

NOTICE OF TELECONFERENCE BOARD MEETING

The Board of Psychology will hold a Board Meeting via WebEx

NOTE: Pursuant to the provisions of Governor Gavin Newsom's Executive Order N-29-20, dated March 17, 2020, neither Board member locations nor a public meeting location are provided. Public participation may be through the WebEx link as provided below. If you have trouble getting on the call to listen or participate, please call 916-574-7720.

Agenda discussion and report items are subject to action being taken on them during the meeting by the Board at its discretion. Action may be taken on any item on the agenda.

Important Notice to the Public: The Board of Psychology will hold a public meeting via WebEx Events. To participate in the WebEx meeting, please log on to this website the day of the meeting:

Thursday, February 18, 2021: <https://dca-meetings.webex.com/dca-meetings/onstage/g.php?MTID=e41cbe5d1fcc8107337cc148cc63607d4>

Friday, February 19, 2021: <https://dca-meetings.webex.com/dca-meetings/onstage/g.php?MTID=eca8e0ff0c2601cce0d7b654070a152ea>

Instructions to connect to the meeting can be found at the end of this agenda. Members of the public may, but are not obligated, to provide their names or personal information as a condition of observing or participating in the meeting. When signing into the WebEx platform, participants may be asked for their name and email address. Participants who choose not to provide their names will need to provide a unique identifier such as their initials or another alternative, so that the meeting moderator can identify individuals who wish to make public comment; participants who choose not to provide their email address may utilize a fictitious email address like in the following sample format: XXXXX@mailinator.com.

Due to potential technical difficulties, please consider submitting written comments by February 17, 2021, to bopmail@dca.ca.gov for consideration.

Thursday, February 18, 2021

Board Members

Seyron Foo, President
Lea Tate, PsyD, Vice President
Sheryll Casuga, PsyD
Marisela Cervantes
Mary Harb Sheets, PhD
Julie Nystrom
Stephen Phillips, JD, PsyD
Ana Rescate
Shacunda Rodgers, PhD

Legal Counsel

Will Maguire
Clay Jackson

Board Staff

Antonette Sorrick, Executive Officer
Jon Burke, Assistant Executive Officer
Stephanie Cheung, Licensing Manager
Jason Glasspiegel, Central Services Manager
Sandra Monterrubio, Enforcement Program
Manager
Liezal McCockran, CE/Renewals
Coordinator
Mai Xiong, Licensing/BreEZe Coordinator
Cristina Rivera, Legislative and Regulatory
Analyst
Sarah Proteau, Central Services Office
Technician

Thursday, February 18, 2021

AGENDA

9:00 a.m. – 5:00 p.m. or until Completion of Business

Unless noticed for a specific time, items may be heard at any time during the period of the Board meeting.

The Board welcomes and encourages public participation at its meetings. The public may take appropriate opportunities to comment on any issue before the Board at the time the item is heard. If public comment is not specifically requested, members of the public should feel free to request an opportunity to comment.

1. Call to Order/Roll Call/Establishment of a Quorum
2. President's Welcome
3. 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)].

4. President's Report (S. Foo)
 - a) Dates and Locations of 2021 Board and Committee Meetings
 - b) Committee Membership Updates
5. Executive Officer's Report (A. Sorrick)
 - a) Personnel Update
6. Discussion and Possible Approval of the Board Meeting Minutes: November 19-20, 2020
7. Budget Report (J. Glasspiegel/P. McDermott)
8. Licensure Committee Report and Consideration of and Possible Action on Committee Recommendations (Harb Sheets – Chairperson, Nystrom, Tate)
 - a) Projects on hold due to Limited Staffing Resources
 1. Informational Resources for Supervisors
 2. Co-host a Stakeholder Meeting on Informing Consumers Regarding the Respective Roles of a Licensed Psychologist, Licensed Educational Psychologist, and Individuals Holding a Credential with a Specialization in School Psychology
 - b) Update on Waivers
 - c) Licensing Report
 - d) Continuing Education and Renewals Report
 - e) Examination Report
 1. Subject Matter Expert – Demographic Data
 2. Examination Candidate Statistics
 3. Review, Consider and Possible Action on Proposed Amendments to 16 California Code of Regulations (CCR) section 1392, subdivision (b)-- Increase the California Psychology Law and Ethics Exam (CPLEE) Fee
 - f) Update on California Psychology Law and Ethics Exam (CPLEE) Online Administrations
 - g) Consideration and Possible action on Guidelines for Board Meeting Materials relating to Extension Requests
 - h) Consideration of Licensure Committee Recommendations Regarding Requests for an Extension of the 72-Month Registration Period Limitation for Registered Psychological Assistant Pursuant to 16 CCR section 1391.1, subdivision (b)
 - i) Consideration of Licensure Committee Recommendations Regarding Requests for an Extension of the 30-Consecutive Month Limitation to Accrue 1500 Hours of Post-Doctoral Supervised Professional Experience Pursuant to 16 CCR section 1387, subdivision (a)
9. Legislative and Regulatory Affairs Updates (Cervantes – Chairperson, Casuga, Phillips)
 - a) Board Sponsored Legislation for the 2020 Legislative Session: Review and Possible Action

1. Amendments to section 2960.1 of the Business and Professions Code Regarding Denial, Suspension and Revocation for Acts of Sexual Contact
 2. Pathways to Licensure Statutory Revisions – Amendments to sections 27, 2909, 2909.5, 2910, 2911, 2913, 2914, 2915, 2915.5, 2915.7, 2942, 2944, 2946, and 2960 of the Business and Professions Code, and section 1010 of the Evidence Code.
 3. Sunset Provisions – Amendments to section 2912, and Addition of Sections Related to Reinstatement to Active after Voluntary Surrender, Licensure Committee Delegated Authority, and Authority to Issue Waivers.
 - b) Update on California Psychological Association Legislative Proposal Regarding New Registration Category for Psychological Testing Technicians.
 - c) Legislative Items for Future Meeting. The Board May Discuss Other Items of Legislation in Sufficient Detail to Determine Whether Such Items Should be on a Future Board Meeting Agenda and/or Whether to Hold a Special Meeting of the Board to Discuss Such Items Pursuant to Government Code section 11125.4
10. Enforcement Report (S. Monterrubio)
 11. Consideration of Adopting Amendments to 16 CCR sections 1381.9, 1397.60, 1397.61, 1397.62, and 1397.67, and adding sections 1397.60, 1397.61, 1397.62, and 1397.67– Continuing Education/Professional Development
 12. Consideration of Adding 16 CCR section 1396.8– Standards of Practice for Telehealth
 13. Regulatory Update, Review, and Consideration of Additional Changes (M. Cervantes)
 - a) 16 CCR sections 1391.1, 1391.2, 1391.5, 1391.6, 1391.8, 1391.10, 1391.11, 1391.12, 1392.1 – Psychological Assistants
 - b) 16 CCR sections 1381.9, 1381.10, 1392 – Retired License, Renewal of Expired License, Psychologist Fees
 - c) 16 CCR sections 1391.13, and 1391.14 – Inactive Psychological Assistant Registration and Reactivating a Psychological Assistant Registration
 - d) 16 CCR section 1394 – Substantial Relationship Criteria; Section 1395 – Rehabilitation Criteria for Denials and Reinstatements; Section 1395.1 – Rehabilitation Criteria for Denials Suspensions or Revocations

CLOSED SESSION

14. The Board Will Meet in Closed Session Pursuant to Government Code Section 11126, subdivision (c)(3) to Discuss Disciplinary Matters Including Proposed Decisions, Stipulations, Petitions for Reinstatement or Modification of Penalty, Petitions for Reconsideration, and Remands.

RECESS FOR THE DAY

9:00 a.m. – 5:00 p.m. or until Completion of Business

15. Call to Order/Roll Call/Establishment of a Quorum

CLOSED SESSION

16. The Board will Meet in Closed Session Pursuant to Government Code Section 11126, subdivision (c)(3) to Discuss Disciplinary Matters Including Proposed Decisions, Stipulations, Petitions for Reinstatement and Modification of Penalty, Petitions for Reconsideration, and Remands.

