizational psychology, applied developmental psychology, media and social experimental psychology consulting psychology. Due to lack of training sites and qualified supervisors, typically in the areas of applied psychological research, industrial-organizational psychology, media and social experimental psychology, but not including those involving direct mental health services, trainees involved in these areas of practice of psychology shall submit ~~propose a~~ Supervision a Plan ("Plan") for supervised professional experience SPE and submit the Plan to the ~~b~~Board for approval on a case-by-case basis as provided for in section 2914(c) of the Code. In all such cases, ~~I~~the proposed Plan must be submitted by the ~~trainee supervisee~~ and approved by the Board prior to commencement of the SPE supervision. Supervised professional experience (SPE) which is accrued prior to the approval of the Plan will not meet licensure requirements count towards licensure.~~

(1a) Supervision Plan Required Requirements

~~The proposed supervision plan ("Plan") submitted by the trainee for approval shall be:~~

~~(A1) be signed by all participants involved. It shall~~

~~(B2) describe the qualifications and responsibilities of the supervisor (and co-supervisor, if appropriate) for supervision. The plan shall~~

1 ~~(C3) be developed for and shall demonstrate appropriate preparation of the trainee to~~
2 ~~practice effectively in non-mental health services general applied psychology, and~~
3 ~~within the specific non-mental health setting, and~~

4 ~~(D4) The plan shall address how the quality of work done by the trainee working in a~~
5 ~~non-mental health role will be monitored and evaluated and shall and assure protection~~
6 ~~of the client. As used in this section, "trainee" means a psychology trainee working~~
7 ~~under the provisions of this section. include when and how periodic feedback will be~~
8 ~~provided.~~

9 ~~(E) address how all supervision pursuant to this section shall be provided .~~

10 ~~(b) Hours and Setting Requirements~~

Comment [K10]: This section (b) is the same in 1387. Delete

11 ~~(1) Pursuant to section 2914(c) of the code, two years of qualifying SPE shall be~~
12 ~~completed and documented prior to licensure. One year of SPE shall be defined as~~
13 ~~1500 hours. At least one year of SPE shall be completed postdoctorally. Each year of~~
14 ~~SPE shall be completed within a thirty (30) consecutive month period. If both years of~~
15 ~~SPE (3000 hours) are completed postdoctorally, they shall be completed within a sixty~~
16 ~~(60) month period. Upon showing of good cause as determined by the board, these~~
17 ~~specified time limitations may be reasonably modified.~~

18 ~~(2) Pre-doctoral SPE under this section may be accrued only as follows:~~

19 ~~(A) In a formal internship placement pursuant to section 2911 of the code and a~~
20 ~~registration with the board is not required; or~~

21 ~~(B) As an employee of an exempt setting pursuant to section 2910 of the code and~~
22 ~~registration with the board is not required; or~~

23 ~~(C) As a psychological assistant pursuant to section 2913 of the code and registration~~
24 ~~with the board prior to commencing work is required.~~

25 ~~(3) Postdoctoral SPE may be accrued only as follows:~~

26 ~~(A) As a psychological assistant pursuant to section 2913 of the code and registration~~
27 ~~with the board prior to commencing work is required; or~~

1 ~~(B) As a registered psychologist pursuant to section 2909(d) of the code and registration~~
2 ~~with the board prior to commencing work is required; or~~

3 ~~(C) As an employee of an exempt setting pursuant to section 2910 of the code and~~
4 ~~registration with the board is not required.~~

5 ~~(2e) Supervision Requirements~~

6 ~~(A1) The trainees shall be provided with real-time, direct supervision for supervised~~
7 ~~10% of the total time worked each week, month, of which At least four one (41) hours of~~
8 ~~the supervision per month shall be face-to-face, direct, individual supervision with the~~
9 ~~primary supervisor. The plan shall address how the supervision will be provided. The~~
10 ~~remainder of the 10% may be provided by the delegated supervisor or co-supervisor~~
11 ~~and may include supervision via electronic means. The plan shall address how all~~
12 ~~supervision will be provided. (B2) A maximum of forty-four (44) hours per week,~~
13 ~~including the required 10% supervision, may be credited toward meeting the supervised~~
14 ~~professional experience SPE requirement.~~

15 ~~(CB3) The trainee shall not have no any proprietary interest in the business of any of his~~
16 ~~or her supervisors the primary, delegated or co-supervisor and shall not serve in any~~
17 ~~capacity that would could hold influence over the primary, delegated or co-supervisor's~~
18 ~~any of his or her supervisors' judgment in providing supervision.~~

19 ~~(DC4) Neither the primary supervisor nor any delegated or co- No supervisor shall~~
20 ~~request, receive, or facilitate the receipt of payment, monetary or otherwise, from the~~
21 ~~trainee as a condition for the accrual of SPE, for the purpose of providing supervision.~~

22 ~~(D) The trainee will shall not function under any other license with the same client or in~~
23 ~~the same setting during the supervised experience accrued pursuant to the Plan.~~

Comment [D11]: Does not apply in GAP settings

24 ~~(D6) A clear and accurate record of the trainee's supervision shall be maintained.~~

25 ~~The trainee shall maintain this record in an SPE log pursuant to section 1387.5, but~~
26 ~~shall also include information relevant to the co-supervisor;~~

1 ~~(GE7)~~ Except as provided in section 1391.5(c), a primary supervisor who is a licensed
2 psychologist may delegate supervision pursuant to section 1387.2.

3 ~~(HF8)~~ If the primary supervisor is unlicensed, the trainee shall also obtain a co-
4 supervisor who meets the requirements of subsection ~~(fe)~~ (5) if the supervision occurs
5 in areas of general applied psychology setting and the primary supervisor is unlicensed.

