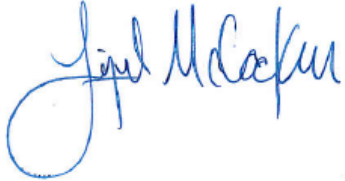


MEMORANDUM

DATE	July 30, 2018
TO	Board of Psychology
FROM	 Liezel McCockran CE/Renewals Coordinator
SUBJECT	Agenda Item #13 – Approval of Minutes: May 10-11, 2018

Background:

Attached are the draft minutes of the May 10-11, 2018 Board Meeting.

Action Requested:

Review and approve the minutes of the May 10-11, 2018 Board Meeting.

BOARD MEETING

Westin Los Angeles Airport Hotel
5400 W. Century Blvd.
Los Angeles, CA 90045
(310) 216-5858

Thursday, May 10, 2018

Stephen Phillips, JD, PsyD, Board President, called the open session meeting to order at 9:05 a.m. A quorum was present and due notice had been sent to all interested parties.

Members Present

Stephen Phillips, JD, PsyD, President
Nicole J. Jones, Vice-President
Lucille Acquaye-Baddoo
Alita Bernal
Sheryll Casuga, PsyD
Michael Erickson, PhD
Seyron Foo
Jacqueline Horn, PhD

Others Present

Antonette Sorrick, Executive Officer
Norine Marks, DCA Legal Counsel
Sandra Monterrubio, Enforcement Program Manager
Cherise Burns, Central Services Manager
Curtis Gardner, Probation Coordinator

Agenda Item #2: Presidents Welcome

Dr. Phillips welcomed the attendees to the Board's quarterly meeting. He read the mission statement.

Agenda Item #3: Public Comment for Items not on the Agenda. The May Not Discuss or Take Action on Any Matter Raised During this Public Comment Section, Except to Decide Whether to Place the Matter on the Agenda of a Future Meeting [Government Code sections 11125 and 11125.7(a)]

Dr. Phillips explained that public comment is the opportunity for members of the public to make comments on items not on the agenda. He reminded the Board that they could not discuss or act on any of the comments received.

Mark Trustin, Member of the Advisory Board at Ryokan College, stated that Ryokan was engaged in national accreditation and recently switched its focus to regional accreditation. He stated that Ryokan would prefer to allocate their resources to the accreditation process and nothing further.

Agenda Item #4: Executive Officer's Report

50
51 Ms. Sorrick provided the Executive Officer's Report.
52

53 **Agenda Item #5: DCA Executive Update**

54
55 Ms. Sorrick provided the Executive Update.
56

57 **Agenda Item #6: Petition for Reinstatement – Simone Ravicz, PhD**

58
59 Administrative Law Judge Cindy F. Forman presided. Deputy Attorney General Brian D. Bill was
60 present and represented the People of the State of California. Simone Ravicz, PhD, was
61 present and was represented by Adam Brown, JD.
62

63 **Agenda Item #7: Petition for Reinstatement – Roberto Velasquez, PhD**

64
65 Administrative Law Judge Cindy F. Forman presided. Deputy Attorney General Brian D. Bill was
66 present and represented the People of the State of California. Roberto Velasquez, PhD, was
67 present and was represented by A. Steven Frankel, PhD, JD.
68

69 **Agenda Item #8: Petition for Early Termination of Probation – Joan Dawson, PsyD**

70
71 Administrative Law Judge Cindy F. Forman presided. Deputy Attorney General Brian D. Bill was
72 present and represented the People of the State of California. Joan Dawson, PsyD, failed to
73 appear for the hearing.
74

75 **Agenda Item #9: Closed Session**

76
77 The Board met in closed session pursuant to Government Code Section 11126(c)(3) to discuss
78 disciplinary matters including the above Petitions, Proposed Decisions, Stipulations, Petitions
79 for Reconsideration, and Remands.
80

81 **Agenda Item #10: Closed Session**

82
83 The Board met in closed session pursuant to Government Code Section 11126(e) to confer with
84 and receive advice from Legal Counsel regarding pending litigation.
85

86 **Friday, May 11, 2018**

87
88 Stephen Phillips, JD, PsyD, Board President, called the open session meeting to order at 9:02
89 a.m. A quorum was present and due notice had been sent to all interested parties.
90

91 **Members Present**

92 Stephen Phillips, JD, PsyD, President
93 Nicole J. Jones, Vice-President
94 Lucille Acquaye-Baddoo
95 Alita Bernal
96 Sheryll Casuga, PsyD
97 Michael Erickson, PhD
98 Seyron Foo
99 Jacqueline Horn, PhD

