


## MEMORANDUM

<b>DATE</b>	October 24, 2016
<b>TO</b>	Board Members
<b>FROM</b>	Sandra Monterrubio, Enforcement Program Manager Board of Psychology 
<b>SUBJECT</b>	Agenda Item 7 - Enforcement Report

Please find attached the Overview of Enforcement Activity conveying complaint, investigation, and discipline statistics to date for the current fiscal year.

The Board has hired Barbara Tanner, prior Board Probation Monitor, as its new Special Investigator effective November 7, 2016. Ms. Tanner will be responsible for investigating the most complex cases, collecting arrest and conviction documents, interviewing witnesses, and testifying at hearings. With the hiring of Ms. Tanner, there will be one vacancy in the Enforcement Unit. The Enforcement Program Manager will be working with the Department of Consumer Affairs' Office of Human Resources to fill the vacancy by the end of the calendar year.

### Complaint Program

Since July 1, 2016, the Board has received 363 complaints and 10 criminal conviction reports. All complaints received are opened and assigned within eight (8) days of receipt.

As reported in the August Enforcement Report, the Board began referring most cases to the Division of Investigation (Dol) in July in order for formal investigations to be completed within 12 months. The Enforcement Manager is meeting quarterly with Dol representatives to discuss the processing of cases. Board staff is continuing to monitor their cases handled by the Health Quality Investigative Unit (HQIU).

### Citation Program

Since July 1, 2016, the Board has issued 12 enforcement citations. Citation and fines are issued for minor violations that do not require formal discipline. For example, false or misleading advertising and minor record keeping violations are considered minor violations.

Discipline Program

Since July 1, 2016, the Board has referred 18 cases to the Office of the Attorney General for formal discipline. The Executive Officer and the Enforcement Program Manager are meeting quarterly with Senior Assistant Attorney, General Gloria Castro, to discuss procedures and the handling of cases.

Probation Program

Enforcement staff is currently monitoring 52 probationers. Of the 52 probationers, no one is out of compliance. Currently there are 40 probationers in a tolled status.

Action Requested

This item is for informational purposes only. No action is required.