6 (3d) Qualifications and Responsibilities of Primary Supervisors

7 The primary supervisor shall:

8 ~~(1) possess a degree that meets the requirements of section 2914(b) of the code;~~

9 ~~(AB2) meet the requirements of section 2913 of the code if supervising a psychological~~
10 ~~assistant; possess and maintain a valid, active license issued by the board free of any~~
11 ~~formal disciplinary action during the period of supervision covered by the plan~~

12 ~~(B) meet the requirements of section 2913 of the Code if supervising a psychological~~
13 ~~assistant;~~

14 ~~(C3) if licensed, meet the requirements as provided in section 1387.1. possess and~~
15 ~~maintain a valid, active license issued by the board free of any formal disciplinary action~~
16 ~~during the period of supervision covered by the plan. The primary supervisor shall notify~~
17 ~~the trainee of any disciplinary action that disqualifies him or her from providing~~
18 ~~supervision. If not licensed, the primary supervisor shall never have been denied, or~~
19 ~~possessed a professional license for providing psychological or other mental health~~
20 ~~services issued by any jurisdiction that was subject to discipline, or surrendered with~~
21 ~~charges pending;~~

22 ~~(4) be employed or contracted by the same organization as the trainee;~~

23 ~~(5) be available to the trainee 100 of the time the trainee is accruing SPE pursuant to~~
24 ~~the plan. This availability may be in person, through telephone, pager or other~~
25 ~~appropriate technology(ies);~~

1 ~~(6) If licensed, complete a minimum of six hours of supervision coursework every two~~
2 ~~years as described in section 1387.1(b);~~

3 ~~(7) ensure that all parties work together throughout the training experience to ensure~~
4 ~~that the trainee will be engaged in duties that are considered doctoral level;~~

5 ~~(8) maintain ongoing communication between all parties regarding supervisory needs~~
6 ~~and experiences;~~

7 ~~(9) ensure that all parties to the plan comply at all times with the provisions of the~~
8 ~~Psychology Licensing Law or the Medical Practice Act, whichever might apply, and the~~
9 ~~regulations adopted pursuant to these laws;~~

10 ~~(10) ensure that all SPE accrued under the plan complies with the Ethical Principles and~~
11 ~~Code of Conduct of the American Psychological Association;~~

12 ~~(11) monitor the welfare of the trainee's clients;~~

13 ~~(12) ensure that each client of the trainee is informed prior to rendering of services by~~
14 ~~the trainee that the trainee is unlicensed and is functioning under the direction and~~
15 ~~supervision of the primary supervisor; (13) monitor the performance and professional~~
16 ~~development of the trainee which shall include socialization into the practice of~~
17 ~~psychology;~~

18 ~~(14D) have the education, training, and experience in the area(s) of psychological~~
19 ~~practice for which they he or she is are providing supervision; and~~

20 ~~(E) not have a current or former financial, personal, or familial relationship with the~~
21 ~~trainee, or other relationship that could reasonably be expected to compromise the~~
22 ~~supervisor's~~

23 ~~(15) have or have had no familial, intimate, sexual, social, or professional relationship~~
24 ~~with the trainee which could compromise the supervisor's~~

25 ~~effectiveness, or that would violate the Ethical Principles of Psychologists and Code of~~
26 ~~Conduct published by of the~~

1 American Psychological Association;
2 ~~(16) not supervise a trainee who is a current or former client of psychological services~~
3 ~~provided by the supervisor; and~~

4 ~~(17) monitor the supervision performance of all delegated supervisors and co-~~
5 ~~supervisors.~~

6 ~~(4e) Qualifications and Responsibilities of Delegated Supervisors~~

7 ~~Except as provided in section 1391.5, which regulates the supervision of psychological~~
8 ~~assistants, primary supervisors may delegate supervision to other qualified~~
9 ~~psychologists or to other qualified mental health professionals including licensed~~
10 ~~marriage and family therapists, licensed educational psychologists, licensed clinical~~
11 ~~social workers and board-certified psychiatrists.~~

12 The delegated supervisor shall meet the requirements of subsection (d) and section
13 1387.2.

14 ~~(1) possess and maintain a valid, active license free of any formal disciplinary action~~
15 ~~during the period covered by the plan. The supervisor shall notify the trainee of any~~
16 ~~disciplinary action that disqualifies him or her from providing supervision;~~

17 ~~(2) be employed or contracted by the same organization as the trainee;~~

18 ~~(3) be responsible for ensuring compliance by the trainee with the provisions of the~~
19 ~~Psychology Licensing Law, the licensing laws of the Board of Behavioral Sciences, or~~
20 ~~the Medical Practice Act, whichever might apply, and the regulations adopted pursuant~~
21 ~~to these laws.~~

22 ~~(4) ensure that all SPE accrued under the supervision delegated to them complies with~~
23 ~~the Ethical Principles and Code of Conduct of the American Psychological Association;~~

24 ~~(5) monitor the welfare of the trainee's clients while under their delegated supervision;~~

25 ~~(6) monitor the performance and professional development of the trainee and is~~
26 ~~responsible for reporting this performance and development to the primary supervisor;~~

1 ~~(7) have the education, training, and experience in the area(s) of psychological practice~~
2 ~~to be supervised;~~

3 ~~(8) have or have had no familial, intimate, social, sexual or professional relationship with~~
4 ~~the trainee which could compromise the supervisors effectiveness, or would violate the~~
5 ~~Ethical Principles and Code of Conduct of the American Psychological Association; and~~

6 ~~(9) not supervise a trainee who is now or has ever been a psychotherapy client of the~~
7 ~~supervisor.~~

8 (5f) Qualifications and Responsibilities of the Co-Supervisor. {

9 This section only applies only for SPE obtained in areas of general applied psychology
10 and when the primary supervisor is not licensed}.