100
101
102
103
104
105
106
107
108
109
110
111
112
113
114
115
116
117
118
119
120
121
122
123
124
125
126
127
128
129
130
131
132
133
134
135
136
137
138
139
140
141
142
143
144
145
146
147
148
149

Others Present

Antonette Sorrick, Executive Officer
Norine Marks, DCA Legal Counsel
Sandra Monterrubio, Enforcement Program Manager
Cherise Burns, Central Services Manager
Stephanie Cheung, Licensing Manager
Liesel McCockran, Continuing Education and Renewals Coordinator

Agenda Item #11: Public Comment for Items not on the Agenda. Note: The Board May Not Discuss or Take Action on Any Matter Raised During this Public Comment Section, Except to Decide Whether to Place the Matter on the Agenda of a Future Meeting [Government Code sections 11125 and 11125.7(a)]

Dr. Phillips explained that the public comment is the opportunity for members of the public to make comments on items not on the agenda. He reminded the Board that they could not discuss or take action on any of the comments received.

Sandy Ross, member of the public, wanted to bring to the Board's attention the issue of child safety in child custody cases. She asked the Board to look at research on child safety issues when addressing complaints. Ms. Ross quoted studies to the Board in hopes to educate the Board as to her concerns.

Jaimie Gay, member of the public, spoke about reunification programs. She stated how these types of programs are unsuccessful, discriminatory based on socioeconomic status, and requested active monitoring of these programs.

Kathleen Russell, Executive Officer for the Center of Judicial Excellence, compared the reunification programs to gay conversion therapy. She stated that she filed a complaint with the Board against a licensee who is part of the reunification programs and the complaint is currently being investigated by the Department of Investigations (DOI).

Agenda Item #12: Approval of Meeting Minutes: February 15-16, 2018

Dr. Horn and Ms. Jones provided changes to staff.

It was M(Foo)/S(Horn)/C to approve the minutes as modified.

Vote: 8 aye (Acquaye-Baddoo, Bernal, Casuga, Erickson, Foo, Horn, Jones, Phillips), 0 no

Agenda Item #13: Budget Report

Ms. Burns provided the budget report. She stated that there are still problems with the Fi\$CAL program. Dr. Phillips asked about how the Budget Office processes the line items. Ms. Burns stated that the Budget Office has the numbers, but because they cannot generate reports they are unable to provide a break down.

Agenda Item #14: Enforcement Report

Ms. Monterrubio provided the Board with an overview of Enforcement activity. She stated that the Enforcement Unit is actively recruiting an Office Technician position. She stated that staff

150 had conducted expert training on April 13, 2018. Experts were trained in writing analyses,
151 working with the Board's investigative unit, and testifying at administrative hearings. Board staff,
152 the Office of Attorney General and the Board's Investigative unit assisted with the training. She
153 stated that since July 1, 2017 a total of 926 complaints have been received. Ms. Monterrubio
154 talked about Performance Measure 4 which tracks the timeline of investigations. She broke
155 down the processes in each phase of investigations and how long it takes Board staff to
156 process. Ms. Monterrubio provided the Board with the Probation Program statistics, indicating
157 that there are currently 49 probationers, 18 of which are out of compliance.

158
159 Ms. Jones requested the breakdown of the Board's performance measures in the legislative visit
160 presentation.

161
162 The Board Members asked Ms. Monterrubio questions regarding the enforcement activity. She
163 stated that since the Board moved from Health Quality Investigation Unit (HQIU) to the
164 Department of Investigations (DOI), PM4b, which is the investigation length of time, has
165 reduced significantly. She stated that only sexual misconduct on the part of the psychologist
166 cases are still referred to HQIU. Ms. Monterrubio stated that although she does not know the
167 statistics for PM4 for other boards and bureaus, she does know that other boards and bureaus
168 are having a difficult time reaching the PM4 goal set forth by the Department. Ms. Monterrubio
169 also stated that there are currently eight enforcement staff members and each staff member is
170 working on 90 – 110 cases with a turnaround time of 10 days.

171
172 Kathleen Russell, Center for Judicial Excellence, asked to see a copy of the legislative visit
173 presentation. She also asked if licensees who have multiple complaints are being fast tracked,
174 and if not, then why not.

175
176 Ms. Monterrubio stated that the issue of licensees receiving multiple complaints was discussed
177 at the Berkeley meeting on September 16, 2017. She stated that for each complaint received,
178 staff reviews the licensee's entire enforcement history, compare allegations in prior complaints
179 to what is being alleged in the current complaint and each case gets evaluated individually to
180 determine how to proceed.

181
182 Jaimie Gay, member of the public, asked if an allegation of child abuse by a psychologist is
183 moved up in priority and whether psychologists who work for the court have immunity from the
184 Board. Ms. Monterrubio stated that staff follows the DCA Prioritization Guidelines which
185 emphasizes which cases are formally investigated by Division of Investigation and which cases
186 are investigated by Board staff.

