


MEMORANDUM

DATE	October 31, 2017
TO	Board Members
FROM	 Stephanie Cheung Licensing Manager
SUBJECT	Agenda Item 17(d) Retired Psychologist License: Draft proposal to add language or amend 16 CCR Sections 1381.9, 1381.10, and 1392 related to the issuance of a License in Retired Status

Background:

Senate Bill (SB) 1193 (Hill) Chapter 484, Statutes of 2016, added Section 2988.5 to the Business and Professions Code which allows the Board to issue a retired license to a psychologist who is currently licensed by the Board.

Staff drafted regulatory language with the goal to implement SB 1193 relating to the issuance of a retired status for licensed psychologists. The Licensing Committee met and reviewed the proposed language (see Attachment A) on October 13, 2017. The Committee approved the proposed language and tasked staff to work with Legal Counsel to make any necessary non-substantive amendments. Staff were also tasked to provide draft forms (see Attachment B) that are referenced in the proposed language for the Board's review.

Attachments:

Attachment A: Proposed Language
Attachment B: Proposed Forms

Action Requested:

Adopt the proposed language as written and proceed with the rulemaking file.

§ 1381.10. Retired License

(a) A licensed psychologist who qualifies pursuant to Section 2988.5 of the Code, may apply for a license in retired status by submitting the Form PSY 900 (Rev. 10/20XX), which is incorporated by reference.

(b) A psychologist holding a license in retired status is not subject to renewal and shall not engage in the practice of psychology in this State.

(c) If the license in retired status was issued less than three (3) years prior to applying to restore the license to active status, the licensee shall:

(1) Submit Form PSY 905 (Rev. 10/20XX), which is incorporated by reference and pay the biennial renewal fee, as prescribed in Section 2987 of the Code, at the time the request for activation is received;

(2) Furnish to the Department of Justice, as directed by the board, a full set of fingerprints for the purpose of conducting a criminal history record check and to undergo a state and federal level criminal offender record information search conducted through the Department of Justice; and

(3) Satisfy continuing professional development requirements within two (2) years immediately prior to the date of application for restoring the license to an active status.

(d) If the license in retired status was issued three (3) or more years prior to applying to restore the license to active status, the licensee shall meet the requirements as set forth in Section 2988.5(d)(2) of the Code.

(e) A licensee may not be permitted to change the license to a retired status more than twice.

Note: Authority cited: Section 2930, Business and Professions Code. Reference: Section 2988.5, Business and Professions Code.

§ 1392. Psychologist Fees

(a) The application fee for a psychologist is \$40.00.

(b) The fee for the California Psychology Laws and Ethics Examination (CPLEE) is \$129.00.

(c) An applicant taking or repeating the licensing examination shall pay the full fee for that examination.

(d) The initial license fee and the biennial renewal fee for a psychologist are \$400.00, except that if an initial license will expire less than one year after its issuance, then the initial license fee is an amount equal to 50 percent of the renewal fee in effect on the last regular renewal date before the date on which the license is issued.

(e) The biennial renewal fee for an inactive license is \$40.00.

(f) The application fee for a retired license is \$75.00.

Note: Authority cited: Sections 2930, 2987 and 2989, Business and Professions Code.
Reference: Sections 2987, 2988 and 2989, Business and Professions Code.

INSTRUCTIONS:

- Mail completed form and \$75 application fee to: Board of Psychology, 1625 North Market Blvd., Suite N-215, Sacramento, CA 95834
- If your license is delinquent, a payment of all accrued renewal and delinquency fees must be submitted with the \$75 application fee.
- Make checks or money orders payable to the Board of Psychology.
- Licensees in Retired Status are prohibited from engaging in the practice of psychology or assisting in the provision of psychological services. Such licensees are exempt from the renewal fee and continuing education requirements.
- Please print or type. Illegible applications will be returned.

SECTION I: APPLICANT INFORMATION

Last Name	First Name	Middle Initial	Date of Birth
Street Address	City	State	Zip Code
License Number	Social Security Number	Email Address	Telephone Number

SECTION II: MANDATORY CONVICTION AND LICENSE DISCIPLINED DISCLOSURE QUESTIONS

Since you last renewed your license, have you had any license disciplined by a government agency or other disciplinary body? Yes * No

Since you last renewed your license, have you been convicted of or pled guilty or nolo contendere to any felony, misdemeanor, infraction or other criminal offense under the laws of any state, the United States, or a foreign country? If you are awaiting judgment and sentencing following entry of a plea or jury verdict, you must still disclose the conviction.