11 The co-supervisor shall:

12 (A)(1) ~~possess and maintain a valid, active license issued by the Board free of any~~
13 ~~formal disciplinary action during the period covered by the Plan. The co-supervisor~~

14 (B2) ~~shall~~ notify the trainee of any disciplinary action that disqualifies him or her from
15 providing supervision;

16 (2C) ~~complete a minimum of six (6) hours course of in supervision coursework every~~
17 ~~two (2) years as described in section 1387.1(ba) that meets the requirements in section~~
18 ~~1397.61(A),(B)(C);~~

Comment [D12]: Use this language for all
pertinent sections

19 (3D) ~~monitor the performance and professional development of the trainee and is~~
20 ~~responsible for reporting this performance and development to the primary supervisor;~~

21 (4) ~~not supervise a trainee who is a current or former client of psychological services~~
22 ~~provided by the supervisor;~~

23 (5(E)) not have a current or former financial, personal, or familial relationship with the
24 trainee, or other relationship that could reasonably be expected to compromise the
25 ability of the supervisor's

1 effectiveness, or that would violate the Ethical Principles of Psychologists and Code of
2 Conduct published by the
3 American Psychological Association) have or have had no familial, intimate, social,
4 sexual or professional relationship with the trainee which could compromise the
5 supervisor's effectiveness, or would violate the Ethical Principles and Code of Conduct
6 of the American Psychological Association;
7 ~~(6) ensure that all parties work together throughout the training experience to ensure~~
8 ~~that the trainee will be engaged in duties that are considered doctoral level;~~
9 ~~(7) maintain ongoing communication between all parties regarding supervisory needs~~
10 ~~and experiences; and~~
11 | ~~(E8) not supervise more than five (5) trainees under any section at any given time.~~
12 (G) ensure that all parties to the Plan comply at all times with the provisions of the
13 Psychology Licensing Law and the regulations adopted thereto.

1 **§ 1387.1. Qualifications and Responsibilities of Primary Supervisors.**

2 ~~All primary supervisors shall be licensed psychologists, except that board certified~~
3 ~~psychiatrists may be primary supervisors of their own registered psychological~~
4 ~~assistants. In this regard, a maximum of 750 hours of experience out of the required~~
5 ~~3000, can be supervised by a board certified psychiatrist and can be counted toward~~
6 ~~meeting the SPE licensing requirements.~~

7 (a) Primary supervisors shall complete a six (6) hour course in supervision every two (2)
8 years that meets the requirements in section 1397.61(A),(B),(C);.

9 (1) Primary supervisors shall certify under penalty of perjury to completion of this the six
10 (6) hour course requirement each time the supervisor completes a VOE as referenced
11 in section 1387(c)(8).

12 (2) Evidence of completion of a course in supervision shall be submitted to the Board
13 upon request. Documentation of the course shall be maintained for four (4) years from
14 the date of completion.

15 (ba) Primary supervisors shall:

16 (1) possess and maintain a valid, active license free of any formal disciplinary action,
17 and shall immediately notify the supervisee trainee of any disciplinary action, including
18 revocation, surrender, suspension, probation terms, or changes in licensure status
19 including inactive license, delinquent license or any other license status change that
20 affects the primary supervisor's ability or qualifications to supervise.

21 (b) Primary supervisors who are licensed by the board shall complete a minimum of six
22 (6) hours of supervision coursework every two years.

23 (4) Primary supervisors shall certify under penalty of perjury to completion of this
24 coursework requirement each time the supervisor completes a verification form as
25 referenced in section 1387(b)(10).

26 (2e) Primary supervisors shall be in compliance ensure that all parties to the Plan
27 comply at all times with the provisions of the Psychology Licensing Law and the Medical
28 Practice Act, whichever is applicable, and the regulations adopted pursuant to these
29 laws thereto.

30 (d) Primary supervisors shall be responsible for ensuring compliance at all times by the
31 trainee with the provisions of the Psychology Licensing Law and the regulations
32 adopted pursuant to these laws.

1 ~~(3e) Primary supervisors shall~~ be responsible for ensuring that all SPE ~~including record~~
2 ~~keeping~~ is conducted in compliance with the Ethical Principles of Psychologists and
3 Code of Conduct ~~of published by~~ the American Psychological Association.

4 ~~(4f) Primary supervisors shall~~ be responsible for monitoring the welfare of ~~the trainee's~~
5 clients and patients who have receive psychological services rendered by the trainees.

6 ~~(5g) Primary supervisors shall~~ ensure that each client or patient is informed, prior to the
7 rendering of services by the trainee ~~(4) that:~~

8 A. the trainee is unlicensed and is functioning under the direction and supervision
9 of the supervisor; ~~(2) that~~

Formatted: List Paragraph

10 B. the primary supervisor shall have full access to the client or patient treatment
11 records in order to perform supervision responsibilities, ~~and (3) that~~

12 C. any fees associated with services provided by the trainee paid for the services
13 ~~of the trainee must shall~~ be paid directly to the primary supervisor or employer.

Formatted: List Paragraph

14 ~~(6h) Primary supervisors shall~~ be responsible for monitoring the performance and
15 professional development of the trainee ~~and how and when the supervisor will provide~~
16 ~~periodic assessments and feedback to the supervisee as to whether or not he or she is~~
17 ~~performing as expected.~~

Comment [K13]: Proposed language adds the underlined.

18 ~~(i) Primary supervisors shall ensure that they have the education, training, and~~
19 ~~experience in the area(s) of psychological practice they will supervise.~~

20 ~~(j) Primary supervisors shall~~

21 (7) not have a current or former financial, personal, or familial relationship with the
22 trainee, or other relationship that could reasonably be expected to

23 compromise the supervisor's effectiveness, or that violates the Ethical Principles of
24 Psychologists and Code of Conduct published by the

25 American Psychological Association have no familial, intimate, business or other
26 relationship with the trainee which would compromise the supervisor's effectiveness,
27 and/or which would violate the Ethical Principles and Code of Conduct of the American
28 Psychological Association.

Comment [D14]: Change to new wording in .worksite monitor in the Disciplinary Guidelines. DONE

29 ~~(k) Primary supervisors shall not supervise a trainee who is now or has ever been a~~
30 ~~psychotherapy client of the supervisor.~~

31 ~~(l) Primary supervisors shall not exploit trainees or engage in sexual relationships or any~~
32 ~~other sexual contact with trainees.~~

- 1 ~~(8m) Primary supervisors shall~~ require trainees to review the pamphlet "Professional
2 Therapy Never Includes Sex."
- 3 ~~(9a) Primary supervisors shall~~ monitor the supervision performance of all delegated
4 supervisors.
- 5 (10) be employed or contracted by the same organization as the trainee and be
6 available to the trainee 100% of the time the trainee is accruing SPE. This availability
7 may be in-person, by telephone, or by other appropriate technology.
- 8 | (11) ensure that a Plan is in place to protect the client or patient in the event a crisis or
9 emergency occurs during any time the supervisor is not physically present at the
10 established site at which the trainee is working. The primary supervisor shall ensure that
11 the trainee thoroughly understands the plan.
- 12 (12) be responsible for ensuring that the extent, kind, and qualify of the psychological
13 services are consistent with his or her training and experience and be responsible for
14 compliance with this chapter and regulations duly adopted hereunder.