187
188 Dr. Jo Linder-Crow, California Psychological Association (CPA), asked the Board for more
189 information on the legislative visits. She also asked how the Board is addressing the issue of
190 lengthy processing times.

191
192 Ms. Jones stated that when she mentioned legislative visits, she was referring to the visit made
193 this past February to the legislature which was talked about in the last Policy and Advocacy
194 meeting She reiterated that there were no new visits made. Dr. Phillips stated that the Board
195 switched from HQIU to DOI to reduce the processing times. He also stated that Board staff is
196 actively working with Gloria Castro, the Senior Assistant Attorney General of the Health Quality
197 Enforcement Section Civil Division, to improve processing times.

198

199 Kathleen Russell, Center for Judicial Excellence, asked Board staff if they can explain what an
200 interim suspension order is and to also provide the definition of Penal Code 23. Mr. Templet,
201 Deputy Attorney General, explained how the application of Penal Code 23 fits in the
202 investigation phase for specific types of cases to restrict the practice of a licensee and that the
203 order is issued by the criminal court.

204
205 Jamie Gay, member of the public, asked what is the substantial evidence needed to file a
206 complaint through the Board. Mr. Templet stated that for action to be taken against a licensee,
207 the burden of proof is clear and convincing evidence.

208
209 Sandy Ross, member of the public, wanted to thank the Board for the report as it helps provide
210 a better understanding.

211
212 **Agenda Item #15: Enforcement Committee Report and Consideration of Committee**
213 **Recommendations**

214
215 **a) Amendments to Title 16 CCR Section 1395.2 – Disciplinary Guidelines**

216
217 Ms. Acquaye-Baddoo stated that the Enforcement Committee met on March 8-9, 2018 to make
218 the proposed changes to the Disciplinary Guidelines. The Committee also reviewed and made
219 changes to the complaint forms and to the acknowledgement and closure letters.

220
221 The Board and Ms. Marks provided their edits on pages 3 – 15 of the Disciplinary Guidelines to
222 staff.

223
224 Dr. Elizabeth Winkelman, CPA, requested that the Board consider changing the language
225 where it states that sexual misconduct is an automatic revocation (lines 192-196 of the
226 Guidelines). She stated that behaviors such as hand holding may be inappropriate but should
227 not merit automatic revocation.

228
229 Discussion ensued regarding the reference to sexual misconduct and Ms. Marks clarified that
230 when there is sexual contact involved, there is no discretion by the Administrative Law Judge
231 regarding the discipline imposed pursuant to statute. Mr. Templet stated that sexual misconduct
232 is broad but the law itself relating to revocation uses the specific term of sexual contact, which is
233 narrow.

234
235 Dr. Phillips stated the discussion will be continued after the Board meets in closed session.

236
237 **Agenda Item #9: CLOSED SESSION**

238
239 The Board met in closed session pursuant to Government Code Section 11126(c)(3) and
240 11126(e) to discuss disciplinary matters including Petitions, Proposed Decisions, Stipulations,
241 Petitions for Reconsideration, Remands.

242
243 **Agenda Item #10: CLOSED SESSION**

244
245 The Board Met in Closed Session Pursuant to Government Code Section 11126(e) to Confer
246 with and Receive Advice from Legal Counsel Regarding Pending Litigation.

247

248 **Agenda Item #19 – Overview of the Role in the Office of the Attorney General in the**
249 **Administrative Enforcement Process – Office of the Attorney General**

250
251 Gloria L. Castro, Senior Assistant Attorney General of the Health Quality Enforcement Section,
252 Civil Division, from the Office of the Attorney General and Joshua Templet, Deputy Attorney
253 General, provided an overview of the role of the Office of the Attorney General in the
254 Administrative Enforcement Process.

255
256 Once the presentation concluded, the Board asked how long prior discipline stays on record
257 with the Health Quality Enforcement Section Civil Division. Mr. Templet stated that he has seen
258 records for 10 years and Ms. Castro confirmed that prior discipline is considered by the Office of
259 the Attorney General's Office especially when it is related to the same topic they were
260 disciplined for in the past. Ms. Monterrubio stated that, for the Board of Psychology, prior
261 discipline stays on file indefinitely and that information is transmitted to the Office of the Attorney
262 General with the case. The Board also asked about the Office of the Attorney General's success
263 rate in prosecuting Board cases and if this was due to adequately vetting cases before
264 proceeding to prosecution. Ms. Castro confirmed that this is part of the liaising process and
265 strengthens cases to meet the burden of proof, and for this Board, there is a good rate with only
266 two withdrawn cases of the 30 in their current report. The Board also asked if the Office of the
267 Attorney General' has its own prioritization guidelines or tool. Ms. Castro stated that although
268 their office was not involved in the process of setting the DCA Prioritization Guidelines, they are
269 aware of them, and the Office of the Attorney General can work with those standards and the
270 needs of the Board. She also stated that highly complex and sensitive cases like the ones the
271 Board has can take longer than the time DCA established for performance measures.