RETURN TO OPEN SESSION

17. 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)].
18. Scope of Office of Professional Examination Services to the Board of Psychology (T. Montez)
19. Enforcement Committee Report and Consideration of and Possible Action on Committee Recommendations (Phillips – Chairperson, Foo)
 - a) Child Custody Stakeholder Meeting-Implementation Plan Update
 1. Statutory Discussion Regarding Proposed Exception to Psychotherapist-Patient Privilege for Board Investigations
 - b) Regulatory Update, Review, and Consideration of Additional Changes
 1. 16 CCR section 1380.6 – Display of License Number
 2. 16 CCR section 1393 – Requirements for Psychologists on Probation
 3. 16 CCR section 1396 – Competence
 4. 16 CCR section 1396.1 – Interpersonal Relations
 5. 16 CCR section 1396.2 – Misrepresentation
 6. 16 CCR section 1396.3 – Test Security
 7. 16 CCR section 1396.4 – Professional Identification
 8. 16 CCR section 1396.5 – Consumer Information
 9. 16 CCR section 1397 – Advertising
 10. 16 CCR section 1397.1 – Child Abuse Reporting requirements
 11. 16 CCR section 1397.2 – Other Actions Constituting Unprofessional Conduct
 12. 16 CCR section 1397.30 – Citation
 13. 16 CCR section 1397.36 – Requirements for Professional Corporations
 14. 16 CCR section 1397.37 – Shares: Ownership and Transfer
 15. 16 CCR section 1397.39 – Corporate Activities
 16. 16 CCR section 1397.40 – Trusts
 17. 16 CCR Sections 1397.50 – Citations and Fines
 18. 16 CCR section 1397.51 – Amount of Fines

- 19.16 CCR section .52 – Compliance with Orders of Abatement
- 20.16 CCR section 1397.53 – Citations for Unlicensed Practice
- 21.16 CCR section 1397.54 – Contest of Citations
- 22.16 CCR section 1397.55 – Disconnection of Telephone Service

c) Statutory and Regulatory Update, Review, and Consideration of Additional Changes

- 1. Business and Professions Code (BPC) section 2902 – Definitions
- 2. BPC section 2903 – Licensure requirement; Practice of psychology; Psychotherapy
- 3. BPC section 2903.1 – Biofeedback instruments
- 4. BPC section 2908 – Exemption of other professions
- 5. BPC section 2912 – Temporary practice by licensees of other state or foreign country
- 6. BPC section 2934.1 – Posting of license status on Web site
- 7. BPC section 2936 – Consumer and professional education in matters relevant to ethical practice; Standards of ethical conduct; Notice
- 8. BPC section 2960 – Grounds for action(a)-(r) (o)
- 9. BPC section 2960.05 – Limitations period for filing accusation against licensee
- 10. BPC section 2960.1 – Sexual contact with patient; Revocation
- 11. BPC section 2960.2 – Licensee’s physical, emotional and mental condition evaluated
- 12. BPC section 2960.5 – Mental illness or chemical dependency
- 13. BPC section 2960.6 – Actions by other states
- 14. BPC section 2961 – Scope of action
- 15. BPC section 2962 – Petition for reinstatement or modification of penalty
- 16. BPC section 2963 – Matters deemed conviction
- 17. BPC section 2964 – Report of license revocation or restoration
- 18. BPC section 2964.3 – Persons required to register as sex offender
- 19. BPC section 2964.5 – Conditions of probation or suspension
- 20. BPC section 2964.6 – Payment of probationary costs
- 21. BPC section 2965 – Conduct of proceedings
- 22. BPC section 2966 – Suspension during incarceration for felony conviction; Determination of substantial relationship of felony to functions of psychologist; Discipline or denial of license
- 23. BPC section 2969 – Penalties for failure to provide medical records; Failure to comply with court order; Multiple acts
- 24. BPC section 2970 – Violation of chapter as misdemeanor
- 25. BPC section 2971 – Injunctions
- 26. BPC section 2985 – Renewal of suspended licenses; Reinstatement of revoked licenses
- 27. BPC section 2986 – Effect of failure to renew within prescribed time
- 28. BPC section 2995 – Psychological corporation
- 29. BPC section 2996 – Violation of unprofessional conduct
- 30. BPC section 2996.1 – Conduct of practice

- 31. BPC section 2996.2 – Accrual of income to shareholder while disqualified prohibited
 - 32. BPC section 2997 – Shareholders, directors and officers to be licensees
 - 33. BPC section 2998 – Name, 2999 – Regulation by committee
 - d) Failed Continuing Education Audits referred to Enforcement Unit for Discipline
 - e) Consideration of Mail Ballot/Hold for Discussion Policy
20. Recommendations for Agenda Items for Future Board Meetings. 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)].

ADJOURNMENT

Due to technological limitations, adjournment will not be broadcast. Adjournment will immediately follow closed session, and there will be no other items of business discussed or transacted.

The meeting may be canceled without notice. For verification, please check the Board's Web site at www.psychology.ca.gov, or call (916) 574-7720. To accommodate speakers, or to maintain a quorum, items may be taken out of order, tabled or held over to a subsequent meeting, and items scheduled to be heard on Thursday may be held over to Friday, or if scheduled to be heard on Friday may be moved up to Thursday.

In the event a quorum of the Board is unable to attend the meeting, or the Board is unable to maintain a quorum once the meeting is called to order, the president may, at his discretion, continue to discuss items from the agenda and to vote to make recommendations to the full board at a future meeting [Government Code section 11125(c)].

Meetings of the Board of Psychology are open to the public except when specifically noticed otherwise in accordance with the Open Meeting Act. The public may take appropriate opportunities to comment on any issue before the Board at the time the item is heard, but the President may, at his discretion, apportion available time among those who wish to speak.

The meeting is accessible to the physically disabled. A person who needs a disability-related accommodation or modification in order to participate in the meeting may make a request by contacting Antonette Sorrick, Executive Officer, at (916) 574-7720 or email bopmail@dca.ca.gov or send a written request addressed to 1625 N. Market Boulevard, Suite N-215, Sacramento, CA 95834. Providing your request at least five (5) business days before the meeting will help ensure availability of the requested accommodation.

The Board of Psychology protects consumers of psychological services by licensing psychologists, regulating the practice of psychology, and supporting the evolution of the profession.



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2021 Board Meeting/Event Calendar

Board Meeting

Event	Date	Location	Agenda/Materials	Minutes	Webcast
Board Meeting	February 18-19, 2021	Webex	Agenda		
Board Meeting	May 21, 2021	Webex			
Board Meeting	August 27, 2021	Webex			
Board Meeting	November 18-19, 2021	Sacramento			

Legislative and Regulatory Affairs Committee

Event	Date	Location	Agenda/Materials	Minutes	Webcast
Legislative and Regulatory Affairs Committee	March 26, 2021	Webex			
Legislative and Regulatory Affairs Committee	June 11, 2021	Webex			

Licensure Committee

Event	Date	Location	Agenda/Materials	Minutes	Webcast
Licensure Committee Meeting	January 7, 2021	Webex	Agenda Materials		Webcast
Licensure Committee Meeting	July 16, 2021	Webex			

Outreach and Communications Committee

Event	Date	Location	Agenda/Materials	Minutes	Webcast
Outreach and Communications Committee Meeting	September 23, 2021	Webex			

Outside Board Events

Event	Date	Location	Agenda/Materials	Minutes	Webcast

[Previous Years Board Meeting/Event Calendars](#)



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Board of Psychology
 1625 North Market Blvd, Suite N-215
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 Toll Free 866-503-3221
 E-Mail: bopmail@dca.ca.gov

This web site contains PDF documents that require the most current version of Adobe Reader to view. To download click on the icon below.




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Board Member Information

Business and Professions Code sections 2920 through 2923 state that the Board shall consist of nine members, four of whom shall be public members and five shall be licensed members. Each member of the Board holds office for a term of four years. They serve until the appointment and qualification of a successor or until one year has elapsed since the expiration of the term for which he or she was appointed, whichever occurs first. No member may serve more than two consecutive terms.

The Governor appoints two public members and five licensed members. The Senate Rules Committee and the Speaker of the Assembly each appoint a public member.

The Governor is required to use his judgment in appointing licensed psychologists who represent the varied professional interests of psychologists in California.

Each member must be a resident of California. The public members must not be licentiates of the Board or of any board under Division 2 of the Business and Professions Code or of any board referred to in the Chiropractic Act or the Osteopathic Act.

Current Board Members:

Name	Appointing Authority	Appointment Type	Appointment Date	Reappointment Date	Expiration Date
Seyron Foo (President)	Governor	Public Member	05/17/17	06/11/20	06/01/24
Lea Tate, PsyD (Vice-President)	Governor	Licensed Member	12/07/18		06/01/22
Sheryll Casuga, PsyD	Governor	Licensed Member	08/18/17	10/02/19	06/01/23
Marisela Cervantes	Speaker	Public Member	04/29/19		06/01/22
Mary Harb Sheets, PhD	Governor	Licensed Member	12/07/18	06/19/20	06/01/24
Julie Nystrom	Senate	Public Member	09/21/20		06/01/24
Stephen Phillips, JD, PsyD	Governor	Licensed Member	09/25/13	06/02/16 06/11/20	06/01/24
Ana Rescate	Governor	Public Member	10/20/20		06/01/22
Shacunda Rodgers, PhD	Governor	Licensed Member	11/27/19		06/01/23

Board of Psychology Committee Assignments 2021

Committee	Chairperson	Members
Standing Committees		
Licensure Committee	Mary Harb Sheets, PhD	Julie Nystrom Lea Tate, PsyD
Outreach and Communications Committee	Lea Tate, PsyD	Shacunda Rodgers, PhD Ana Rescate
Legislative and Regulatory Affairs Committee	Marisela Cervantes	Sheryll Casuga, PsyD, Stephen Phillips, JD/PsyD
Ad hoc Committees		
Emergency Preparedness Committee	Marisela Cervantes	Shacunda Rodgers, PhD
Enforcement Committee	Stephen Phillips, JD, PsyD	Seyron Foo
Sunset Review Committee	Seyron Foo	Stephen Phillips, JD/PsyD
Telepsychology Committee	Stephen Phillips, JD/PsyD	Julie Nystrom Lea Tate PsyD

[Consumer Affairs Board Member Resource Page](#)

[Governor Appointment Page](#)

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[Senate Appointments](#)



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Board of Psychology
1625 North Market Blvd, Suite N-215
Sacramento, CA 95834

Office Main Line 916-574-7720

Toll Free 866-503-3221

E-Mail: bopmail@dca.ca.gov

MEMORANDUM

DATE	January 21, 2021
TO	Psychology Board Members
FROM	Antonette Sorrick, Executive Officer
SUBJECT	Executive Officer's Report: Agenda Item 5

Background:

The report below is provided to the Board as an update on personnel and at the beginning of the year, the Board's Annual Report to the State Legislature.