15

1 § 1387.2. Qualifications and Responsibilities of Delegated Supervisors.

2

3 Delegated supervisors shall:

4 (a) be qualified psychologists or these other qualified mental health professionals listed
5 in section 1387(de).

6 (b) ~~The delegated supervisor(s) shall be employed or contracted in by the same work~~
7 ~~organization setting as the trainee.~~

8 (ca) ~~Delegated supervisors shall have possess and shall maintain a valid, active~~
9 ~~license free of any formal disciplinary action, and shall immediately notify the trainee~~
10 ~~and the primary supervisor of any disciplinary action, including revocation, surrender,~~
11 ~~suspension, probation terms, or changes in licensure status including inactive license,~~
12 ~~or any other license status change that affects the supervisor's ability or qualifications to~~
13 ~~supervise.~~

14 (db) ~~Delegated supervisors shall be in compliance at all times with the provisions of the~~
15 ~~Psychology Licensing Law and, other applicable State licensing laws, and the~~
16 ~~regulations adopted pursuant to these laws thereto.~~

17 (e)c) ~~Delegated supervisors shall be responsible for ensuring that all parties to the Plan~~
18 ~~comply compliance by the trainee with the provisions of the Psychology Licensing Law~~
19 ~~and the regulations adopted pursuant to these laws thereto.~~

20 (fd) ~~Delegated supervisors shall be responsible for ensuring that all SPE and record~~
21 ~~keeping performed under the supervision delegated to them is conducted in compliance~~
22 ~~with the Ethical Principles of Psychologists and Code of Conduct of published by the~~
23 ~~American Psychological Association.~~

24 (ge) ~~Delegated supervisors shall be responsible for monitoring the welfare of the~~
25 ~~trainees-clients or patients who received psychological services rendered by the~~
26 ~~trainees, while under their delegated supervision.~~

27 (hf) ~~Delegated supervisors shall be responsible for monitoring and report to the primary~~
28 ~~supervisor the performance and professional development of the trainees, and for~~
29 ~~reporting this performance and development to the primary supervisor.~~

30 (ig) ~~Delegated supervisors shall ensure that they have the education, training, and~~
31 ~~experience in the area(s) of psychological practice to be supervised they will supervise.~~

32 (h) ~~Delegated supervisors shall~~

33 (i) ~~not have a current or former financial, personal, or familial relationship with the~~
34 ~~trainee, or other relationship that could reasonably be expected to~~

35 ~~have no familial, intimate, business or other relationship with the trainee which would~~
36 ~~compromise the supervisor's effectiveness and/or which would violate the Ethical~~
37 ~~Principles of Psychologists and Code of Conduct published by of the American~~
38 ~~Psychological Association.~~

Comment [D15]: Disciplinary guideline DONE

- 1 ~~(i) Delegated supervisors shall not supervise a trainee who is now or has ever been a~~
- 2 ~~psychotherapy client of the supervisor.~~
- 3 ~~(j) Delegated supervisors shall not exploit trainees or engage in sexual relationships, or~~
- 4 ~~any other sexual contact with trainees~~
- 5

1 **§ 1387.4. Out-of-State Jurisdiction Experience Accrued Outside of California.**

2 (a) All out-of-state SPE must be:

3 (1) supervised by a primary supervisor who is a psychologist licensed at the doctoral
4 level in the state, U.S. United States territory, or country Canadian province in which the
5 SPE is taking place was accrued,

6 (2) in compliance with all laws and regulations of the jurisdiction in which the experience
7 was accrued, and

8 (3) in substantial compliance with all the supervision requirements of section 1387.

Comment [D16]: Define substantial???

9 (b) ~~Supervised professional experience SPE can be accrued at a U.S. military~~
10 ~~Installation within any federal agency, whether or not in the state, so long as provided~~
11 ~~the experience is supervised by a qualified psychologist licensed at the doctoral level in~~
12 ~~the U.S. United States or its territories. Canada.~~

13 ~~(c) SPE can be accrued in countries outside the U.S. or Canada which regulate the~~
14 ~~profession of psychology pursuant to the same requirements as set forth in section~~
15 ~~2914 of the code. SPE accrued in countries outside the U.S., its territories or Canada~~
16 ~~must comply with all the supervision requirements of section 1387. The burden shall be~~
17 ~~upon the applicant to provide the necessary documentation and translation that the~~
18 ~~board may require to verify the qualification of the SPE.~~

19 ~~(c) SPE can be accrued in countries outside the United States or Canada provided the~~
20 ~~primary supervisor is a licensed psychologist in the country the SPE was accrued and is~~
21 ~~licensed as a psychologist at the doctoral level in the United States or Canada.~~

22

1 § 1387.5. SPE Log.

2
3 (a) The trainee shall maintain a written weekly log of all hours of SPE earned toward
4 licensure. The log shall be made available to the Board upon request and contain an
5 weekly accounting of the following information and shall be made available to the board
6 upon request:

- 7
8 (1) The specific work setting in which the SPE took place.
9 (2) The specific dates for which the log is being completed.
10 (3) The number of hours worked during the week.
11 (4) The number of hours of supervision received during the week.
12 (5) An indication of whether the supervision was direct, individual, face-to-face,
13 group, or other (specifically listing each activity).
14 ~~(6) An indication by the supervisor of whether the SPE performed that week was~~
15 ~~satisfactory.~~
16 (6) A description of the psychological duties performed during the period of SPE.

17
18 (b) ~~This log must also contain the following information:~~

- 19 ~~(7) The trainee's legibly printed name, signature and date signed.~~
20 ~~(2) The primary supervisor's legibly printed name, signature, license type and~~
21 ~~number, and date signed.~~
22 ~~(8) Any delegated supervisors' legibly printed name, license type and number.~~
23 ~~(4) A description of the psychological duties performed during the period of~~
24 ~~supervised professional experience SPE.~~
25 ~~(9) A statement signed by the primary supervisor attesting to the accuracy of~~
26 ~~the information and whether the SPE performed that week was satisfactory.~~
27 (10) The primary supervisor's printed name, signature, license type and number,
28 and date signed.