272
273 A member of the public stated that she is an international journalist caught in a custody battle in
274 Los Angeles. She wanted to know how a court appointed psychologist is vetted and who
275 oversees them. She stated there is a lack of oversight of the evaluators.

276
277 Ms. Castro stated that the Board does have a history of issuing discipline on child custody
278 evaluators, however, it is very case-specific and each case is weighed on its own merits.

279
280 Kathleen Russell asked if "simple cases", which are those involving conviction of a crime,
281 dishonesty or fraud and discipline by another state, are handled more quickly. Also, she would
282 like to know why revocations are so rare for even egregious behavior.

283
284 Ms. Castro stated that the use of the term "simple" means that an expert is not needed to make
285 the legal determination to file a determination. She stated she does not have the data, but these
286 types of cases can have a shorter course of investigation by the agency. Ms. Castro addressed
287 the issue of revocations and stated she does not have the exact statistics of revocations, but a
288 license is a property right so the proceedings require adequate consideration of due process for
289 the licensee. Licensees who lose their license are required to rehabilitate and provide evidence
290 of how they are ready for reinstatement at a petition hearing where the Office of the Attorney
291 General represents the people of California.

292
293 The Board asked Ms. Castro and Mr. Templet to explain how the Topanga case ruling affects
294 the Board in terms of revocation and the disciplinary cases that come before the Board. Ms.
295 Marks provided a brief description of the Topanga case stating that it is related to the analytical
296 framework that must be demonstrated in any of the decisions issued by the Board. The decision
297 must show that the evidence supports the factual findings and the factual findings support the

298 legal conclusions. Ms. Castro stated that it usually affects cases that reach the Superior Court
299 by way of a writ rather than through administrative hearings.

300
301 Ms. Sorrick asked Ms. Castro to speak to Health Quality Investigative Unit's involvement in
302 negotiating the surrender of a license. Ms. Castro stated that discoveries are made as early as
303 possible and provided to opposing counsel. She stated that many of the Board's licensees have
304 counsel who can advise the licensee to surrender their license. Surrenders are ideal for cases
305 where licensees cannot demonstrate rehabilitation to the Board in accordance with the
306 Disciplinary Guidelines. Mr. Templet stated that surrenders are a very helpful tool for both
307 parties to streamline the process in those specific cases.

308
309 **Agenda Item #15: Enforcement Committee Report and Consideration of Committee**
310 **Recommendations (Continued)**

311
312 **a) Amendments to Title 16 CCR Section 1395.2 – Disciplinary Guidelines (Continued)**

313
314 The Board and members of the public provided their edits/suggestions on the remaining pages
315 of the Disciplinary Guidelines to staff.

316
317 Dr. Schaeffer, Division 2 CPS, stated that the provisions on Tolling for Ceased Practice was
318 confusing (2:31:42 on the video) and lacked clarity. Dr. Phillips provided an example of how this
319 mechanism works, which provided clarity for Dr. Schaeffer.

320
321 Ms. Jones suggested that for the technical grammatical items, the Board could delegate to staff
322 to make the changes suggested by Board Members. Ms. Marks provided language for such a
323 motion and asked if there was any additional clarity needed in the language that Dr. Schaeffer
324 asked about. Ms. Jones stated that the issue Dr. Schaeffer raised is a good reminder that
325 educational materials with specific examples are needed for implementation rather than a
326 change to the language itself. Ms. Sorrick stated that the Initial Statement of Reasons requires
327 the changes to be explained and this would be a good place to include this clarifying
328 information.

329
330 No further public comment was received.

331
332 It was M(Phillips)/S(Casuga)/C to approve the language for noticing and set for hearing.

333
334 Vote: 8 aye (Acquaye-Baddoo, Bernal, Casuga, Erickson, Foo, Horn, Jones, Phillips), 0 no

335
336 It was M(Jones)/S(Erickson)/C to delegate to the Executive Officer the authority to initiate
337 rulemaking and to make any non-substantive changes including grammatical changes.