Personnel Update

Authorized Positions: 26.30

Temp Help: 1.7

Vacancies: 1.0

New Hires	
Classification	Program
Jonathan Burke, Assistant Executive Officer	
Cristina Rivera, Legislative and Regulatory Analyst	Central Services
Carmen Harp, Central Services Technician	Central Services

Promotions
None

Vacancies
1. Enforcement Technician (OT) Vacancy. Vacancy effective 11/19/19

Annual Report to the Legislature

Background: In compliance with Business and Professions Code Section 129 (a report to the legislature to ascertain patterns of complaints and report such data on an annual basis), every year, the Department of Consumer Affairs compiles enforcement, examination, and licensing data for all its 37 boards and bureaus and submits said report to the State Legislature. This report should be made available before the May Board Meeting and will be provided in the meeting materials.

Action Requested:

This item is for informational purposes only.

MEMORANDUM

DATE	January 28, 2021
TO	Board of Psychology
FROM	Jason Glasspiegel Central Services Manager
SUBJECT	Agenda Item #7 - Budget Report

Background:

In the Governor's 2020-21 Budget, the Board has an appropriation of \$6,162,000 and an estimated Fund Balance of \$8,089,000.

Action Requested:

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

Attachment A: Budget Report: FY 2020-2021 through Fiscal Month 5 without AG Augmentation

Attachment B: Budget Report: FY 2020-2021 through Fiscal Month 5 with AG Augmentation

Attachment C: Fund Condition

Attachment D: Projected versus actual expenditures and revenue

Department of Consumer Affairs

Expenditure Projection Report

Board of Psychology

Reporting Structure(s): 11112100 Support

Fiscal Month: 5

Fiscal Year: 2020 - 2021

Run Date: 01/04/2021

PERSONAL SERVICES

Fiscal Code	Line Item	PY FM13	Budget	Current Month	YTD	Projections to Year End	Balance
5100	PERMANENT POSITIONS	\$1,579,462	\$1,397,000	\$119,981	\$603,476	\$1,551,931	-\$154,931
5100	TEMPORARY POSITIONS	\$122,469	\$47,000	\$0	\$6,917	\$16,601	\$30,399
5105-5108	PER DIEM, OVERTIME, & LUMP SUM	\$17,252	\$22,000	\$700	\$30,424	\$40,924	-\$18,924
5150	STAFF BENEFITS	\$1,013,213	\$980,000	\$70,859	\$376,837	\$968,360	\$11,640
	PERSONAL SERVICES	\$2,732,461	\$2,446,000	\$191,540	\$1,017,654	\$2,577,881	-\$131,881

OPERATING EXPENSES & EQUIPMENT

Fiscal Code	Line Item	PY FM13	Budget	Current Month	YTD	Projections to Year End	Balance
5301	GENERAL EXPENSE	\$56,779	\$110,000	\$1,838	\$10,784	\$49,059	\$60,941
5302	PRINTING	\$57,303	\$53,000	\$1,388	\$7,201	\$44,778	\$8,222
5304	COMMUNICATIONS	\$3,994	\$44,000	\$45	\$914	\$4,531	\$39,469
5306	POSTAGE	\$1,428	\$27,000	\$0	\$0	\$1,428	\$25,572
53202-204	IN STATE TRAVEL	\$41,044	\$22,000	\$122	\$1,744	\$8,743	\$13,257
5322	TRAINING	\$24,321	\$17,000	\$0	\$0	\$2,630	\$14,370
5324	FACILITIES	\$311,456	\$146,000	\$18,512	\$70,408	\$218,556	-\$72,556
53402-53403	C/P SERVICES (INTERNAL)	\$1,161,586	\$1,353,000	\$145,950	\$478,652	\$1,444,561	-\$91,561
5340290000	Health and Medical	\$105	\$0	\$0	\$0	\$105	
5340310000	Legal - Attorney General	\$1,007,106	\$974,000	\$132,786	\$465,489	\$1,367,289	-\$393,289
5340320000	Office of Adminis Hearings	\$154,375	\$116,000	\$13,164	\$13,164	\$77,167	\$38,833
5340330000	Consult & Prof Svcs-Interdept	\$0	\$263,000	\$0	\$0	\$0	\$263,000

Fiscal Code	Line Item	PY FM13	Budget	Current Month	YTD	Projections to Year End	Balance
53404-53405	C/P SERVICES (EXTERNAL)	\$454,257	\$418,000	\$13,921	\$82,699	\$382,336	\$35,664
5342	DEPARTMENT PRORATA	\$881,588	\$1,403,000	\$0	\$758,000	\$1,403,000	\$0
5342	DEPARTMENTAL SERVICES	\$40,827	\$54,000	\$8,018	\$20,785	\$80,000	-\$26,000
5344	CONSOLIDATED DATA CENTERS	\$12,435	\$11,000	\$0	\$0	\$11,000	\$0
5346	INFORMATION TECHNOLOGY	\$2,225	\$43,000	\$792	\$845	\$2,846	\$40,154
5362-5368	EQUIPMENT	\$25,283	\$15,000	\$10,226	\$10,226	\$15,784	-\$784
5390	OTHER ITEMS OF EXPENSE	-\$218,674	\$0	\$0	\$0	\$0	\$0
	OPERATING EXPENSES & EQUIPMENT	\$2,863,977	\$3,716,000	\$200,811	\$1,442,258	\$3,669,253	\$46,747

OVERALL TOTALS		\$5,596,438	\$6,162,000	\$392,351	\$2,459,912	\$6,247,133	-\$85,133
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-1.38%

Department of Consumer Affairs

Expenditure Projection Report

Board of Psychology

Reporting Structure(s): 11112100 Support

Fiscal Month: 5

Fiscal Year: 2020 - 2021

Run Date: 01/04/2021

PERSONAL SERVICES

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OPERATING EXPENSES & EQUIPMENT

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5301	GENERAL EXPENSE	\$56,779	\$110,000	\$1,838	\$10,784	\$49,059	\$60,941
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5306	POSTAGE	\$1,428	\$27,000	\$0	\$0	\$1,428	\$25,572
53202-204	IN STATE TRAVEL	\$41,044	\$22,000	\$122	\$1,744	\$8,743	\$13,257
5322	TRAINING	\$24,321	\$17,000	\$0	\$0	\$2,630	\$14,370
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5340290000	Health and Medical	\$105	\$0	\$0	\$0	\$105	
5340310000	Legal - Attorney General	\$1,007,106	\$1,189,000	\$132,786	\$465,489	\$1,367,289	-\$178,289
5340320000	Office of Adminis Hearings	\$154,375	\$116,000	\$13,164	\$13,164	\$77,167	\$38,833
5340330000	Consult & Prof Svcs-Interdept	\$0	\$263,000	\$0	\$0	\$0	\$263,000

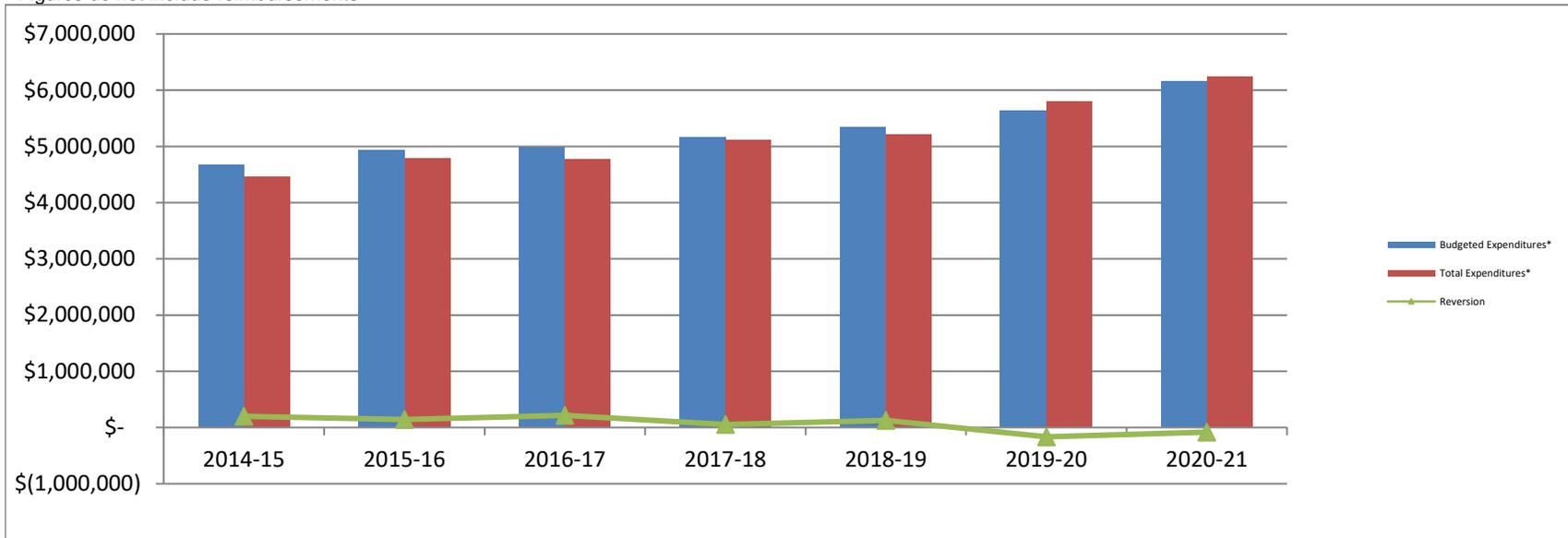
Fiscal Code	Line Item	PY FM13	Budget	Current Month	YTD	Projections to Year End	Balance
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5342	DEPARTMENT PRORATA	\$881,588	\$1,403,000	\$0	\$758,000	\$1,403,000	\$0
5342	DEPARTMENTAL SERVICES	\$40,827	\$54,000	\$8,018	\$20,785	\$80,000	-\$26,000
5344	CONSOLIDATED DATA CENTERS	\$12,435	\$11,000	\$0	\$0	\$11,000	\$0
5346	INFORMATION TECHNOLOGY	\$2,225	\$43,000	\$792	\$845	\$2,846	\$40,154
5362-5368	EQUIPMENT	\$25,283	\$15,000	\$10,226	\$10,226	\$15,784	-\$784
	OPERATING EXPENSES & EQUIPMENT	\$2,863,977	\$3,931,000	\$200,811	\$1,442,258	\$3,669,253	\$261,747

