


MEMORANDUM

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| DATE | April 5, 2018 |
| TO | EPPP2 Task Force |
| FROM |  Lavinia Snyder Examination Coordinator |
| SUBJECT | Agenda Item #6: Recommendations to the Board in Light of Discussion -- Review and Determine Whether There Would Be Necessary Statutory Changes to Business & Professions Code sections 2940-2944, and Regulatory Changes to the California Code of Regulations, sections 1388-1389.1 -- Examination |

Background:

Depending on the recommendations made by the EPPP2 Task Force in relation to Agenda Item 5, changes to Business & Professions Code sections 2940-2944, and Regulatory Changes to the California Code of Regulations, sections 1388-1389.1 -- Examination may be required. Attachment A provides the current Business & Professions Code sections 2940-2944, the California Code of Regulations, sections 1388-1389.1 -- Examination and specific sections of concern are as follows:

- **B&P Code § 2941. Examination and fee**
- **B&P Code § 2942. Time for examinations; Passing grades**
- **B&P Code § 2943. Examination subjects**
- **CCR § 1388. Examinations.**
- **CCR § 1388.6. License Requirements and Waiver of Examination.**

Action Requested:

Determine whether the current statutes and regulations need to be modified considering the discussion from Agenda Item 5, and recommend to the Board specific language for the modification of those sections, if appropriate.

Attachment A: Bus. & Prof. Code sections 2940-2944 & California Code of Regulations, sections 1388-1389.1 -- Examination

ARTICLE 3 LICENSE

§ 2940. Application and fee

Each person desiring to obtain a license from the board shall make application to the board. The application shall be made upon a form and shall be made in a manner as the board prescribes in regulations duly adopted under this chapter.

The application shall be accompanied by the application fee prescribed by Section 2949. This fee shall not be refunded by the board.

HISTORY:

Added Stats 1967 ch 1677 § 2. Amended Stats 1989 ch 888 § 21; Stats 1997 ch 758 § 38 (SB 1346).

§ 2941. Examination and fee

Each applicant for a psychology license shall be examined by the board, and shall pay to the board, at least 30 days prior to the date of examination, the examination fee prescribed by Section 2987, which fee shall not be refunded by the board.

HISTORY:

Added Stats 1967 ch 1677 § 2. Amended Stats 1978 ch 1208 § 10.5; Stats 1989 ch 888 § 22; Stats 1997 ch 758 § 39 (SB 1346).

§ 2942. Time for examinations; Passing grades

The board may examine by written or computer-assisted examination or by both. All aspects of the examination shall be in compliance with Section 139. The examination shall be available for administration at least twice a year at the time and place and under supervision as the board may determine. The passing grades for the examinations shall be established by the board in regulations and shall be based on psychometrically sound principles of establishing minimum qualifications and levels of competency.

Examinations for a psychologist's license may be conducted by the board under a uniform examination system, and for that purpose the board may make arrangements with organizations furnishing examination material as may in its discretion be desirable.

HISTORY:

Added Stats 1967 ch 1677 § 2. Amended Stats 1978 ch 1208 § 12; Stats 1989 ch 888 § 23; Stats 1998 ch 589 § 6 (SB 1983); Stats 2005 ch 658 § 9 (SB 229), effective January 1, 2006.

§ 2943. Examination subjects

The board may examine for knowledge in whatever theoretical or applied fields in psychology as it deems appropriate. It may examine the candidate with regard to his or her professional skills and his or her judgment in the utilization of psychological techniques and methods.

HISTORY:

Added Stats 1967 ch 1677 § 2. Amended Stats 1989 ch 888 § 24.

§ 2944. Written examinations

The board shall grade the written examination and keep the written examination papers for at least one year, unless a uniform examination is conducted pursuant to Section 2942.

HISTORY:

Added Stats 1967 ch 1677 § 2. Amended Stats 1978 ch 1208 § 13; Stats 1989 ch 888 § 25.

§ 2946. Reciprocity licenses; Temporary practice by out-of-state licensees; Waiver of examination requirement

The board shall grant a license to any person who passes the board's supplemental licensing examination and, at the time of application, has been licensed for at least five years by a psychology licensing authority in another state or Canadian province if the requirements for obtaining a certificate or license in that state or province were substantially equivalent to the requirements of this chapter.

A psychologist certified or licensed in another state or province and who has made application to the board for a license in this state may perform activities and services of a psychological nature without a valid license for a period not to exceed 180 calendar days from the time of submitting his or her application or from the commencement of residency in this state, whichever first occurs.