338
339 Vote: 8 aye (Acquaye-Baddoo, Bernal, Casuga, Erickson, Foo, Horn, Jones, Phillips), 0 no

340
341 The Board suggested edits on the Complaint Form, acknowledgement letters, and closure
342 letters. The Board members asked a question about the language in the authorization for
343 release of patient information and if this language is too narrow for our licensees who provide an
344 array of psychological services outside of healthcare settings. Discussion ensued on this issue
345 and it was determined that the Board would send the Complaint Form back to the Committee
346 with general suggestions that can be finalized at the Committee.

347

348 Kathleen Russell, Center of Judicial Excellence, commended the Board for revising these forms
349 and letters and suggested including the DCA Prioritization Guidelines with the Complaint Form
350 to better educate consumers filing complaints. Discussion ensued regarding the DCA's
351 prioritization guidelines and which version would be included in the Complaint Form. Ms.
352 Monterrubio explained it will be printed on the back of the Complaint Form.

353
354 A member of the public asked if an acknowledgement letter was sent to all complainants. Ms.
355 Monterrubio confirmed that an acknowledgement letter is sent for every complaint that is
356 opened. She also stated that staff's average response time for the enforcement email,
357 BOPenforcement@dca.ca.gov, is about two to three working days.

358
359 Dr. Schaeffer, Division 2 CPA, commented that it could be helpful to email these forms to
360 recipients so there is a record of the letter being sent. Ms. Monterrubio stated that a copy of all
361 letters is included in the complaint file.

362
363 It was M(Jones)/S(Horn)/C to accept the Enforcement Committee's report.

364
365 Vote: 8 aye (Acquaye-Baddoo, Bernal, Casuga, Erickson, Foo, Horn, Jones, Phillips),
366 0 no

367
368 Kathleen Russell, Center of Judicial Excellence, asked about the different types of letters and
369 whether the psychologist and complainant is informed of the status of the complaint when a
370 complaint is opened, and an investigation moves forward. Ms. Monterrubio stated that all
371 complainants are sent an acknowledgement letter, but status update letters are not sent out due
372 to workload. She stated that anyone can call at any time to get an update on the status of their
373 case.

374
375 Dr. Linder-Crow, CPA, asked whether a psychologist who is the subject of a complaint can call
376 and get an update on the status at any time. Ms. Monterrubio confirmed that they can.

377
378 Dr. Winkelman asked if psychologists are informed when an investigation is opened, or a
379 complaint is received. Ms. Monterrubio confirmed when and under what circumstances the
380 licensee is informed of an investigation, noting that no contact will be made to the licensee if the
381 Board does not have jurisdiction or if there is an undercover investigation.

382
383 **Agenda Item #18: Licensing Committee Report and Consideration of Committee**
384 **Recommendations**

385
386 a) Standardization of Training Categories

387 b) Pathways to Licensure:

388 1) Proposed Amendments to Business and Professions Code:

389 §§ 25, 28, & 2915.5 (Training in Human Sexuality, Child, Elder, and
390 Dependent Adult Abuse Assessment and Reporting, and Aging and
391 Long-term Care);

392 • § 27 (Disclosure of Information);

393 • § 2903 (Licensure Requirements);

394 • §§ 2909, 2909.5, 2910, & 2911 (Exemptions);

395 • § 2913 (Psychological Assistant);

396 • § 2914 (Applicant's Requirement);

- 397 • § 2915 (Continuing Professional Development);
- 398 • §§ 29 & 2915.7 (Continuing Education: Chemical Dependency and
- 399 Alcoholism and Aging and Long-term Care)
- 400 • §§ 2940 & 2941 (Application and Examination Fees);
- 401 • §§ 2942, 2943, & 2944 (Examination Time and Subjects);
- 402 • § 2946 (Reciprocity and Temporary Practice);
- 403 • § 2948 (Issuance of License); and
- 404 • § 2960 (Grounds for Disciplinary Action)
- 405
- 406 2) Proposed Amendments to Title 16 of the California Code of Regulations:
- 407 • § 1380.3 (Definitions);
- 408 • §§ 1381, 1381.1, & 1381.2 (Applications);
- 409 • § 1381.4 (Failure to Appear for an Examination);
- 410 • § 1381.5 (Failure to Pay Initial License Fee);
- 411 • § 1381.6 (Permit Processing Times);
- 412 • §§ 1382, 1382.3, 1382.4, 1382.5, & 1382.6 (Pre-licensing Courses);
- 413 • § 1386 (Evaluation of Education);
- 414 • § 1387 (Supervised Professional Experience);
- 415 • §§ 1387.1 & 1387.2 (Qualifications of Primary and Delegated Supervisors);
- 416 • § 1387.3 (Non-Mental Health Services);
- 417 • § 1387.4 (Out-of-State Experience);
- 418 • § 1387.5 (SPE Log);
- 419 • §§ 1388, 1388.6, 1389, & 1389.1 (Examinations-
- 420 Waiver/Reconsideration);
- 421 • §§ 1387.7, 1390, 1390.1, 1390.2, & 1390.3 (Registered Psychologists);
- 422 • §§ 1387.6, 1391, 1391.1, 1391.2, 1391.3, 1391.4, 1391.5, 1391.6, 1391.7,
- 423 1391.8, 1391.10, 1391.11, & 1391.12 (Psychological Assistants);
- 424 • § 1392.1 (Psychological Assistant Fees); and
- 425 • § 1397.71 (CE Provider Status)
- 426

427 Dr. Phillips stated that because of time constraints, the Board would proceed to Item 18c and
 428 will continue the above-mentioned items to the next Board meeting.