OVERALL TOTALS		\$5,596,438	\$6,377,000	\$392,351	\$2,459,912	\$6,247,133	\$129,867
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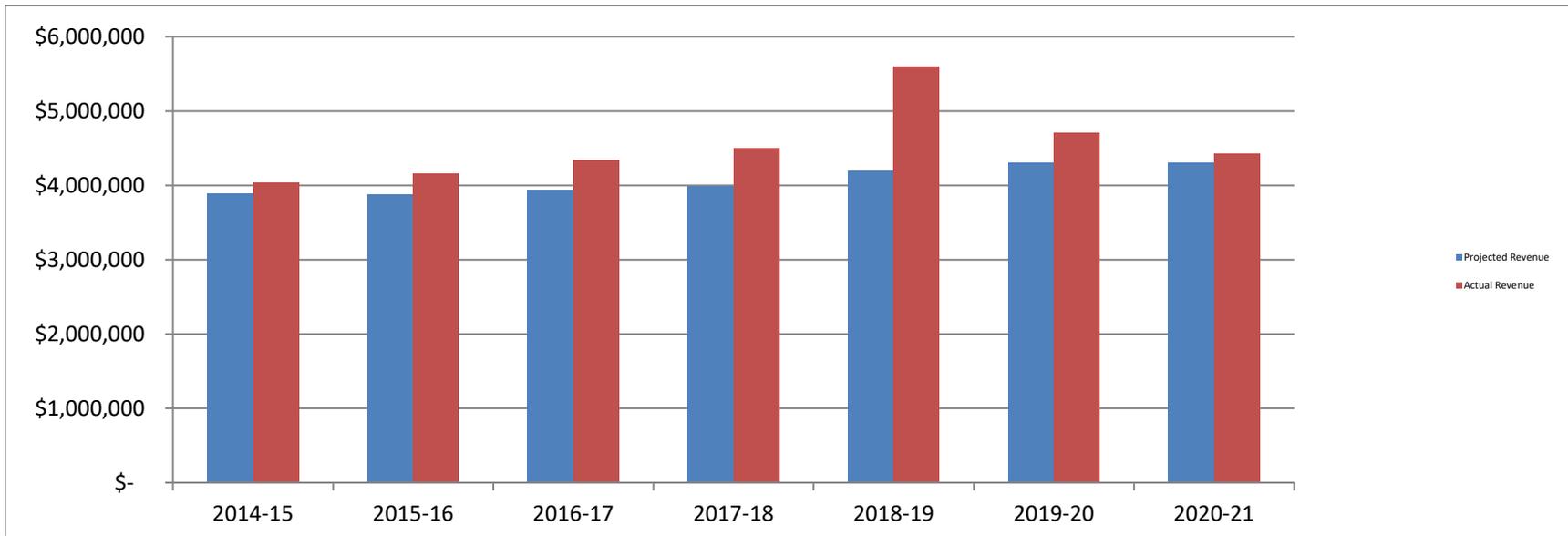
2.04%

Psychology Expenditure Comparison (Budgeted vs. Actual)							
	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21
Budgeted Expenditures*	\$4,669,000	\$4,933,000	\$4,989,000	\$5,158,000	\$5,341,000	\$5,637,000	\$ 6,162,000
Total Expenditures*	\$4,472,000	\$4,792,000	\$4,773,000	\$5,107,000	\$5,216,000	\$5,802,417	\$ 6,247,133
Reversion	\$ 197,000	\$ 141,000	\$ 216,000	\$ 51,000	\$ 125,000	\$ (165,417)	\$ (85,133)

*Figures do not include reimbursements



Psychology Revenue Comparison (Projected vs. Actual)							
	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21
Projected Revenue	\$3,887,000	\$3,872,000	\$3,941,000	\$3,980,000	\$4,185,000	\$4,298,000	\$ 4,298,000
Actual Revenue	\$4,034,000	\$4,150,000	\$4,337,000	\$4,493,000	\$5,591,000	\$4,705,000	\$ 4,419,000
Difference	\$ (147,000)	\$ (278,000)	\$ (396,000)	\$ (513,000)	#####	\$ (407,000)	\$ (121,000)



0310 - Psychology**Fund Condition Analysis****2021-22 Governor's Budget with FM 05 Projections**

(Dollars in Thousands)

	PY 2019-20	CY 2020-21	Governor's Budget BY 2021-22
BEGINNING BALANCE	\$ 7,856	\$11,396	\$8,089
Prior Year Adjustment	-\$77	\$0	\$0
Adjusted Beginning Balance	<u>\$7,779</u>	<u>\$11,396</u>	<u>\$8,089</u>
REVENUES, TRANSFERS AND OTHER ADJUSTMENTS			
Revenues			
4121200 - Delinquent fees	\$50	\$75	\$49
4127400 - Renewal fees	\$3,602	\$4,248	\$3,459
4129200 - Other regulatory fees	\$192	\$165	\$199
4129400 - Other regulatory licenses and permits	\$569	\$629	\$604
4150500 - Interest from interfund loans	\$1,066	\$0	\$0
4163000 - Income from surplus money investments	\$233	\$43	\$107
4171400 - Escheat of unclaimed checks and warrants	\$3	\$3	\$1
4172500 - Miscellaneous revenues	\$0	\$1	\$1
4173500 - Settlements and Judgements - Other	\$0	\$4	\$0
Totals, Revenues	<u>\$5,715</u>	<u>\$5,168</u>	<u>\$4,420</u>
Transfers from Other Funds			
GF Loan Repayment Per Item 1450-011-0310 BA of 2002	\$1,200	\$0	\$0
GF Loan Repayment Per Item 1110-011-0310 BA of 2008	\$2,500	\$0	\$0
Transfers to Other Funds			
GF Loan Per Item 1111-011-0310 BA of 2020	\$0	-\$900	\$0
GF Loan Per Item per CS 3.92 BA of 2020	\$0	-\$330	\$0
TOTALS, REVENUES, TRANSFERS AND OTHER ADJUSTMENTS	<u>\$9,415</u>	<u>\$3,938</u>	<u>\$4,420</u>
TOTAL RESOURCES	\$17,194	\$15,334	\$12,509
EXPENDITURES AND EXPENDITURE ADJUSTMENTS	PY	CY	Governor's Budget BY 2021-22
	2019-20	2020-21	
Expenditures:			
1111 Program Expenditures (State Operations)	\$5,396	\$6,247	\$6,994
8880 Financial Information System for California (State Operations)	-\$1	\$0	\$0
9892 Supplemental Pension Payments (State Operations)	\$94	\$94	\$94
9900 Statewide Pro Rata	\$309	\$291	\$349
TOTALS, EXPENDITURES AND EXPENDITURE ADJUSTMENTS	<u>\$5,798</u>	<u>\$6,632</u>	<u>\$7,437</u>
FUND BALANCE			
Reserve for economic uncertainties	\$11,396	\$8,702	\$5,072
Months in Reserve	20.6	14.0	8.0

NOTES:

Assumes workload and revenue projections are realized in BY +1 and ongoing.

Expenditure growth projected at 3% beginning BY +1.

CY revenue and expenditures are projections.

MEMORANDUM

DATE	January 27, 2021
TO	Board Members
FROM	Stephanie Cheung Licensing Manager
SUBJECT	Agenda Item 8(a) Projects on hold due to Limited Staffing Resources 1. Informational Resources for Supervisors 2. Co-host a Stakeholder Meeting on Informing Consumers Regarding the Respective Roles of a Licensed Psychologist, Licensed Educational Psychologist, and Individuals Holding a Credential with a Specialization in School Psychology

Background:

This is to provide the Board a briefing regarding projects that were previously delegated to staff at the September 2019 Licensure Committee meeting. Due to limited staffing resources, the following projects are currently on hold until further noticed.