The board at its discretion may waive the examinations, when in the judgment of the board the applicant has already demonstrated competence in areas covered by the examinations. The board at its discretion may waive the examinations for diplomates of the American Board of Professional Psychology.

HISTORY:

Added Stats 1967 ch 1677 § 2. Amended Stats 1979 ch 955 § 3; Stats 1989 ch 888 § 27; Stats 1990 ch 622 § 2 (SB 2720); Stats 1998 ch 589 § 7 (SB 1983); Stats 2000 ch 836 § 19 (SB 1554); Stats 2005 ch 658 § 11 (SB 229), effective January 1, 2006.

§ 2947. Appointment of commissioners on examination; Qualifications [Repealed]

HISTORY:

Added Stats 1978 ch 1208 § 13.2. Amended Stats 1982 ch 462 § 3; Stats 1989 ch 888 § 28; Repealed Stats 2016 ch 484 § 10. The repealed section related to appointment and qualifications of commissioners on examination (SB 1193), effective January 1, 2017.

§ 2948. Issuance of license

The board shall issue a license to all applicants who meet the requirements of this chapter and who pay to the board the initial license fee provided in Section 2987.

HISTORY:

Added Stats 1967 ch 1677 § 2. Amended Stats 1989 ch 888 § 29; Stats 1990 ch 622 § 3 (SB 2720); Stats 1997 ch 758 § 40 (SB 1346).

ARTICLE 4. Examination

§ 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 (CPLEE), 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 CPLEE.

(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 CPLEE, 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 CPLEE 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 CPLEE.

(g) The passing score on the CPLEE 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 CPLEE. 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.

NOTE: Authority cited: Sections 2930 and 2942, Business and Professions Code. Reference: Sections 123, 496, 2941, 2942, 2943 and 2960, Business and Professions Code.

History

1. Amendment filed 12-22-76; effective thirtieth day thereafter (Register 76, No. 52).
2. Amendment of subsection (b) filed 2-14-77; effective thirtieth day thereafter (Register 77, No. 8).
3. Repealer and new section filed 11-21-77; effective thirtieth day thereafter (Register 77, No. 48).
4. Amendment of subsection (b) filed 4-26-79; effective thirtieth day thereafter (Register 79, No. 17).
5. Amendment filed 6-15-83; effective thirtieth day thereafter (Register 83, No. 25).

6. Change without regulatory effect pursuant to section 100, title 1, California Code of Regulations filed 3-5-90 (Register 90, No. 20).
7. Amendment of subsection (b) and Note filed 6-14-93; operative 7-1-93 pursuant to Government Code section 11346.2(d) (Register 93, No. 25).
8. Amendment of subsection (c) and Note filed 8-11-95; operative 9-10-95 (Register 95, No. 32).
9. Amendment of subsection (b) filed 1-8-99 as an emergency; operative 1-8-99 (Register 99, No. 2). A Certificate of Compliance must be transmitted to OAL by 5-10-99 or emergency language will be repealed by operation of law on the following day.
10. Certificate of Compliance as to 1-8-99 order transmitted to OAL 5-7-99 and filed 6-15-99 (Register 99, No. 25).
11. Amendment of subsections (a)-(c) and new subsections (d)-(g) filed 7-11-2001; operative 8-10-2001 (Register 2001, No. 28).
12. Change without regulatory effect amending subsection (f) filed 8-13-2001 pursuant to section 100, title 1, California Code of Regulations (Register 2001, No. 33).
13. Amendment of subsections (a)-(c) and (e) and new subsections (h)-(i) filed 12-19-2001 as an emergency; operative 1-1-2002 (Register 2001, No. 51). A Certificate of Compliance must be transmitted to OAL by 5-1-2002 or emergency language will be repealed by operation of law on the following day.
14. Certificate of Compliance as to 12-19-2001 order transmitted to OAL 1-8-2002 and filed 2-20-2002 (Register 2002, No. 8).
15. Amendment filed 2-11-2003; operative 3-1-2003 pursuant to Government Code section 11343.4 (Register 2003, No. 7).
16. Amendment of subsections (b), (c), (f) and (g) filed 5-12-2006; operative 5-12-2006 pursuant to Government Code section 11343.4 (Register 2006, No. 19).
17. Amendment of subsections (b), (c), (f) and (g) filed 4-1-2008; operative 4-1-2008 pursuant to Government Code section 11343.4 (Register 2008, No. 14).
18. Amendment of subsections (a)-(c) and (e)-(g) and new subsection (h) filed 6-10-2015; operative 7-1-2015 pursuant to Government Code section 11343.4(b)(3) (Register 2015, No. 24).