429

430 c) Consideration of Licensing Committee Recommendations Regarding an Extension of the 72-
 431 Month Registration Period Limitation for Registered Psychological Assistant Pursuant to Section
 432 1391.1(b) of Title 16 of the California Code of Regulations

433

434 Dr. Horn provided a summary of PSB #1's extension request.

435

436 It was M(Acquaye-Baddoo)/S(Erickson)/C to accept the committee's recommendation to deny
 437 the request for a 10 to 15-year extension of the 72-month limitation for the psychological
 438 assistant registration, but to grant a one-year period of extension from the current expiration
 439 date of the registration to make any necessary arrangements.

440

441 Vote: 8 aye (Acquaye-Baddoo, Bernal, Casuga, Erickson, Foo, Horn, Jones, Phillips), 0 no

442

443 **Agenda Item #21: Legislative Update**

444

445 a) Sponsored Legislation for the 2018 Legislative Session: Review and Potential Action,
446 Recommendations to the Full Board

447 1) AB 2968 (Levine) – Amend Sections of the Business and Professions Code Regarding the
448 Brochure Addressing Sexual Contact Between a Psychotherapist and a Patient

449
450 Ms. Jones provided an update on the bill stating that this bill heads to the Assembly Committee
451 on Appropriations for its next hearing. Ms. Jones stated that no action needs to be taken
452

453 b) Newly Introduce Bills – Review of Bill Analyses and Potential Action to Recommend Positions
454 to the Full Board

455 1) Recommendations for Active Positions on Bills

456 A. AB 282 (Jones-Sawyer) – Aiding, Advising, or Encouraging Suicide: Exemption from
457 Prosecution

458
459 Ms. Burns provided an overview of the bill stating this bill codifies the intent of the End of Life
460 Option Act to create a safe and legal way for physicians and psychologists to assist individuals
461 suffering from terminal illnesses to die with dignity. This bill simply codifies that professionals'
462 participation in this process, when done in compliance with the End of Life Option Act, is not a
463 prosecutable offense.

464
465 It was M(Foo)/S(Casuga)/C to support AB 282.

466
467 Vote: 7 aye (Bernal, Casuga, Erickson, Foo, Horn, Jones, Phillips), 1 no (Acquaye-Baddoo)

468
469 B. AB 1779 (Nazarian) – Sexual Orientation: Change Efforts

470
471 Ms. Burns stated that the author is no longer pursuing this bill.

472
473 C. AB 2044 (Stone) – Child Custody: Safety of the Child

474
475 Ms. Burns stated this bill would require, when considering the factors for child custody
476 determination, or in overcoming the presumption against the award of sole or joint legal or
477 physical custody to a person who has perpetrated domestic violence, that the safety of the child
478 have priority over all other considerations. Ms. Burns stated that during the Policy and Advocacy
479 Committee meeting, the Committee voted to watch AB 2044 and delegate to staff and a
480 Committee Member to contact Assembly Member Stone for additional information on possible
481 unintended consequences on the provision relating to the rebuttable presumptions for custody
482 and visitation.

483
484 D. AB 2138 (Chiu) – Licensing Boards: Denial of Application: Criminal Conviction

485
486 Ms. Jones stated that the Committee recommends an opposition position. Ms. Burns stated the
487 Committee recommends the opposition position due to the bill's potential to diminish consumer
488 protections integrated into the Board's licensing and enforcement processes and its
489 infringement upon the Board's legislative mandate of consumer protection. Additionally, this bill
490 would impose impossible deadlines on the Board's petition process. Ms. Marks stated that in
491 addition to the 90-day timeline to hear petitions for early termination of probation, it would be
492 deemed granted if it was not heard within the 90 days.

493
494 It was M(Erickson)/S(Acquaye-Baddoo)/C to take an opposed position to AB 2138.