1. Informational Resources for Supervisors

At the September 2020 Licensure Committee meeting, the Committee facilitated a stakeholders' discussion and captured suggestions and feedback relating to the informational resources covering the following areas – regulations, frequently asked questions (FAQ). The Committee tasked staff to create content for the Committee's review and consideration

2. Co-host a Stakeholder Meeting on Informing Consumers Regarding the Respective Roles of a Licensed Psychologist, Licensed Educational Psychologist, and Individuals Holding a Credential with a Specialization in School Psychology

At the October 2020 Board meeting, the Board voted to accept the Licensure Committee's recommendation for the Board of Behavioral Sciences (BBS), the Commission on Teachers Credentialing, and the Board to co-host a stakeholder meeting in the near future to solicit input on how to best inform consumers regarding the respective roles of the three professions.

Action Requested:

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

MEMORANDUM

DATE	January 27, 2021
TO	Board Members
FROM	Stephanie Cheung Licensing Manager
SUBJECT	Agenda Item 8(b) Update on Waivers

Background:

Waivers issued and maintained by the Department of Consumer Affairs (DCA) can be found on its [website](#). More information can also be located on the Board's [COVID 19 Info](#) webpage that includes waivers issued by the Board and other related information.

Per the Committee's request at the May 2020 meeting, staff provided an update on current waivers at the January 2021 meeting. The statuses of some waivers issued by the DCA have changed since the January 2021 meeting, please find below a list of current waivers as of January 27, 2021:

- **Extending Time to Satisfy Examination Requirements** ([DCA Waiver DCA-21-107](#))

For applications that are scheduled to expire between February 1, 2021, and April 2, 2021, this waiver provides a one-time 6-month extension for candidates to take or re-take an examination from the expiration date of their application after their eligibility for examination was approved by the Board.

- **In-person Face-to-Face Supervision** ([DCA Waiver DCA-20-96](#))

This waiver allows the one hour face-to-face, direct, individual supervision to be conducted via HIPAA-compliant video or other appropriate telehealth means from March 16, 2020, until February 28, 2021.

- **Supervised Professional Experience (SPE) Time Limitation** ([Board of Psychology Wavier PSY 20-01](#))

For SPE that is set to reach the 30/60-month limitations pursuant to 16 CCR section 1387(a) after March 4, 2020 and through the duration of the declared emergency, the Board extends the time limitations to accrue their pre-doctoral and post-doctoral hours of supervised professional experience (respectively) required for licensure for an additional 6 months from the end date of the unmodified time limitation period.

- **Psychological Assistant 72-month Registration Limitation** ([Board of Psychology Wavier PSY 20-02](#))

For registered psychological assistants who, after March 4, 2020, through the duration of the declared emergency, reach the 72-month limitations set in 16 CCR section 1391.1(b), the Board extends the time limitations to hold a registration for an additional 6 months from the end date of the unmodified time limitation period.

- **Extra Time to Complete Continuing Education (CE) Requirements for License Renewal** ([DCA Waiver DCA-20-89](#))

If a psychologist license expires between January 1, 2021, and February 28, 2021, the waiver allows licensees to complete all renewal-related continuing education requirements by June 15, 2021. Please refer to the Board's COVID 19 Info page for other questions relevant to the renewal-related CE requirements.

- **Reinstatement of (Inactive or Cancelled) Licensure** ([DCA Waiver DCA-20-91](#))

This waiver temporarily waived the continuing education and fee requirements for an individual to restore a cancelled psychologist license, if the person meets all other requirements as specified. A license reactivated or restored pursuant to these waivers is valid until July 1, 2021, or when the State of Emergency ceases to exist, whichever is sooner. This waiver only applies to psychologist licenses.

- **CPLÉE for Restoration of Licenses** ([Board of Psychology Waiver PSY 20-03](#))

The Board waives the CPLÉE requirement for psychologists whose California licenses have cancelled and who apply and qualify for an active status pursuant to and consistent with DCA Waiver DCA-20-91 Reinstatement of Licensure.

Action Requested:

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

MEMORANDUM

DATE	January 25, 2021
TO	Board Members
FROM	Mai Xiong Licensing and BreZE Coordinator
SUBJECT	Agenda Item 8(c) Licensing Report

License/Registration Data by Fiscal Year:

License & Registration	11/12	12/13	13/14	14/15	15/16	16/17	17/18	18/19	19/20	20/21**
Psychologist*	22,020	22,688	***	20,575	20,227	20,024	20,580	21,116	22,005	22,058
Psychological Assistant	1,635	1,727	***	1,701	1,580	1,446	1,446	1,361	1,344	1,369
Registered Psychologist	320	349	***	280	272	278	250	129	113	110

*Current and Current Inactive

**As of January 21, 2021

***Statistics unavailable

Please refer to the Licensing Population Report (Attachment A) for statistics on the different license statuses across the three types of license and registration.

Application Workload Reports:

The attached reports provide statistics from July 2020 thru December 2020 on the application status by month for each of the license and registration types (see Attachment B). On each report, the type of transaction is indicated on the x-axis of the graphs. The different types of transactions and the meaning of the transaction status are explained below for the Board's reference.

Psychologist Application Workload Report

“Exam Eligible for EPPP” (Examination for Professional Practice in Psychology) is the first step towards licensure. In this step, an applicant has applied to take the EPPP. An application with an “open” status means it is deficient or pending initial review.

“Exam Eligible for CPLEE” (California Psychology Law and Ethics Exam) is the second step towards licensure. In this step, the applicant has successfully passed the EPPP and has applied to take the CPLEE. An application with an “open” status means it is deficient or pending review.

“CPLEE Retake Transaction” is a process for applicants who need to retake the CPLEE due to an unsuccessful attempt. This process is also created for licensees who are

required to take the CPLEE due to probation. An application with an “open” status means it is deficient, pending review, or an applicant is waiting for approval to re-take the examination when the new form becomes available in the next quarter.

“Initial App for Psychology Licensure” is the last step of licensure. This transaction captures the number of licenses that are issued if the status is “approved” or pending additional information when it has an “open” status.

As a result of the two Department of Consumer Affairs (DCA) issued waivers (DCA-20-66 effective on September 30, 2020 and DCA-20-78 effective on November 25, 2020), which provide a one-time 6-month extension for candidates to take or retake an examination from the expiration date of their application after their eligibility for examination caused a significant increase to the volume of open Initial Application for Licensure as a Psychologist as of October 2020 to December 2020.

Psychological Assistant Application Workload Report

Psychological Assistant registration application is a single-step process. The “Initial Application” transaction provides information regarding the number of registrations issued as indicated by an “approved” status, and any pending application that is deficient or pending initial review is indicated by an “open” status.

Since all psychological assistants hold a single registration number, an additional mechanism, the “Change of Supervisor” transaction, is created to facilitate the process for psychological assistants who wish to practice with more than one primary supervisor or to change primary supervisors. A change is processed when all information is received, thus there is no open status for this transaction type.

Registered Psychologist Application Workload Report

Registered Psychologist registration application is also a single-step process. The “Initial Application” transaction provides information regarding the number of registrations issued as indicated by an “approved” status, and any pending application that is deficient or pending initial review is indicated by an “open” status.

Examination Statistics January 2020 – December 2020

The examination statistics (see Attachment D) provide a 12-month period data of the total candidates and first timers who have taken the EPPP or CPLEE and the passing rate. These examination statistics are posted on the Board’s website and available to the public.

2020 Monthly CPLEE Examination Statistics

December 2020 shows the lowest passing rate for both total candidates and first timer when compared to previous months. The passing percentage for total candidates is approximately 68% and first timer is approximately 66%. The average passing

percentage rate for both total candidates and first time is approximately 76%. The Board is unable to provide an explanation at this time for the decrease of passing rate in December 2020.

Applications Processing

The Licensing unit always strives to provide excellent customer service to the public and any necessary assistance to help our applicants navigating through the licensure process. As reported in previous Board meetings, the Board continues its effort in rightsizing the budget to get out of the structural deficit. Due to budgetary impacts, the Licensing unit currently relies on four full-time licensing analysts who diligently managing the workload as shown in Attachment B.

The unit is working at its best with the resources available to continue assisting applicants. In anticipation to the lengthened processing timeframes, the unit revised the application processing timeframes for initial licensure and registration on the Board's website to provide more information, which is updated on a monthly basis. While balancing the high volume of application related workload, the unit has also been receiving a large amount of incoming inquiries relating to application statuses. Consider many applicants are eager to move forward with the process, the review and processing of application takes precedence in order to allow them advancing to the next step of the licensure process as soon as possible.

Though the unit is operating with a reduced number of staffs, we continue to make improvement to enhance communication with our applicants. One of the foreseeable enhancements is to improve the functionality of the BreEZe system that will enable applicants to view application status and deficiencies through their profile on BreEZe. The unit has also planned to explore the possibility to increase the online and electronic capacity for the application process.

