




Enforcement Overview and Presentation

May 2016

Enforcement Overview

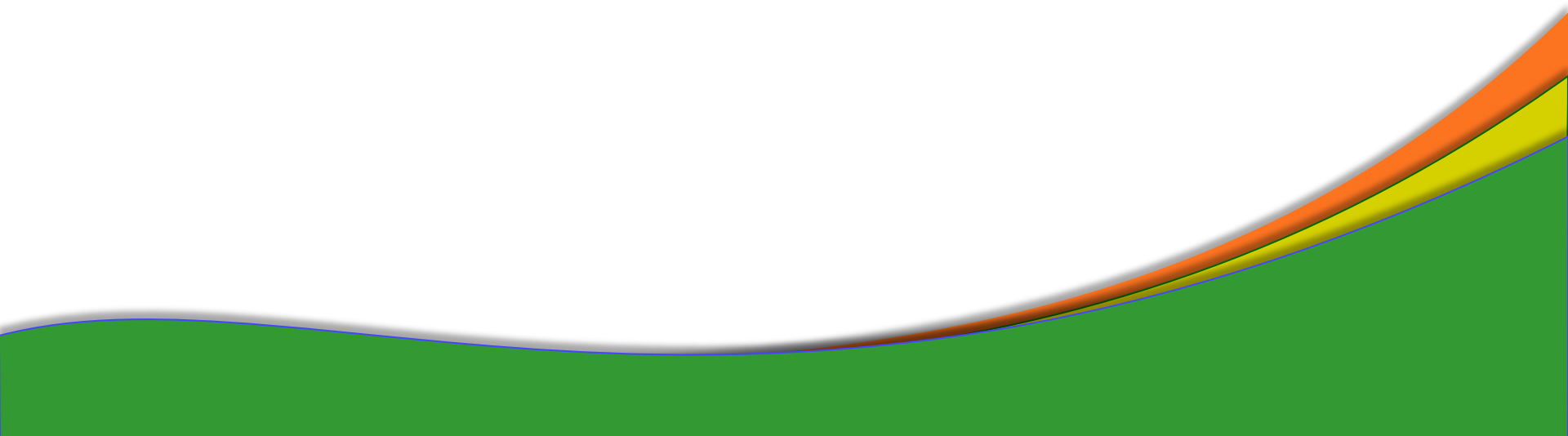
- **Complaint process**
 - **Expert reviews**
 - **Investigation process**
 - **Citation and Fines**
 - **Disciplinary process**
 - **Roles and responsibilities of HQE and DCA**
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Complaint Process

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

Complaint Process

- **Who may file a complaint?**
 - ✓ Anyone



Complaint Process

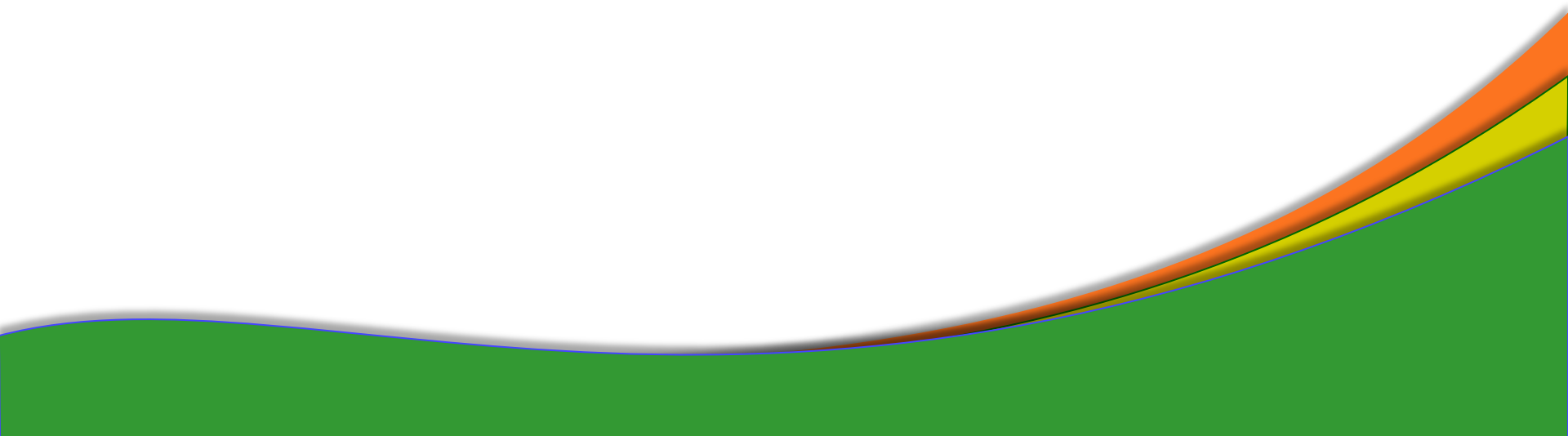
- **What are the most common types of complaints the Board receives?**
 - ✓ Sexual misconduct with a patient
 - ✓ Violating the patient's confidentiality
 - ✓ Providing services for which the individual has not been trained or licensed
 - ✓ Drug abuse
 - ✓ Unprofessional, unethical or negligent acts