495
496 Mr. Foo asked if this is related to the ban the box campaign and asked what the response of
497 other boards has been to this bill and if other boards have taken a position. Ms. Burns stated
498 that they were receptive to these concerns and stated that other boards had other issues with
499 this bill. Ms. Burns stated that she is unsure if some boards have taken an actual position yet,
500 but others have expressed their concerns. Discussion ensued about the process for expressing
501 the Board's concerns with the author and how and when an oppose unless amended position is
502 recommended.

503
504 Vote: 7 aye (Acquaye-Baddoo, Bernal, Casuga, Erickson, Horn, Jones, Phillips), 1 no (Foo)

505
506 E. AB 2943 (Low) – Unlawful Business Practices: Sexual Orientation Change Efforts

507
508 Ms. Burns stated that this bill would include, as an unlawful practice prohibited under the
509 Consumer Legal Remedies Act (CLRA), advertising, offering to engage in, or engaging in
510 sexual orientation change efforts with an individual.

511
512 It was M(Foo)/S(Casuga)/C to adopt a support position

513
514 Vote: 8 aye (Acquaye-Baddoo, Bernal, Casuga, Erickson, Foo, Horn, Jones, Phillips), 0 no

515
516 F. SB 1125 (Atkins) – Federally Qualified Health Center and Rural Health Clinic Services

517
518 Ms. Jones stated this bill would allow Medi-Cal reimbursement for a patient receiving medical
519 services at a federally qualified health center or rural health clinic, to receive both medical
520 services and to obtain mental health services on the same day they receive the medical
521 services.

522
523 It was M(Bernal)/S(Acquaye-Baddoo)/C to adopt a support position.

524
525 Vote: 8 aye (Acquaye-Baddoo, Bernal, Casuga, Erickson, Foo, Horn, Jones, Phillips), 0 no

526
527 2) Recommendations from Committee to Watch Bills

528 J. AB 2143 (Caballero) – Licensed Mental Health Service Provider Education Program:
529 Providers

530
531 Ms. Burns stated that staff would like to talk about this bill. She stated that this bill relates to the
532 current Licensed Mental Health Service Provider Education Program within the Health
533 Professions Education Foundation (HPEF). This bill would add physician assistants who work in
534 psychiatric mental health settings and psychiatric-mental health nurse practitioners to those
535 licensed mental health service providers eligible for grants. There were amendments made on
536 May 7, 2018 that stated that the added professionals would then have access to the Mental
537 Health Fund which is currently only for individuals whose educational loans were incurred to
538 become licensed psychologists. Staff recommends taking an opposed position on this bill.

539
540 It was M(Horn)/S(Acquaye-Baddoo)/C to adopt an opposed position.

541
542 Vote: 8 aye (Acquaye-Baddoo, Bernal, Casuga, Erickson, Foo, Horn, Jones, Phillips), 0 no

543

544 Ms. Jones stated that the Board would continue to Watch the rest of the bills in this section and
545 the section on 2-year Watch bills. Item d was omitted due to time constraints.

546

547 **Agenda Item #22: Legislative Items for Future Meeting. The Board May Discuss Other**
548 **Items of Legislation in Sufficient Detail to Determine Whether Such Items Should be on a**
549 **Future Board Meeting Agenda and/or Whether to Hold a Special Meeting of the Board to**
550 **Discuss Such Items Pursuant to Government Code Section 11125.4**

551

552 Dr. Horn asked if there was an update on CANRA. Ms. Jones stated that there is nothing new to
553 report, but it will be added to the next meeting agenda.

554

555 Mr. Foo asked that even though the Board took an oppose position on AB 2138 if the Board can
556 revisit this legislation and get an update in the August Board meeting. Ms. Jones stated that the
557 Board will be provided with updates regardless of the position taken.

558

559 There were no legislative items for future agendas.

560

561 **Agenda Item #24: Regulatory Update, Review, and Consideration of Additional Changes**

562 a) 16 CCR Sections 1391.1, 1391.2, 1391.5, 1391.6, 1391.8,
563 1391.10, 1391.11, 1391.12, 1392.1 – Psychological Assistants

564 b) 16 CCR Section 1396.8 – Standards of Practice for Telehealth

565 c) 16 CCR Sections 1381.9, 1381.10, 1392 – Retired License,
566 Renewal of Expired License, Psychologist Fees

567 d) 16 CCR Sections 1381.9, 1397.60, 1397.61, 1397.62, 1397.67
568 – Continuing Professional Development

569 e) 16 CCR Sections 1381.9, 1381.10, and 1392 - Retired
570 Psychologist License: Issuance of a License in Retired Status

571

572 For the sake of time, updates on the above-mentioned items will be provided in the August
573 Board Meeting.

574

575 **Agenda Item #23: Overview Presentation of the Legislative Process**

576

577 Ms. Jones noted that due to time constraints the Board would not discuss this item specifically
578 as it was for informational purposes only.