Attachments:

- A. Licensing Population Report as of January 21, 2021
- B. Application Workload Reports July 2020 – December 2020 as of January 25, 2021
- C. Applications and Notifications Received January 2020 – December 2020 as of January 20, 2021
- D. Examination Statistics January 2020 – December 2020 as of January 25, 2021

Action:

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



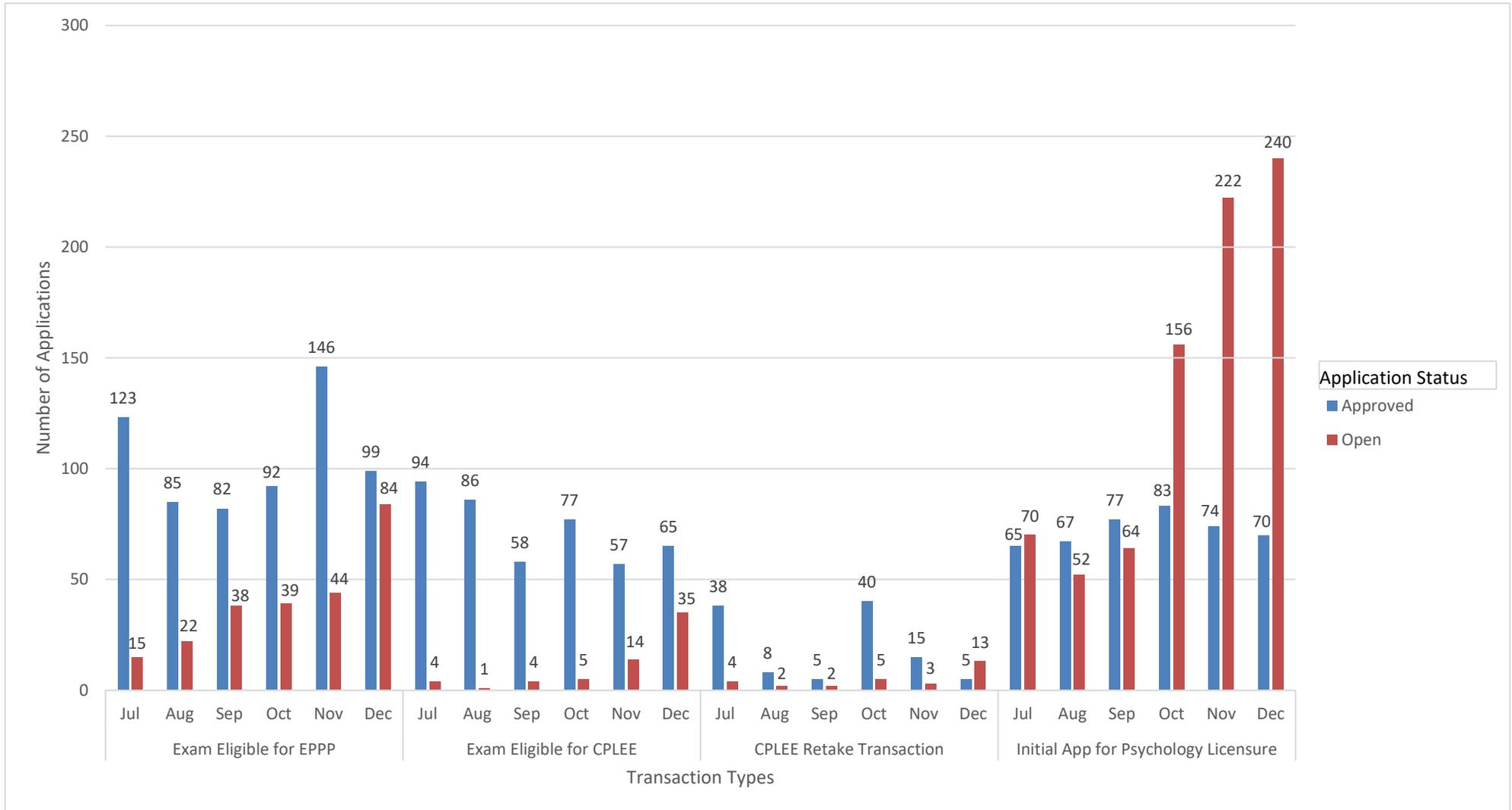
STATE DEPARTMENT OF CONSUMER AFFAIRS
BREEZE SYSTEM



LICENSING POPULATION REPORT
BOARD OF PSYCHOLOGY
AS OF 1/21/2021

License Type	License Status							Total
	Licensing					Enforcement		
	Current	Inactive	Delinquent	Cancelled	Deceased	Surrendered	Revoked	
Psychologist	19,304	2,754	1,478	6,620	1,019	239	155	31,569
Psychological Assistant	1,369	0	66	22,220	8	11	8	23,682
Registered Psychologist	110	0	0	4,590	1	0	0	4,701
Total	20,783	2,754	1,544	33,430	1,028	250	163	59,952

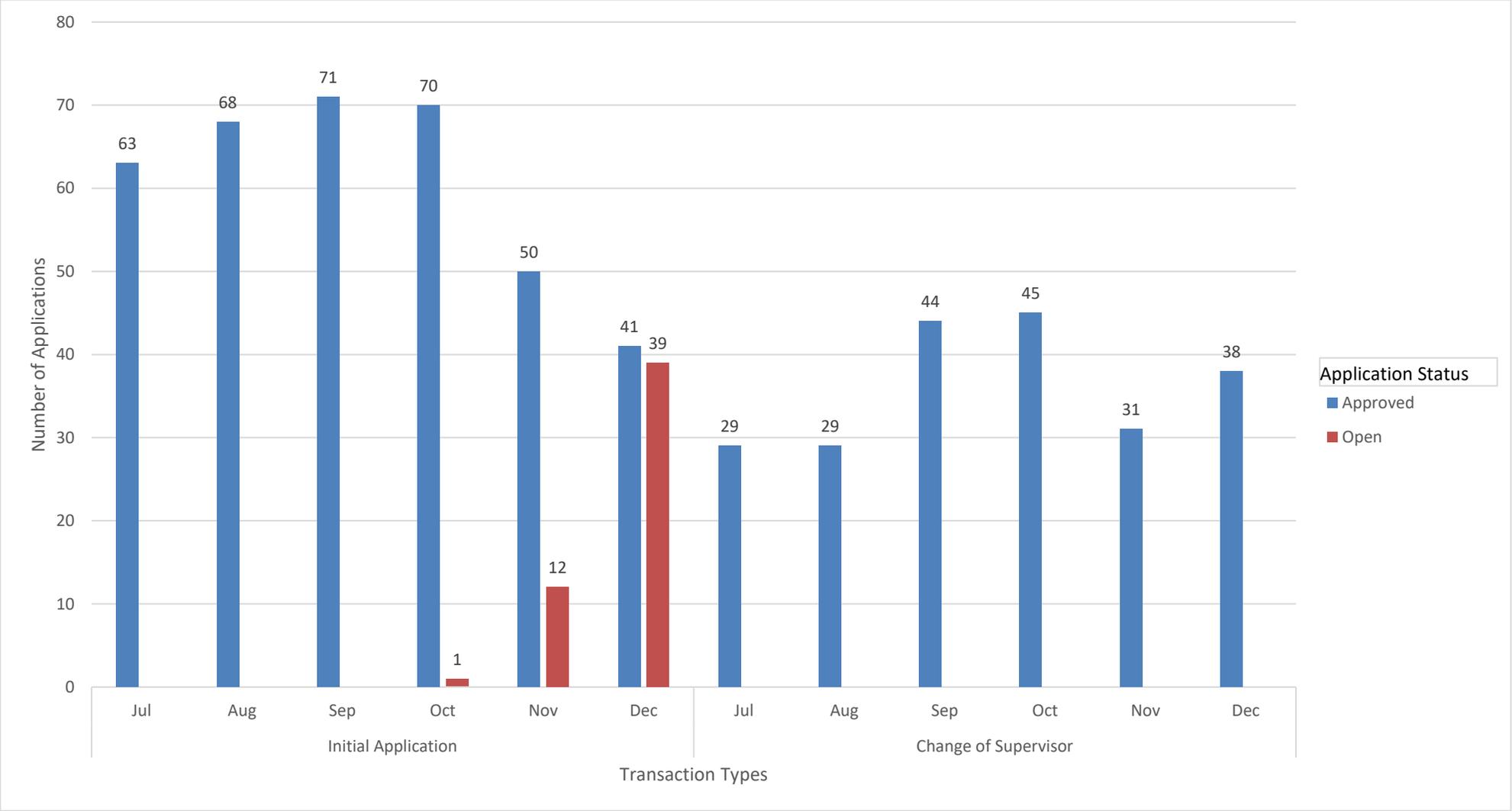
Psychologist Application Workload Report July 2020 to December 2020 As of January 25, 2021