*If you answered yes to any of these questions, please complete the [Conviction/License Discipline Form](#). If you have had a license disciplined, provide certified copies of the disciplinary order and any documentation of rehabilitation to the Board. If you have been convicted, please provide CERTIFIED TRUE COPIES of the court and arrest records for each criminal offense to the Board.

SECTION III: STATEMENT OF APPLICANT

I have read the foregoing application in its entirety and know the contents thereof. By signing below, I am requesting Retired Status. I understand that I am prohibited from engaging in the practice of, or assisting in the provision of psychology. I hereby certify under penalty of perjury under the laws of the State of California, that any statements made herein or attached hereto are true in every respect. I understand that any misstatements or omissions of material fact may be cause for denial, suspension, or revocation of a license.

Signature: _____ Date: _____

IMPORTANT – PLEASE READ CAREFULLY**LAWS RELATING TO RETIRED LICENSES**

California Business and Professions Code section 2988.5 and California Code of Regulations section 1381.10 authorize the Board to issue retired licenses and set forth in related requirements.

REACTIVATE A RETIRED LICENSE

A retired license can **ONLY** be reactivated in the following circumstances:

If the license in retired status was issued less than three (3) years prior to applying to restore the license to active status, the licensee shall:

(1) Submit Form PSY 905 (Rev. 10/20XX), which is incorporated by reference and pay the biennial renewal fee, as prescribed in Section 2987 of the Code, at the time the request for activation is received;

(2) Furnish to the Department of Justice, as directed by the board, a full set of fingerprints for the purpose of conducting a criminal history record check and to undergo a state and federal level criminal offender record information search conducted through the Department of Justice; and

(3) Satisfy continuing professional development requirements within two (2) years immediately prior to the date of application for restoring the license to an active status.

If the license in retired status was issued three (3) or more years prior to applying to restore the license to active status, the licensee shall meet the requirements as set forth in Section 2988.5(d)(2) of the Code.

If a retired license is no longer eligible to be reactivated and the holder wishes to obtain an active license, he or she must apply for licensure as if applying for the first time, meet all current requirements, and pass the licensing examinations.

A licensee may not be permitted to change the license to a retired status more than twice.

INSTRUCTIONS:

- Mail completed form to: Board of Psychology, 1625 North Market Blvd., Suite N-215, Sacramento, CA 95834.
- If it has been less than 3 years since you were issued a retired license, complete this form and pay the biennial renewal fee.
- If it has been 3 or more years since you were issued a retired license, do not use this form. Complete the [CPLEE Request form](#) and the [Application for Licensure as a Psychologist Form](#) and pay the appropriate fees.
- Please print or type. Illegible applications will be returned.

SECTION I: APPLICANT INFORMATION

_____ Last Name	_____ First Name	_____ Middle Initial	_____ Date of Birth
_____ Street Address	_____ City	_____ State	_____ Zip Code
_____ License Number	_____ Social Security Number	_____ Email Address	_____ Telephone Number

SECTION II: APPLICATION QUESTIONS (IF LESS THAN 3 YEARS)

<p>CONVICTION/DISCIPLINE: Since you last renewed your license, omitting traffic infractions under \$500.00 not involving alcohol, dangerous drugs, or a controlled substance, have you been convicted of any violations of law in this or any other state, the United States or its territories, military court, or other county, or have you been disciplined by a government agency or other disciplinary body?</p> <p>If yes, please complete the Conviction/License Discipline Form. If you have been convicted, please provide CERTIFIED TRUE COPIES of the court and arrest records for each criminal offense to the Board.</p>	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p>
<p>CONTINUING EDUCATION: I completed 36 hours of approved continuing professional development within the preceding 24 months.</p> <p><i>Include proof of 36 hours of continuing professional development with this application. Independent learning can be used to meet no more than 75% (27 hours) of the required 36 hours.</i></p>	<p><input type="checkbox"/> <input type="checkbox"/></p>
<p>FINGERPRINT REQUIREMENT: Submit a full set of fingerprints to the Board for purposes of conducting a criminal history record check with criminal history information obtained and received from the Department of Justice and the United States Federal Bureau of Investigation.</p>	<p><input type="checkbox"/> <input type="checkbox"/></p>

SECTION III: STATEMENT OF APPLICANT

I have read the foregoing application in its entirety and know the contents thereof. By signing below, I am requesting that my retired license be returned to active status. I understand that I am prohibited from engaging in the practice of, or assisting in the provision of psychology until my license has been restored to active status. I hereby certify under penalty of perjury under the laws of the State of California, that any statements made herein or attached hereto are true in every respect. I understand that any misstatements or omissions of material fact may be cause for denial, suspension, or revocation of a license.

Signature: _____ Date: _____

(Revised 10/17)

PSY 905