Psychologist	20,307	21,019	21,527	22,020	22,688	****	20,575	20,024	20,321
Registered Psychologist	324	320	312	320	349	****	280	278	276
Psychological Assistant	1,397	1,429	1,507	1,635	1,727	****	1,701	1,466	1,580
<b>Cases Opened</b>	<b>08/09</b>	<b>09/10</b>	<b>10/11</b>	<b>11/12</b>	<b>12/13</b>	<b>13/14</b>	<b>14/15</b>	<b>15/16</b>	<b>*16/17</b>
Complaints Received	786	712	785	747	707	643	900	798	363
Criminal Conviction Reports Received	72	54	48	70	42	133	72	50	10
Investigations Opened	88	79	83	107	73	505	736	602	279
Cases sent to DA	2	3	3	5	6	0	0	0	0
Cases sent to AG	23	38	37	34	38	41	46	33	18
<b>Filings</b>	<b>08/09</b>	<b>09/10</b>	<b>10/11</b>	<b>11/12</b>	<b>12/13</b>	<b>13/14</b>	<b>14/15</b>	<b>15/16</b>	<b>*16/17</b>
Accusations	8	23	21	27	31	27	30	23	10
Statement of Issues	9	8	4	4	2	4	10	5	5
Petition to Revoke Probation	0	0	0	3	1	2	2	3	0
Petitions to Compel Psych. Exam	0	0	1	1	0	1	0	1	0
Petitions for Penalty Relief	3	1	0	1	1	2	0	0	0
Petition for Reinstatement	1	1	0	2	1	1	0	0	2
Petitions for Reconsideration	0	1	0	0	2	0	0	0	0
<b>Filing Withdrawals/Dismissals</b>	<b>08/09</b>	<b>09/10</b>	<b>10/11</b>	<b>11/12</b>	<b>12/13</b>	<b>13/14</b>	<b>14/15</b>	<b>15/16</b>	<b>*16/17</b>
Accusations Withdrawn	0	0	2	0	0	2	0	5	0
Accusations Dismissed	0	1	0	1	1	0	1	4	1
Statement of Issues Withdrawn	5	0	2	1	0	0	0	0	0
<b>Citations</b>	<b>08/09</b>	<b>09/10</b>	<b>10/11</b>	<b>11/12</b>	<b>12/13</b>	<b>13/14</b>	<b>14/15</b>	<b>15/16</b>	<b>*16/17</b>
Citations Ordered	5	10	9	18	10	6	11	27	12
<b>Disciplinary Decisions</b>	<b>08/09</b>	<b>09/10</b>	<b>10/11</b>	<b>11/12</b>	<b>12/13</b>	<b>13/14</b>	<b>14/15</b>	<b>15/16</b>	<b>*16/17</b>
Revocations	1	3	2	4	2	4	2	4	2
Revocation, Stayed, Probation	7	9	12	11	11	11	12	24	6
Revoked, Stayed, Probation, Susp.	3	0	0	0	0	0	0	0	0
Surrender	8	3	2	11	10	10	9	12	11
Reprovals	0	0	1	2	0	2	1	3	2
ISO/TRO/ASO/PC23 Ordered	3	4	1	4	3	2	2	2	1
Statement of Issues-License Denied	1	1	0	1	1	0	2	0	0
Other	2	1	2	0	1	0	1	1	0
<b>Total Disciplinary Decisions</b>	<b>25</b>	<b>21</b>	<b>20</b>	<b>33</b>	<b>28</b>	<b>29</b>	<b>29</b>	<b>46</b>	<b>22</b>
<b>Other Decisions</b>	<b>08/09</b>	<b>09/10</b>	<b>10/11</b>	<b>11/12</b>	<b>12/13</b>	<b>13/14</b>	<b>14/15</b>	<b>15/16</b>	<b>*16/17</b>
Statement of Issues-License Granted	4	5	4	3	6	3	1	1	0
Petitions for Penalty Relief Denied	1	0	0	0	0	0	0	0	0
Petitions for Penalty Relief Granted	3	1	1	1	1	1	0	0	1
Petition for Reinstatement Granted	1	0	0	0	1	0	0	0	1
Petition for Reinstatement Denied	0	0	1	1	1	0	0	0	1
Reconsiderations Denied	0	0	1	0	1	0	0	1	0
Reconsiderations Granted	0	1	0	0	1	0	0	0	0
Orders Compelling Psych. Exam	0	0	0	1	0	1	0	0	0
<b>Total Other Decisions</b>	<b>9</b>	<b>7</b>	<b>7</b>	<b>6</b>	<b>11</b>	<b>5</b>	<b>1</b>	<b>2</b>	<b>3</b>
<b>Violation Types</b>	<b>08/09</b>	<b>09/10</b>	<b>10/11</b>	<b>11/12</b>	<b>12/13</b>	<b>13/14</b>	<b>14/15</b>	<b>15/16</b>	<b>*16/17</b>
Gross Negligence/Incompetence	5	4	4	3	5	9	7	16	7
Improper Supervision	0	0	1	0	0	1	0	0	0
Repeated Negligent Acts	0	0	0	1	0	6	6	5	0
Self Abuse of Drugs or Alcohol	2	3	3	12	1	8	3	2	0
Dishonesty/Fraud	0	3	0	2	2	3	3	15	0
Mental Illness	1	0	0	0	2	1	0	4	1
Aiding Unlicensed Practice			0	0	0	1	0	1	0
General Unprofessional Conduct	1	1	1	0	2	14	2	5	13
Probation Violation	1	0	0	2	1	2	0	3	0
Sexual Misconduct	6	1	2	6	9	1	1	6	3
Conviction of a Crime	7	9	8	5	5	11	12	18	8
Discipline by Another State Board	1	0	1	1	0	0	0	5	3
Violation of Rules of Professional						0	1	18	10
Misrepresentation of License Status						1	1	1	0
<b>Professional Standards - Findings</b>						<b>13/14</b>	<b>14/15</b>	<b>15/16</b>	<b>*16/17</b>
Abandonment						1	0	0	0
Confidentiality						1	1	1	1
Failure to provide medical records						0	2	1	1
Improper Supervision						1	0	1	0