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

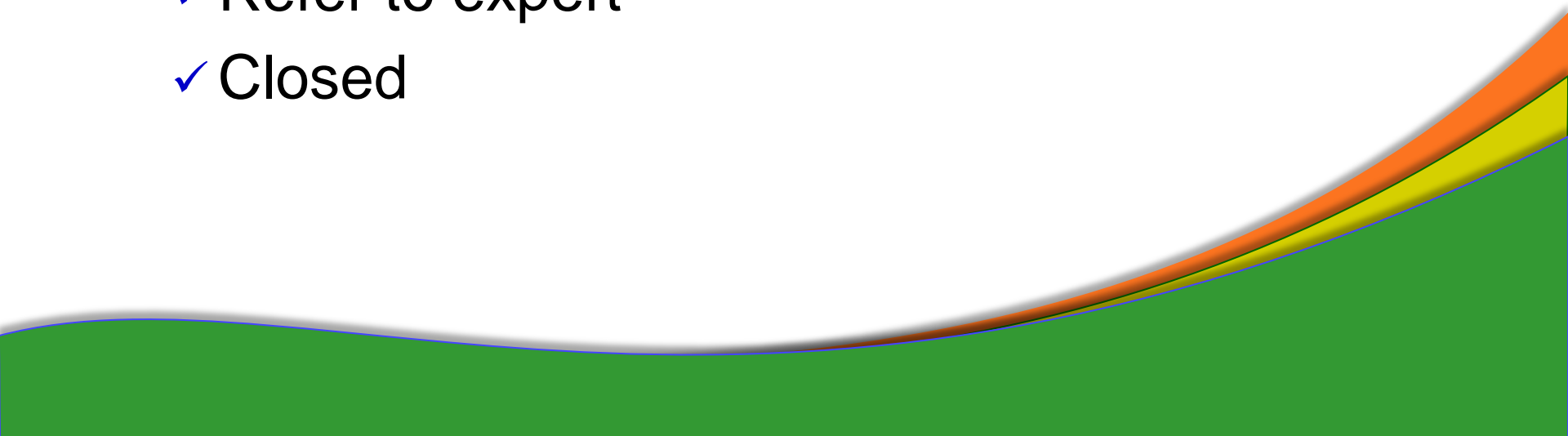


Complaint Process

➤ **What happens when a complaint is filed?**

- ✓ Complainant is notified with 10 days
- ✓ Enforcement analyst assigned
- ✓ Desk investigation initiated