29
30 (c) When SPE is accrued as part of a formal internship, the internship training director
31 shall be authorized to provide all information required in this section 1387.5(b).
32

1 ~~§ 1387.6. Psychological Assistants.~~
2

Comment [KJ17]: Should this section be deleted in its entirety or just the reference to section 1387(b)(11).

3 In order to accrue hours of SPE, a psychological assistant shall at all times be in
4 compliance with the supervision requirements of section 1387 and with the
5 requirements for psychological assistants set forth in Article 5.1 of this chapter. A
6 psychological assistant accruing SPE in a private setting shall submit a plan for SPE to
7 the Board for approval as provided for in section 1387(b)(11). The proposed supervision
8 plan submitted by the psychological assistant for approval shall be signed by all
9 participants involved. It shall describe the qualifications and responsibilities of the
10 supervisor and/or the delegated supervisor. The plan shall be developed for, and shall
11 demonstrate appropriate preparation of, the psychological assistant to practice
12 effectively, and within the specific private practice setting. The plan shall address how
13 the quality of work done by the psychological assistant will be monitored and assure
14 protection of the client.

15

1 ~~§ 1387.7. Registered Psychologists.~~

2

3 ~~Persons working as registered psychologists pursuant to section 2909 of~~
4 ~~the code in order to accrue postdoctoral hours of SPE shall at all times be in~~
5 ~~compliance with the supervision requirements of section 1387 and with the~~
6 ~~requirements for registered psychologists set forth in Article 5 of this chapter.~~
7

16 CCR § 1388 revisions effective 1/1/16

§ 1388. Examinations.

(a) The board recognizes the expertise of the Department of Consumer Affairs' (DCA) Office of Professional Examination Services (OPES). The board shall utilize the services of the OPES in licensing examination development and validation through an interagency agreement.

(b) An applicant shall successfully take and pass the licensing examinations prior to being licensed. The licensing examination shall consist of the Association of State and Provincial Psychology Boards' (ASPPB) Examination for Professional Practice in Psychology (EPPP), and the California Psychology Laws and Ethics Examination (CPLÉE), except that the EPPP shall be waived for those applicants who meet the criteria in section 1388.6 of this chapter. Such applicants shall be required to take and pass the CPLÉE.

(c) An applicant is eligible to take the EPPP upon completion of a qualifying doctorate degree and 1500 hours of qualifying professional experience. An applicant shall pass the EPPP and complete all 3000 hours of supervised professional experience prior to being eligible for the CPLÉE, whichever is applicable, pursuant to section 1388.6.

(d) Upon application, the board will notify applicants of their eligibility to take the EPPP. Applicants are responsible for completing any administrative requirements for taking the EPPP established by ASPPB or its agent, including paying any fees. This subsection applies to those re-taking the EPPP as well as to those taking it for the first time.

(e) For forms of the EPPP taken prior to September 1, 2001, the passing score is the score that was recognized by the board at that time. For computer administered forms of the EPPP, the board shall apply a scaled score as recommended by ASPPB.

(f) Qualified applicants desiring to take the CPLÉE shall submit to the board the fee set forth in section 1392 of this chapter. Applicants shall comply with all instructions established by the DCA examination vendor for taking the CPLÉE.

(g) The passing score on the CPLÉE shall be determined for each form of the examination by a criterion referenced procedure performed by OPES.

(h) An applicant for whom English is his or her second language may be eligible for additional time when taking the EPPP and/or the CPLÉE. The applicant must complete and submit a request for additional time that states under penalty of perjury that English is his or her second language. The Test of English as a Foreign Language (TOEFL) certification score of 85 or below must be sent by Educational Testing Service directly to the board. The TOEFL must have been taken within the previous two years prior to application. If approved, the applicant will be allotted time-and-a-half (1.5x) when taking the examination.

1 16 CCR § 1388.6 revisions effective 1/1/16

2 **§ 1388.6. License Requirements and Waiver of Examination.**

3 (a) When a California-licensed psychologist has been licensed for at least five years and has
4 allowed his/her license to cancel by not renewing the license for at least three years, the
5 psychologist shall not be required to take the EPPP.

6 (b) If an applicant for licensure as a psychologist has been licensed in another state, Canadian
7 province, or U.S. territory, for at least five years the applicant shall not be required to take the
8 EPPP.

9 (c) An applicant for licensure as a psychologist who holds a Certificate of Professional
10 Qualification (CPQ) issued by the Association of State and Provincial Psychology Boards
11 (ASPPB), shall not be required to take the EPPP. Such an applicant shall be deemed to have
12 met the educational and experience requirements of subdivisions (b) and (c) of Code section
13 2914.

14 (d) An applicant for licensure as a psychologist who is credentialed as a Health Service Provider
15 in Psychology by the National Register of Health Service Providers in Psychology (NRHSPP)
16 and has been licensed based on a doctoral degree in another state, Canadian province, or U.S.
17 territory for a minimum of five years shall not be required to take the EPPP. Such an applicant
18 shall be deemed to have met the educational and experience requirements of subdivisions (b)
19 and (c) of Code section 2914.

20 (e) An applicant for licensure as a psychologist who is certified by the American Board of
21 Professional Psychology (ABPP) and has been licensed based on a doctoral degree in another
22 state, Canadian province, or U.S. territory for a minimum of five years shall not be required to
23 take the EPPP. Such an applicant shall be deemed to have met the educational and experience
24 requirements of subdivisions (b) and (c) of Code section 2914.

25 (f) Although the EPPP is waived under this section, an applicant must file a complete application
26 and meet all current licensing requirements not addressed above, including payment of any
27 fees, take and pass the California Psychology Law and Ethics Examination (CPLEE), and not
28 been subject to discipline.

29

16 CCR § 1389 revisions effective 1/1/16

§ 1389. Reconsideration of Examinations.

(a) There shall be no reconsideration of the grade received on the EPPP or on the CPLEE.