579

580 **Agenda Item #25: EPPP2 Task Force Report**

581

582 Dr. Horn recused herself from this agenda item and left the room as she is an employee of the
583 Association of State and Provincial Psychology Boards (ASPPB) which currently owns the
584 EPPP and is working on the development of the EPPP Part 2.

585

586 Dr. Casuga, Chair of the EPPP2 Task Force, provided the Board with a summary of the EPPP2
587 Task Force meeting that took place on April 5, 2018. After the Task Force meeting, it was
588 decided that the Task Force would send a letter to ASPPB expressing their concerns to ASPPB.
589 The Task Force will be meeting again on June 29, 2018 and is expecting a response from
590 ASPPB by then. Mr. Foo wanted to acknowledge Dr. Casuga's expert navigation and leadership
591 of the large and diverse Task Force and expressed his gratitude.

592

593 **Agenda Item #28: President's Report**

594

595 a) 2018 Meeting Calendar and Locations

596

597 The 2018 Meeting Calendar and locations was provided to the Board for informational
598 purposes. There were no Board or public comments

599

600 b) Committee Update

601

602 Dr. Phillips stated that there is still a vacancy on the Board. He also stated that there are no
603 committee changes at this time.

604

605 **Agenda Item #29: Election of Vice President**

606

607 Ms. Marks stated the two Vice-President nominations from the February Board Meeting were
608 Ms. Bernal and Mr. Foo. Discussion ensued whether we needed to open it for additional
609 nominations or start over so that all nominees could accept their nomination.

610

611 It was M(Acquaye-Baddoo)/S(Foo)/C to move to re-open for additional nominations for Vice
612 President.

613

614 Ms. Bernal accepted her nomination.

615

616 Vote: 8 aye (Acquaye-Baddoo, Bernal, Casuga, Erickson, Foo, Horn, Jones, Phillips), 0 no

617

618 Ms. Marks asked those who wish to vote for Ms. Bernal to say aye.

619

620 Vote: 8 aye (Acquaye-Baddoo, Bernal, Casuga, Erickson, Foo, Horn, Jones, Phillips), 0 no

621

622 Ms. Jones provided suggestions to better the utilization of the Vice President.

623

624 **Agenda Item #30: Recommendations for Agenda Items for Future Board Meetings. Note:**
625 **The Board May Not Discuss or Take Action on Any Matter Raised During This Public**
626 **Comment Section, Except to Decide Whether to Place the Matter on the Agenda of a**
627 **Future Meeting [Government Code Sections 11125 and 11125.7(a)]**

628

629 Dr. Horn spoke about continuing education and asked for an update on the Continuing
630 Professional Development (CPD) regulations. Ms. McCockran stated that she is currently
631 working on the Initial Statement of Reasons.

632

633 Mr. Foo asked about probation's tolling process. Ms. Sorrick stated that in the next Enforcement
634 Committee meeting, the Committee will provide an overview of tolling and how it works. Dr.
635 Phillips stated that is an issue to first address in the Enforcement Committee then bring it to the
636 full board.

637

638 Dr. Casuga had a follow up question regarding student participation in Board Meetings and
639 highlighting items students will be interested in such as the EPPP2. Ms. Sorrick stated that the
640 agenda is sent out to the stakeholders list.

641

642 Ms. Marks wanted to follow up on what Ms. Jones suggested about the review of the
643 Administrative Procedure Manual and possible amendments to the manual to reference the
644 nomination of officers.

645
646 The following agenda items were moved to the August Board Meeting due to time restrictions:
647

648 **Agenda Item #26: Outreach and Education Committee Report**

- 649 a) Strategic Plan
- 650 b) Communications Plan
- 651 c) Website
- 652 d) Social Media
- 653 e) Newsletter
- 654 f) Outreach Activities
- 655 g) Update on Outreach Plan for High Schools, Community Colleges, and
656 State and University System to Increase Licensing Population
- 657 h) Two-Year Outreach and Education Campaign Update
- 658 i) DCA Brochure “Professional Therapy Never Includes Sex” – Update
659

660 This agenda item will be discussed at the August Board Meeting.

661
662 **Agenda Item #27: PsyPACT – Status of PsyPACT and Review of Board Concerns and**
663 **Feedback**

664
665 This item is for informational purposes only.
666

667 **CLOSED SESSION**

668
669 **Agenda Item #9**
670 The Board Met in Closed Session Pursuant to Government Code Section 11126(c)(3) and
671 11126(e) to Discuss Disciplinary Matters Including Petitions, Proposed Decisions, Stipulations,
672 Petitions for Reconsideration, and Remands.

673
674 Meeting adjourned at 5:07 p.m.
675

676
677 _____
President Date