§ 1388.6. License Requirements and Waiver of Examination.

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

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

(c) An applicant for licensure as a psychologist who holds a Certificate of Professional Qualification (CPQ) issued by the Association of State and Provincial Psychology Boards (ASPPB), shall not be required to take the EPPP.

Such an applicant shall be deemed to have met the educational and experience requirements of subdivisions (b) and (c) of Code section 2914.

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

(e) An applicant for licensure as a psychologist who is certified by the American Board of Professional Psychology (ABPP) and has been licensed based on a doctoral degree in another state, Canadian province, or U.S. territory for a minimum of five years shall not be required to take the EPPP.

Such an applicant shall be deemed to have met the educational and experience requirements of subdivisions (b) and (c) of Code section 2914.

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

NOTE: Authority cited: Sections 2930 and 2946, Business and Professions Code. Reference: Section 2946, Business and Professions Code.

History

1. New section filed 3-13-97; operative 4-12-97 (Register 97, No. 11).
2. Amendment of subsections (a)-(c), new subsection (d), subsection relettering, and amendment of newly designated subsection (e) filed 12-1-98; operative 12-31-98 (Register 98, No. 49).
3. Amendment filed 4-5-2001; operative 5-5-2001 (Register 2001, No. 14).
4. Amendment filed 12-19-2001 as an emergency; operative 1-1-2002 (Register 2001, No. 51). A Certificate of Compliance must be transmitted to OAL by 5-1-2002 or emergency language will be repealed by operation of law on the following day.
5. Certificate of Compliance as to 12-19-2001 order transmitted to OAL 1-8-2002 and filed 2-20-2002 (Register 2002, No. 8).
6. Amendment of section heading and section filed 8-7-2003; operative 9-6-2003 (Register 2003, No. 32).
7. Amendment of subsection (f) filed 5-12-2006; operative 5-12-2006 pursuant to Government Code section 11343.4 (Register 2006, No. 19).
8. New subsection (e) and subsection relettering filed 4-9-2007; operative 5-9-2007 (Register 2007, No. 15).
9. Amendment filed 4-1-2008; operative 4-1-2008 pursuant to Government Code section 11343.4 (Register 2008, No. 14).
10. Amendment filed 6-10-2015; operative 7-1-2015 pursuant to Government Code section 11343.4(b)(3) (Register 2015, No. 24).

§ 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.

NOTE: Authority cited: Section 2930, Business and Professions Code. Reference: Sections 2942 and 2944, Business and Professions Code.

History

1. Repealer and new section filed 2-14-77; effective thirtieth day thereafter (Register 77, No. 8).
2. Amendment filed 11-21-77; effective thirtieth day thereafter (Register 77, No. 48).
3. Amendment of subsection (c) filed 4-26-79; effective thirtieth day thereafter (Register 79, No. 17).
4. Amendment of subsections (b) and (c) filed 2-28-80; effective thirtieth day thereafter (Register 80, No. 9).
5. Amendment filed 6-15-83; effective thirtieth day thereafter (Register 83, No. 25).
6. Change without regulatory effect pursuant to section 100, Title 1, California Code of Regulations filed 3-5-90 (Register 90, No. 20).
7. Amendment of subsection (a), repealer of subsection (b), subsection relettering, and amendment of newly designated subsection (c) filed 8-11-95; operative 9-10-95 (Register 95, No. 32).
8. Repealer of subsections (a)-(b), subsection relettering, and amendment of newly designated subsection (a) filed 12-19-2001 as an emergency; operative 1-1-2002 (Register 2001, No. 51). A Certificate of Compliance must be transmitted to OAL by 5-1-2002 or emergency language will 2002 (Register 2002, No. 8).
10. Amendment of subsection (a) filed 5-12-2006; operative 5-12-2006 pursuant to Government Code section 11343.4 (Register 2006, No. 19).
11. Amendment of subsection (a) filed 6-10-2015; operative 7-1-2015 pursuant to Government Code section 11343.4(b)(3) (Register 2015, No. 24).

§ 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.

Note: Authority cited: Section 2930, Business and Professions Code. Reference: Sections 2942 and 2944, Business and Professions Code; and Section 12944, Government Code.

History

1. Renumbering of former section 1390 to new section 1389.1 filed 12-16-2004; operative 1-1-2005 pursuant to Government Code section 11343.4 (Register 2004, No. 51).