➤ **Complaint Outcomes**

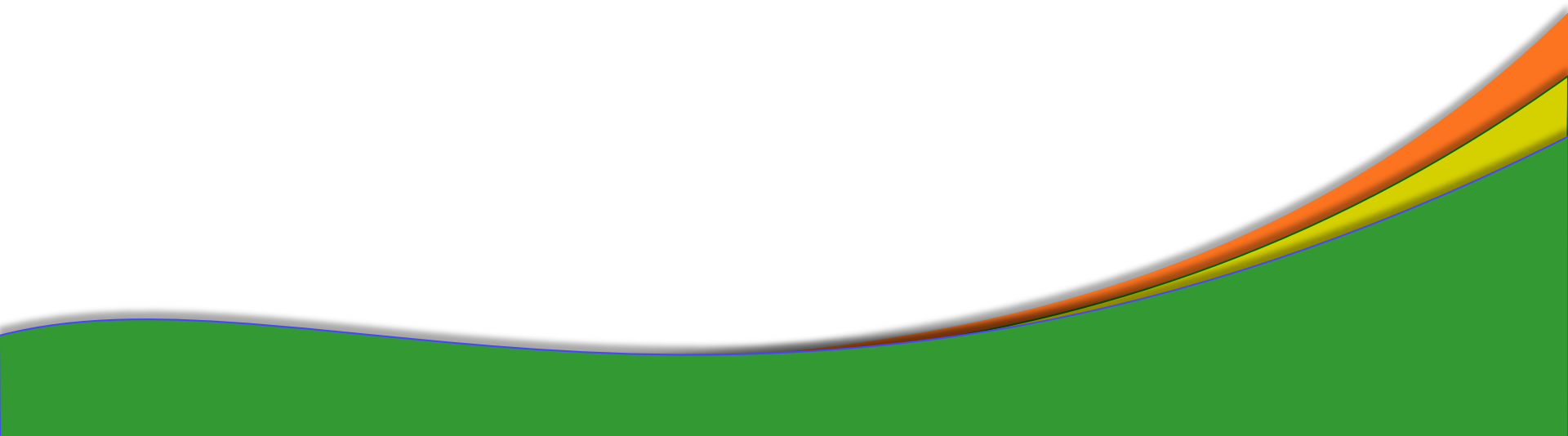
- ✓ Refer to expert
 - ✓ Closed
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Expert Review

- **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 alleged
 - ✓ 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

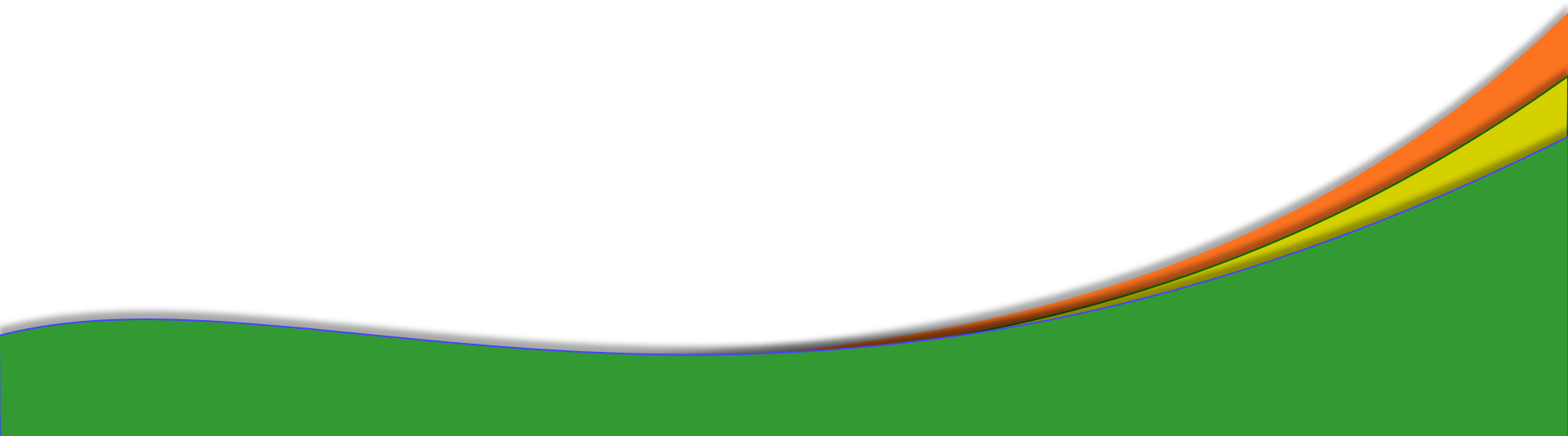
Outcome D-Refer case to Health Quality Investigation Unit (HQIU)

- **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
 - A minor violation occurred
 - 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