(b) Nothing in this section shall be construed to deprive an applicant of his or her rights of appeal as afforded by other provisions of law.

~~§1389.1. Inspection of Examinations.~~

- ~~(a) All examination materials, except those owned by an examination service, shall be retained by the board at the board's office in Sacramento for a period of two (2) years after the date of the examination.~~
~~(b) No inspection is allowed of the written examination administered by the board.~~

§ 1390. Citation.

This article may be cited and referred to as the "Registered Psychologist Regulations."

§ 1390.1. Registration.

Any person desiring to register at a qualifying agency as a registered psychologist shall submit an application on a form provided by the Board.

§ 1390.2. Withdrawal of Applications.

An aApplications for registration ~~which that~~ hasve-not been completed within ninety (90) days after additional information has been requested shall be deemed to be withdrawn.

§ 1390.3. Statement of Purpose.

A person meeting the requirements set forth in section 2909.5~~(d)~~ of the Code, may register with the Board as a registered psychologist. provide psychological services ~~under supervision at a non-profit community agency that receives at least 25% of its~~

1 ~~funding from a governmental source for the purpose of training and providing services~~
2 ~~so long as that person registers with the board as a registered psychologist.~~
3 ~~(a) The employing agency must provide the Board with evidence of the requisite level of~~
4 ~~government funding.~~
5 ~~(ba) The registered psychologist is authorized to function only in the agency to which he~~
6 ~~or she is registered and only after a registration number has been issued by the Bboard;~~
7 ~~(b) The registration shall be in effect for a period of 30 months from the date of issuance~~
8 ~~and cannot be renewed and the registrant cannot re-register as a registered~~
9 ~~psychologist to the same agency;~~
10 ~~(c) The registered psychologist shall at all times be under the primary supervision of a~~
11 ~~qualified licensed psychologist who is employed by the same agency. The primary~~
12 ~~supervisor shall be available to the trainee 100% of the time that the trainee is working~~
13 ~~in such a capacity. This availability can be in-person, by telephone, by pager or by other~~
14 ~~appropriate technology.~~
15 ~~(1) The primary supervisor shall comply with the coursework requirements set forth in~~
16 ~~section 1387.1(b) of the Code.~~
17 ~~(2) The primary supervisor shall ensure that a plan is in place in the event a~~
18 ~~patient/client crisis or emergency occurs during any time the supervisor is not physically~~
19 ~~present at the established site at which the trainee is working. The primary supervisor~~
20 ~~shall ensure that the trainee thoroughly understands the plan in the event of such an~~
21 ~~emergency.~~
22 ~~(d) In order to qualify as "supervised professional experience" pursuant to section~~
23 ~~2914(c) of the Code, experience gained as a registered psychologist must comply with~~
24 ~~section 1387.~~
25 ~~(e) Each patient or client of a registered psychologist shall be informed, prior to the~~
26 ~~rendering of services, that the registrant is unlicensed and under the supervision of a~~
27 ~~qualified licensed psychologist as an employee of the agency and that the supervisor~~
28 ~~shall have access to the patient's chart in fulfilling his/her supervisory duties.~~
29 ~~(f) No supervisor or employing agency of a registered psychologist may charge a fee or~~
30 ~~otherwise require monetary payment in consideration for the employment or supervision~~
31 ~~of a registered psychologist.~~

Comment [D18]: Need better language

Comment [D19]: Change to language in 1391.5

1 §1391. Citation.

2 This article may be cited ~~and referred to~~ as the "Psychological Assistant
3 Regulations."

Comment [D20]: Can this be deleted? Is this necessary?

4
5 §1391.1. Registration; Limitation of Registration Period.

Comment [D21]: Move to 2913

6 (a) Any person desiring to ~~supervise~~ be registered as a psychological assistant shall
7 submit an application on a form provided by the Board.

8 (b) Registration as a psychological assistant shall be limited to a cumulative total of
9 ~~six five years (6072 months)~~. Each registration shall be subject to annual renewal
10 pursuant to section 1391.12. For any psychological assistant registered prior to the
11 effective date of this subdivision, subsequent renewals or registrations shall be
12 limited to a cumulative total of ~~six five years (6072 months)~~ from the date of the
13 psychological assistant's next registration or renewal, whichever occurs first.

14 ~~Upon showing of good cause as~~
15 ~~determined by the Board, these specified time limitations may be reasonably~~
16 ~~modified.~~

17
18 § 1391.2. Withdrawal of Applications.

19 ~~An a~~Applications for registration ~~which that~~ hasve not been completed within ninety
20 (90) days after additional information has been requested shall be ~~deemed to be~~
21 withdrawn.

22
23 ~~§ 1391.3. Required Training.~~

24 Any person who possesses a doctorate degree which will qualify for licensure as a
25 psychologist pursuant to Section 2914 of the code, shall be deemed to have
26 completed "one fully matriculated year of graduate training in psychology" and will
27 be eligible for registration as a psychological assistant upon compliance with other
28 provisions of Section 2913 of the code.

Comment [D22]: 2913 b

1 § 1391.4. Limited Psychological Functions.

2 As used in Section 2913 of the code, the phrase "limited psychological functions"
3 means those functions which are performed under the direction and supervision of
4 the qualified supervisor pursuant to the American Psychological Association's (APA)
5 January 1, 1997 version of the Guidelines and Principles for Accreditation of
6 Programs in Professional Psychology and the APA Code of Conduct and Ethical
7 Principles.

Comment [D23]:

8
9 § 1391.5. Statement of Purpose; Supervision Required.

10 (a) A psychological assistant shall be under the direction and supervision of a
11 licensed psychologist or board-certified psychiatrist who is employed in the same
12 setting in which the psychological assistant is employed. A licensed psychologist
13 Primary supervisors who are is supervising psychological assistants must comply
14 with the supervision course requirements set forth in section 1387.1.

Comment [D24]: Define: location or employer??
Bring to Board.

15 (b) A registered psychological assistant may receive delegated supervision
16 pursuant to section 1387(d) and must comply with the requirements set forth in
17 section 1387.2.