Psychological Assistant Application Workload Report

July 2020 to December 2020

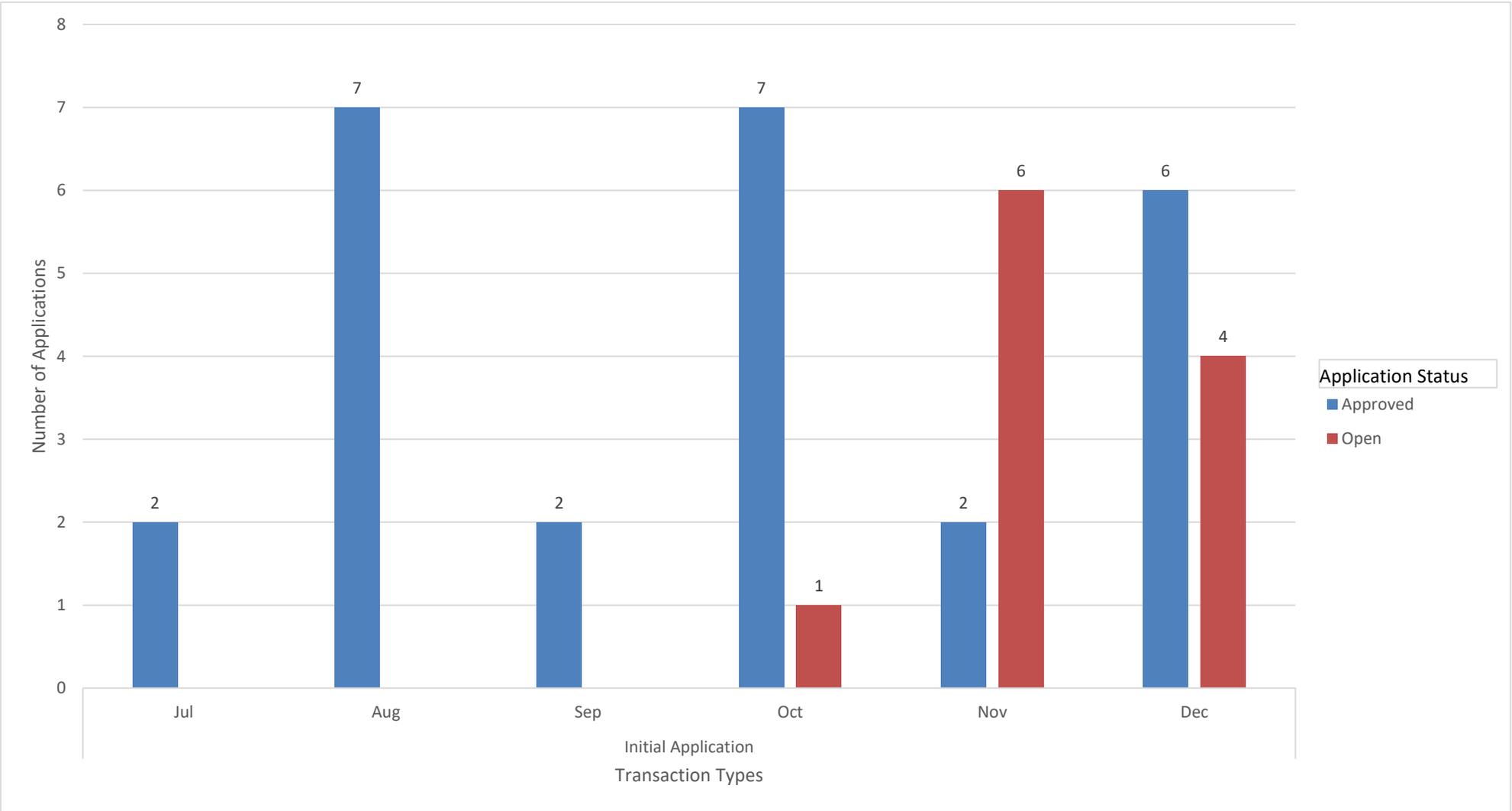
As of January 25, 2021



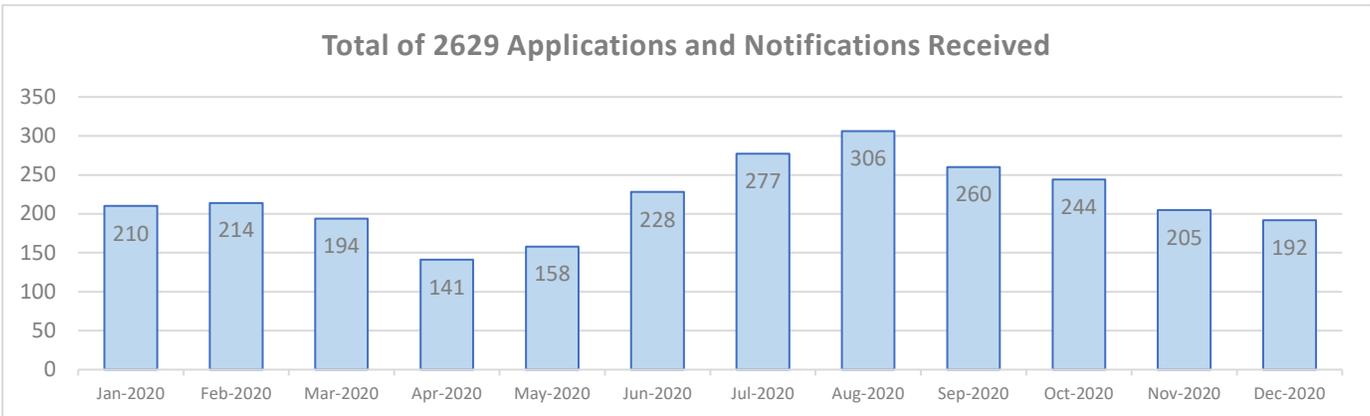
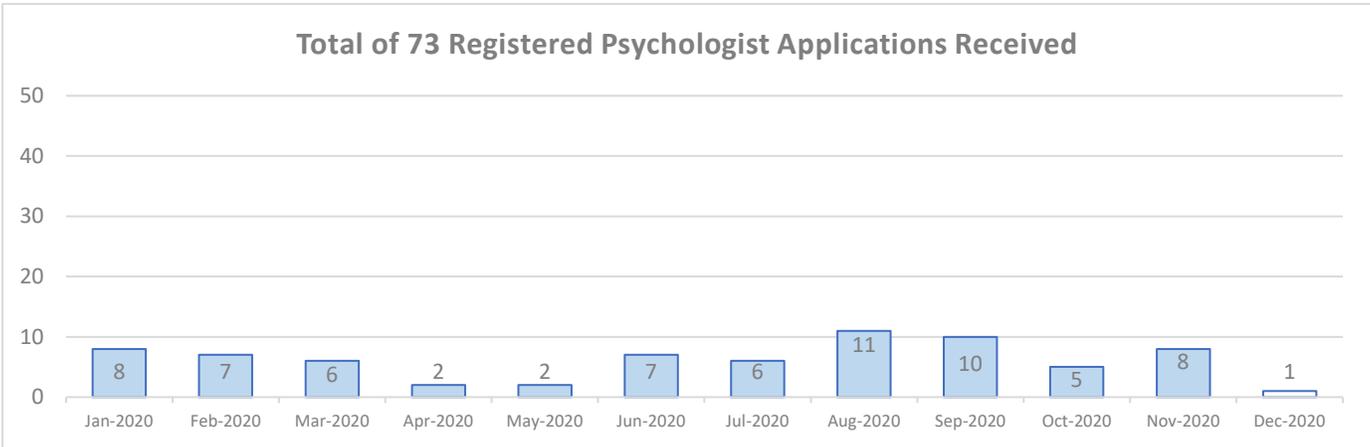
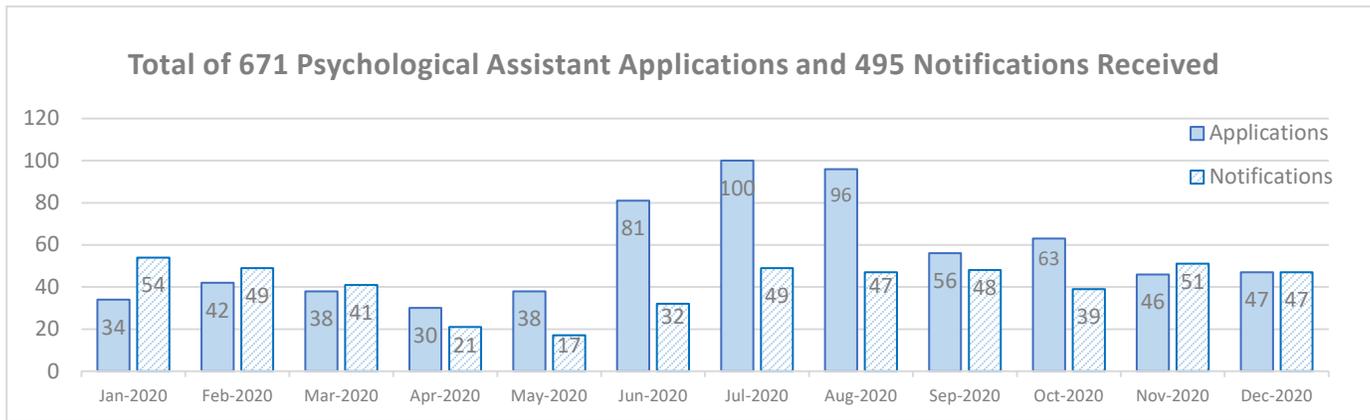
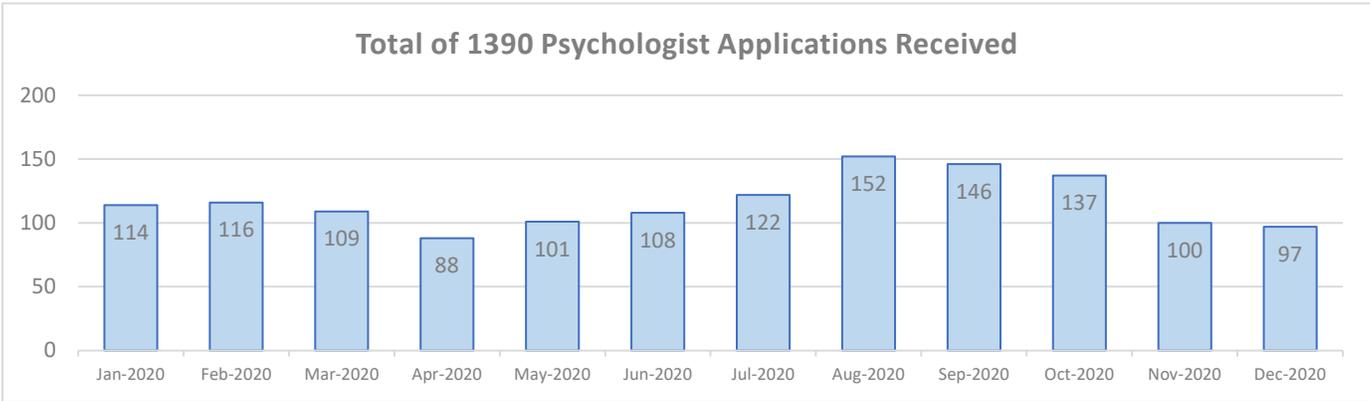
Registered Psychologist Application Workload Report

