

MEMORANDUM

DATE	May 9, 2016
TO	Board Members
FROM	Sandra Monterrubio, Enforcement Program Manager Board of Psychology
SUBJECT	Agenda item #11, Enforcement Board Report

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.

At our February meeting, the Enforcement Program Manager (EPM) was asked why the Board saw such a large increase in complaint volume this year and last year and if there were any trends. The Board members also inquired if Medical Board ("MBC") and the Board of Behavioral Sciences ("BBS") were also experiencing an increase in complaints.

Referencing the BOP, MBC, and BBS there doesn't appear to be any consistent trend of increases in consumer complaints among all three Boards. The BOP received their highest number of complaints in FY 14/15, while MBC's highest number of complaints occurred in FY 13/14. For the BBS, the increase was during the period from May to June 2015. Neither the MBC nor BBS saw a spike in complaint intake at the same time the BOP did.

Possible factors to consider but which cannot be quantified:

- Covered California went into effect October 1, 2013, and the first open enrollment netted approximately 1.4 million new members through March 31, 2014. The program added an additional 500 thousand members through February 22, 2015 for a total of 1.9 million new enrollees who potentially could have also become consumers of mental health services.
- Social Media Outreach. In 2014 the BOP created Facebook and Twitter accounts.
- Online portal improvements allow consumers to research a provider and file a complaint online more easily.

- Effective 2013, consumers were able to file complaints online through BreEZe, facilitating submission of complaints.

In summary, there is no apparent reason or trend for the increase in complaints for FY 14/15 and 15/16, rather the increase may be an accumulation of possibilities.

To date, the Board has received 848 complaints and DOJ conviction reports. The Board has issued 27 enforcement citations and referred 33 cases to the Office of the Attorney General (OAG) for formal discipline. There are 45 active probationers and 41 in tolled status. The chart below details statistical data for the last three fiscal years. Five percent of the complaints submitted were forwarded to the OAG for formal discipline.

BOARD OF PSYCHOLOGY
Overview of Enforcement Activity
July 1, 2015 - April 29, 2016

Cases Opened	13/14	14/15	*15/16	Intake	% of Intake
Complaints & Conviction Reports	776	972	848	2,596	
Investigations Opened	505	736	602	1,843	71%
Cases sent to AG	41	46	33	120	5%
Filings				Intake	% of Intake
Accusations	27	30	23	80	3%
Statement of Issues	4	10	5	19	1%
Citations				Intake	% of Intake
Citations Ordered	6	11	27	44	2%
Filing Withdrawals/Dismissals				AG Cases	% of AG Cases
Accusations Withdrawn	2	0	5	7	9%
Accusations Dismissed	0	1	4	5	6%
Disciplinary Decisions				AG Cases	% of AG Cases
Revocations	4	2	4	10	13%
Revocation, Stayed, Probation	11	12	24	47	59%
Voluntary Surrender	10	9	12	31	39%
Reprovals	2	1	3	6	8%
ISO/TRO/ASO/PC23 Ordered	2	2	2	6	8%
Statement of Issues-License Denied	0	2	0	2	3%
Other	0	1	1	2	3%

Board-Approved Schools Expressed in Ratio to Disciplinary Cases

Of the fifty-three (53) discipline records with school information sampled, ten (10) had gone to approved schools (19% of the discipline records).

To put into context, the Board has approved eight (8) schools. There are one hundred and forty (140) schools listed in our annual reports for graduates.

If we were to pursue this hypothesis further, the trend may show that those who go to Board approved schools were statistically *more* likely to be disciplined by the Board.