18 ~~(c)~~ The supervisor shall provide psychological assistant shall receive a minimum of
19 one (1) hour per week of real time, direct individual supervision from the primary
20 supervisor to the psychological assistant, unless more such supervision is required
21 under Section 1387 or by the nature of the psychological functions performed by the
22 psychological assistant.

Comment [D25]: Add to 2913 some wording
about time not working does not require
supervision.

23 ~~(c)~~ A registered psychological assistant employed by one of the organizations
24 specified in section 2913 of the code may receive delegated supervision pursuant to
25 section 1387(c) a qualified psychologist or a board-certified psychiatrist other than
26 the supervisor to whom he/she is registered if the delegated supervisor is also
27 employed within the same organization. Otherwise, supervision may not be
28 delegated under a psychological assistant registration.

1 §1391.6. Supervisor's Responsibility.

2 ~~(a) Every supervisor of a psychological assistant shall be responsible for supervising the~~
3 ~~psychological functions performed by the psychological assistant and ensuring that the~~
4 ~~extent, kind and quality of the psychological functions performed by the assistant are~~
5 ~~consistent with the supervisor's training and experience, and that the assistant complies~~
6 ~~with the provisions of the code, the board's regulations, and the standards established~~
7 ~~by the American Psychological Association.~~

8 ~~(b) The supervisor shall inform each client or patient prior to the rendering of services by~~
9 ~~the psychological assistant that the assistant is unlicensed and is under the direction~~
10 ~~and supervision of the supervisor as an employee and that the supervisor shall have~~
11 ~~access to the patient's chart in fulfilling his/her supervision duties.~~

12 ~~(c) The supervisor shall be available to the assistant 100% of the time the assistant is~~
13 ~~performing psychological functions. The availability can be in person, by telephone, by~~
14 ~~pager or by other appropriate technology.~~

15 ~~(d) The supervisor shall ensure that a plan is in place to protect the patient or client in~~
16 ~~the event a patient/client crisis or emergency occurs during any time the supervisor is~~
17 ~~not physically present at the established site at which the supervisee is working. The~~
18 ~~supervisor shall ensure that the supervisee thoroughly understands the plan in the~~
19 ~~event a patient crisis or emergency occurs.~~

20

21 § 1391.7. Supervised Professional Experience.

22 In order to qualify as "supervised professional experience" pursuant to
23 section 2914(c) of the Code, experience gained as a psychological assistant
24 must comply with section 1387.

25

26 § 1391.8. Employer Supervisor Employee Psychological Assistant Business
27 Relationship.

28 (a) No supervisor or employer shall have any familial, intimate, business or other
29 relationship with the psychological assistant which would compromise the employer's or
30 supervisor's effectiveness, and/or which would violate the Ethical Principles and Code
31 of Conduct of the American Psychological Association.

1 ~~(b)~~ No supervisor or employer of a psychological assistant may charge of a
2 psychological assistant a fee or otherwise require monetary payment in consideration
3 for the employment or supervision provided of a psychological assistant.

4 ~~(c)~~ The supervisor or employer shall supply all provisions necessary to function as a
5 psychological assistant.

6 ~~(db)~~ The psychological assistant shall have no proprietary interest in the business of the
7 supervisor or the employer.

8 ~~(ee)~~ The psychological assistant shall not rent, lease, sublease, or lease-purchase office
9 space from any entity for purposes of functioning as a psychological assistant.

10
11
12 § 1391.10. Annual ReportsUpdate.

13 One year after the effective date of the psychological assistant registration and annually
14 thereafter, every psychological assistant shall submit to the Board On or before the
15 expiration of a registration, every supervisor of a psychological assistant shall submit to
16 the Board an update for the registration, on a form provided by the Board a report for
17 the registration period showing: Such update shall include at minimum the following:

18 (a) Name and license number of all primary supervisors since the effective date of the
19 registration or the last update.

20 (b) Address of all locations where psychological services are currently being provided.
21 The nature of the psychological functions performed by the psychological assistant
22 being supervised.

23 ~~(b)~~ Certification of employment.

24 ~~(c)~~ The locations at which the psychological assistant provided the psychological
25 functions and the type, extent and amount of supervision.

26 ~~(cd)~~ A certification An attestation from all current primary supervisors that during the
27 period supervised, the psychological functions performed by the psychological assistant
28 has demonstrated an overall performance at or above the level of competence expected
29 for his or her level of education, training and experience, and were performed at a level
30 satisfactory to ensure safety to the public.

1 ~~§ 1391.11. Notification of Termination.~~

2 ~~Within thirty (30) days after the termination of the employment of a psychological~~
3 ~~assistant, the employer shall notify the board in writing of such termination, setting forth~~
4 ~~the date thereof.~~

5

6 ~~§ 1391.12. Psychological Assistant Renewals.~~

7 ~~A new registration shall expire one year after issuance. The registration of a~~
8 ~~psychological assistant shall be renewed by the employer annually, on or before its~~
9 ~~expiration.~~

10 ~~(b) A registration renewed 30 days after its expiration must be accompanied by the~~
11 ~~delinquency fee required in section 1392.4 in order to be renewed.~~

12 ~~(c) A psychological assistant who has been registered with the Board but whose~~
13 ~~registration has expired and has not been renewed by the employer shall not function~~
14 ~~as a psychological assistant.~~

15 ~~(d) A psychological assistant employed and registered by more than one employer shall~~
16 ~~have his or her registration renewed by each employer.~~

17 ~~(e) A registration not renewed within 60 days after its expiration shall become void and~~
18 ~~a new application for registration shall be submitted by the employer.~~

19

California Board of Psychology

PROPOSED LANGUAGE

Proposed additions are shown as underlined
Proposed deletions are shown as ~~strike through~~

1. Amend section 1387 of Division 13.1 of Title 16 of the California Code of Regulations to read as follows:

(10) ~~Except for the accrual of SPE by a psychological assistant in a private practice setting as provided for in section 1387(b)(11).~~ Prior to the start of the experience, the primary supervisor and the supervisee shall together prepare an agreement document that outlines the structure and sequence of the planned program of supervision to accomplish the goals and objectives of the plan ("plan") experience. Accrual of hours prior to preparing such an agreement may result in those hours not counting toward the licensure requirements. The original agreement shall accompany the application for registration, if any, and identify identifies at least the following:

- Name, license number and signature of primary supervisor;
- Name and signature of supervisee;
- Statutory authority under which the supervisee will function;
- Start date of the experience and the anticipated completion date;
- Duties to be performed in a sequential structured plan as defined in this
- section;
- Address of the locations at which the duties will be performed; and
- Goals and objectives of the plan for SPE, including how socialization into the profession will be achieved; and
- How and when the supervisor will provide periodic assessments and feedback to the supervisee as to whether or not he or she is performing as expected.