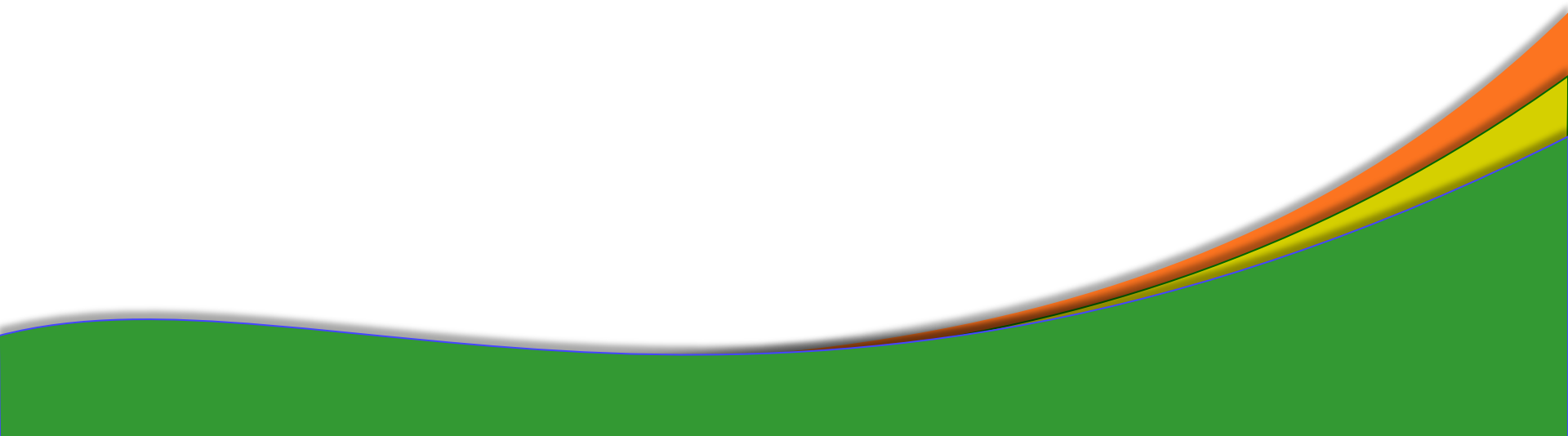
Citation and Fines

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

Disciplinary Process

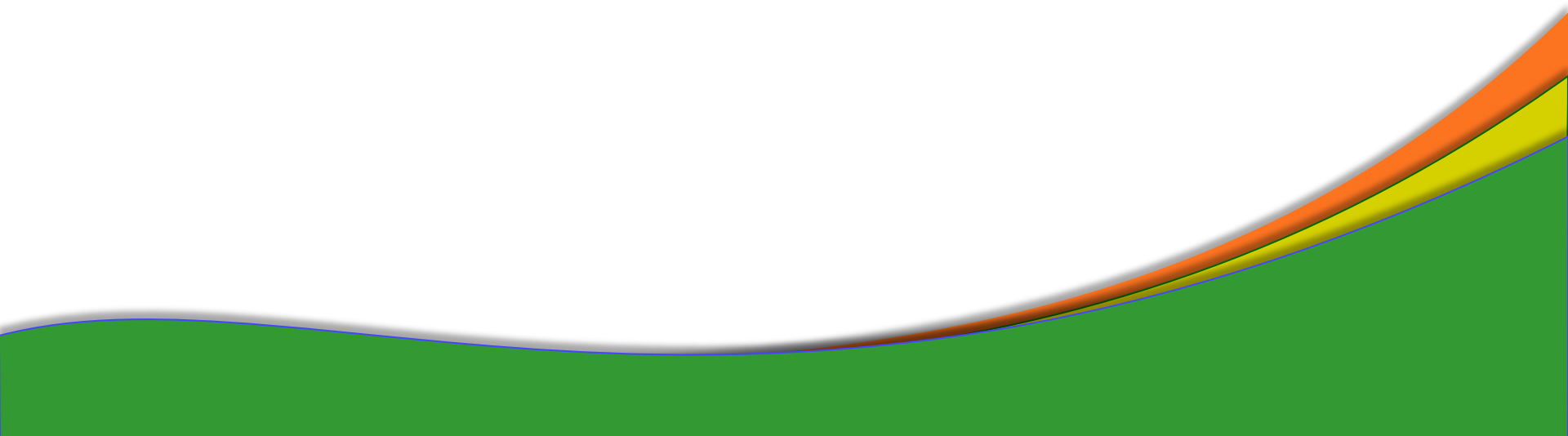
- **What happens during the Discipline Process**
 - ✓ Attorney General determines if action should be initiated by filing an:
 - Accusation
 - Statement of Issues

Disciplinary Process

- **Administrative Hearing /Stipulated Settlement**
 - **Board Vote**
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Role of HQE in the Disciplinary Process

- **HQE's role and responsibilities**



Role of DCA in the Disciplinary Process

- **DCA's role and responsibilities**



Any Questions?