BOARD OF PSYCHOLOGY
Overview of Enforcement Activity

License & Registration	08/09	09/10	10/11	11/12	12/13	13/14	14/15	*15/16
Psychologist	20,307	21,019	21,527	22,020	22,688	****	20,575	20,024
Registered Psychologist	324	320	312	320	349	****	280	278
Psychological Assistant	1,397	1,429	1,507	1,635	1,727	****	1,701	1,466
Cases Opened	08/09	09/10	10/11	11/12	12/13	13/14	14/15	*15/16
Complaints Received	786	712	785	747	707	643	900	798
Criminal Conviction Reports Received	72	54	48	70	42	133	72	50
Investigations Opened	88	79	83	107	73	505	736	602
Cases sent to DA	2	3	3	5	6	0	0	0
Cases sent to AG	23	38	37	34	38	41	46	33
Filings								
Accusations	8	23	21	27	31	27	30	23
Statement of Issues	9	8	4	4	2	4	10	5
Petition to Revoke Probation	0	0	0	3	1	2	2	3
Petitions to Compel Psych. Exam	0	0	1	1	0	1	0	1
Petitions for Penalty Relief	3	1	0	1	1	2	0	0
Petition for Reinstatement	1	1	0	2	1	1	0	0
Petitions for Reconsideration	0	1	0	0	2	0	0	0
Filing Withdrawals/Dismissals								
Accusations Withdrawn	0	0	2	0	0	2	0	5
Accusations Dismissed	0	1	0	1	1	0	1	4
Statement of Issues Withdrawn	5	0	2	1	0	0	0	0
Citations								
Citations Ordered	5	10	9	18	10	6	11	27
Disciplinary Decisions								
Revocations	1	3	2	4	2	4	2	4
Revocation, Stayed, Probation	7	9	12	11	11	11	12	24
Revoked, Stayed, Probation, Susp.	3	0	0	0	0	0	0	0
Voluntary Surrender	8	3	2	11	10	10	9	12
Reprovals	0	0	1	2	0	2	1	3
ISO/TRO/ASO/PC23 Ordered	3	4	1	4	3	2	2	2
Statement of Issues-License Denied	1	1	0	1	1	0	2	0
Other	2	1	2	0	1	0	1	1
Total Disciplinary Decisions	25	21	20	33	28	29	29	46
Other Decisions								
Statement of Issues-License Granted	4	5	4	3	6	3	1	1
Petitions for Penalty Relief Denied	1	0	0	0	0	0	0	0
Petitions for Penalty Relief Granted	3	1	1	1	1	1	0	0
Petition for Reinstatement Granted	1	0	0	0	1	0	0	0
Petition for Reinstatement Denied	0	0	1	1	1	0	0	0
Reconsiderations Denied	0	0	1	0	1	0	0	1
Reconsiderations Granted	0	1	0	0	1	0	0	0
Orders Compelling Psych. Exam	0	0	0	1	0	1	0	0
Total Other Decisions	9	7	7	6	11	5	1	2
Violation Types								
Gross Negligence/Incompetence	5	4	4	3	5	9	7	16
Improper Supervision	0	0	1	0	0	1	0	0
Repeated Negligent Acts	0	0	0	1	0	6	6	5
Self Abuse of Drugs or Alcohol	2	3	3	12	1	8	3	2
Dishonesty/Fraud	0	3	0	2	2	3	3	15
Mental Illness	1	0	0	0	2	1	0	4
Aiding Unlicensed Practice			0	0	0	1	0	1
General Unprofessional Conduct	1	1	1	0	2	14	2	5
Probation Violation	1	0	0	2	1	2	0	3
Sexual Misconduct	6	1	2	6	9	1	1	6
Conviction of a Crime	7	9	8	5	5	11	12	18
Discipline by Another State Board	1	0	1	1	0	0	0	5
Violation of Rules of Professional						0	1	18
Misrepresentation of License Status						1	1	1
Professional Standards - Findings						13/14	14/15	*15/16
Abandonment						1	0	0
Confidentiality						1	1	1
Failure to provide medical records						0	2	1
Improper Supervision						1	0	1
Outside of area of competence						1	0	3
Unfit to practice						1	1	0
Violation of Code (child custody)						1	0	0

*Statistics through 4/29/2016