Additionally, the agreement ~~document~~ shall reflect that both supervisor and supervisee have discussed and understand each term of SPE as required by the California Code of Regulations. ~~The primary supervisor shall maintain the document until the hours of supervised experience are completed.~~

(11) Once the supervised experience SPE outlined in the agreement document has been completed, the primary supervisor shall submit to the supervisee both the agreement, unless previously submitted to the Board, pursuant to Section 1387 (b) (10) and a verification of experience form signed by the primary supervisor under penalty of perjury, directly to the Board both the document and a verification of the experience signed by the primary supervisor under penalty of perjury. in a sealed envelope, signed across the seal for submission to the Board by the supervisee along with his or her application. The verification shall certify to completion of the hours consistent with the terms of the supervision agreement document. The supervisor must indicate, in his / or her best professional judgment, whether the supervisee demonstrated an overall

performance at or above the level of minimal competence expected for the supervisee's level of education, training and experience. When SPE is accrued in a formal pre-doctoral internship or postdoctoral training program, the program's training director shall be authorized to perform the verification and rating duties of the primary supervisor provided that the internship training director is a licensed psychologist who possesses a valid, active license free of any disciplinary action.

If the SPE is not consistent with the terms of the agreement or if the supervisee did not demonstrate an overall performance at or above level of competence expected for the supervisee's level of education, training and experience, the SPE may not count towards the licensure requirements.

~~(11) Due to lack of standardization in training, a psychological assistant in a private practice setting shall submit the plan as described in subsection (b)(10) for supervised professional experience to the Board for prior approval as provided for in section 2914(c) of the Code prior to the accrual of SPE. A private practice setting is defined as those settings allowed pursuant to section 1387(a)(1)(C) and 1387(a)(2)(D), except a Welfare and Institutions Code section 5614 clinic or a Health and Safety Code section 4204.1 clinic. SPE that is accrued prior to the approval of the plan will not count toward qualifying the applicant for licensure.~~

(c) Delegated Supervision Requirements:

(1) Except as provided in section 1391.5, which regulates the supervision of psychological assistants, primary supervisors may delegate supervision to other qualified psychologists or to other qualified mental health professionals including licensed marriage and family therapists, licensed educational psychologists, licensed clinical social workers and board certified psychiatrists.

(2) The primary supervisor remains responsible for providing the minimum one hour per week of direct, individual face-to-face supervision.

(3) The primary supervisor remains responsible for ensuring compliance with this section.

Note: Authority cited: Section 2930, Business and Professions Code. Reference: Sections 2911 and 2914, Business and Professions Code.

2. Amend section 1387.1 of Division 13.1 of Title 16 of the California Code of Regulations to read as follows:

§ 1387.1. Qualifications and Responsibilities of Primary Supervisors.

All primary supervisors shall be licensed psychologists, except that board certified psychiatrists may be primary supervisors of their own registered psychological assistants. In this regard, a maximum of 750 hours of experience out of the required 3000, can be supervised by a board certified psychiatrist and can be counted toward meeting the SPE licensing requirements.

(a) Primary supervisors shall possess and maintain a valid, active license free of any formal disciplinary action, and shall immediately notify the supervisee of any disciplinary action, including revocation, surrender, suspension, probation terms, or changes in licensure status including inactive license, delinquent license or any other license status change that affects the primary supervisor's ability or qualifications to supervise.

(b) Primary supervisors who are licensed by the ~~h~~**Board** shall complete a minimum of six (6) hours of supervision coursework every two years.

(1) Primary supervisors shall certify under penalty of perjury to completion of this coursework requirement each time the supervisor completes a verification form as referenced in section 1387(b)(10).

(c) Primary supervisors shall be in compliance at all times with the provisions of the Psychology Licensing Law and the Medical Practice Act, whichever is applicable, and the regulations adopted pursuant to these laws.

(d) Primary supervisors shall be responsible for ensuring compliance at all times by the trainee with the provisions of the Psychology Licensing Law and the regulations adopted pursuant to these laws.

(e) Primary supervisors shall be responsible for ensuring that all SPE including record keeping is conducted in compliance with the Ethical Principles and Code of Conduct of the American Psychological Association.

(f) Primary supervisors shall be responsible for monitoring the welfare of the trainee's clients.

(g) Primary supervisors shall ensure that each client or patient is informed, prior to the rendering of services by the trainee (1) that the trainee is unlicensed and is functioning under the direction and supervision of the supervisor; (2) that the primary supervisor shall have full access to the treatment records in order to perform supervision responsibilities and (3) that any fees paid for the services of the trainee must be paid directly to the primary supervisor or employer.

(h) Primary supervisors shall be responsible for monitoring the performance and professional development of the trainee and how and when the supervisor will provide periodic assessments and feedback to the supervisee as to whether or not he or she is performing as expected.

(i) Primary supervisors shall ensure that they have the education, training, and experience in the area(s) of psychological practice they will supervise.

(j) Primary supervisors shall have no familial, intimate, business or other relationship with the trainee which would compromise the supervisor's effectiveness, and/or which would violate the Ethical Principles and Code of Conduct of the American Psychological Association.

(k) Primary supervisors shall not supervise a trainee who is now or has ever been a psychotherapy client of the supervisor.

(l) Primary supervisors shall not exploit trainees or engage in sexual relationships or any other sexual contact with trainees.

(m) Primary supervisors shall require trainees to review the pamphlet "Professional Therapy Never Includes Sex."

(n) Primary supervisors shall monitor the supervision performance of all delegated supervisors.

NOTE: Authority cited: Section 2930, Business and Professions Code. Reference: Section 2914, Business and Professions Code.