July 2020 to December 2020

As of January 25, 2021



Applications and Notifications Received from January 2020 to December 2020
As of January 20, 2021



**Examination Statistics January 2020 – December 2020
As of January 25, 2021**

2020 Monthly EPPP Examination Statistics

Month	# of Candidates	# Passed	% Passed	Total First Timers	First Time Passed	% First Time Passed
January	107	51	47.66	64	37	57.81
February	103	45	43.69	45	31	68.89
March	89	46	51.69	53	36	67.92
April	23	11	47.83	17	10	58.82
May	127	68	53.54	76	56	73.68
June	117	56	47.86	66	44	66.67
July	175	82	46.86	94	59	62.77
August	124	60	48.39	72	47	65.28
September	134	54	40.30	55	31	56.36
October	119	55	46.22	55	33	60.00
November	144	66	45.83	58	43	74.14
December	122	55	45.08	59	43	72.88
Total	1384	649	46.89	714	470	65.83

2020 Monthly CPLEE Examination Statistics

Month	# of Candidates	# Passed	% Passed	Total First Timers	First Time Passed	% First Time Passed
January	58	45	77.59	41	31	75.61
February	72	53	73.61	54	40	74.07
March	64	50	78.13	51	41	80.39
April	26	18	69.23	18	13	72.22
May	93	74	79.57	76	56	73.68
June	106	82	77.36	80	64	80.00
July	106	84	79.25	76	60	78.95
August	110	92	83.64	91	78	85.71
September	126	98	77.78	107	84	78.50
October	75	54	72.00	55	41	74.55
November	84	59	70.24	71	50	70.42
December	87	59	67.82	65	43	66.15
Total	1007	768	76.27	785	601	76.56

MEMORANDUM

DATE	January 26, 2021
TO	Board of Psychology
FROM	Liezel McCockran Continuing Education and Renewals Coordinator
SUBJECT	Agenda Item #8d – Continuing Education and Renewals Report

Please find the following Continuing Education (CE) Audit/Renewals statistics for Psychologists and Psychological Assistants:

- CE Audits for 2019
- Reasons for Not Passing CE Audit
- Psychologist and Psychological Assistant Renewal Applications Processed: January 2020 – December 2020
- Online vs. Mailed In Renewals Processed
- Pass and Fail Rate 2015-2019
- Pass and Fail Rates for 2nd Audits

The current pass/fail rate for CE audits is 64% pass, 14% fail, and 22% pending. For the year of 2020, an average of 958 renewal applications were processed per month, with 87 percent of Psychologists renewing as Active. Approximately 85 percent of Psychologists and Psychological Assistants renewed their license online using BreEZe per month. The pass rate from 2015-2018 has been consistently over 80 percent. The pass rate for 2nd audits has risen from 68 percent in 2016 to 84 percent in 2018.

The Continuing Professional Development (CPD) goal from the Strategic Plan 2019-2023 to implement licensed Board member CPD audits each license renewal cycle for transparency purposes began with the January 1, 2019 audit cycle. The following Board members have had their continuing education courses audited for their 2019 renewal and passed:

Stephen Phillips, JD, PsyD
Sheryll Casuga, PsyD
Lea Tate, PsyD
Shacunda Rodgers, PhD
Mary Harb Sheets, PhD

Action Requested:

These items are for information purposes only. No action requested

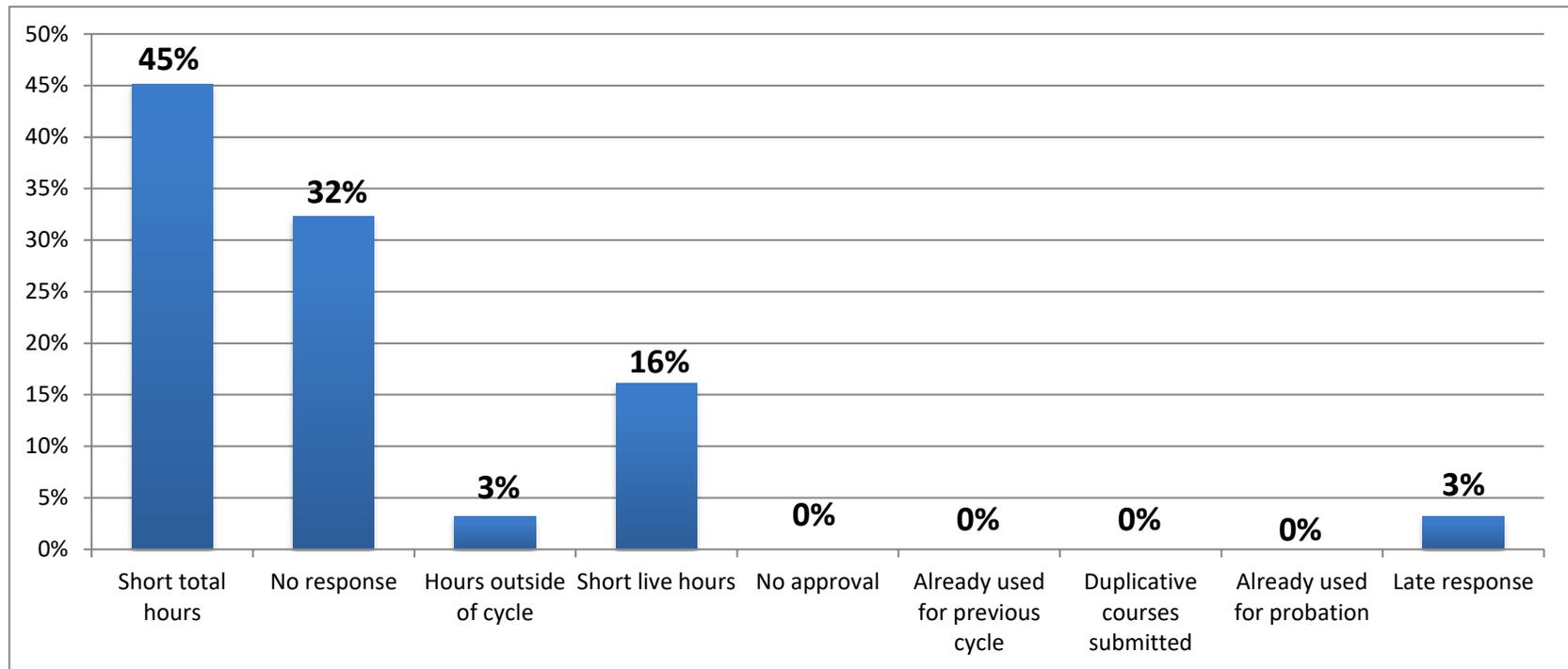
Continuing Education Audits January 2019 - December 2019

Month	Total # of Licensees Selected for Audit:	# Passed:	% Passed:	# Pending:	% Pending:	# Failed: (Referred to Citation & Fine Program)	% Failed:
January	15	14	93%	0	0%	1	7%
February	15	9	60%	0	0%	6	40%
March	17	15	88%	0	0%	2	12%
April	17	13	76%	0	0%	4	24%
May	20	14	70%	2	10%	4	20%
June	15	11	73%	0	0%	4	27%
July	16	15	94%	0	0%	1	6%
August	21	15	71%	2	10%	4	19%
September	23	17	74%	2	9%	4	17%
October	20	10	50%	9	45%	1	5%
November	21	4	19%	17	81%	0	0%
December	21	4	19%	17	81%	0	0%
Totals:	221	141	64%	49	22%	31	14%

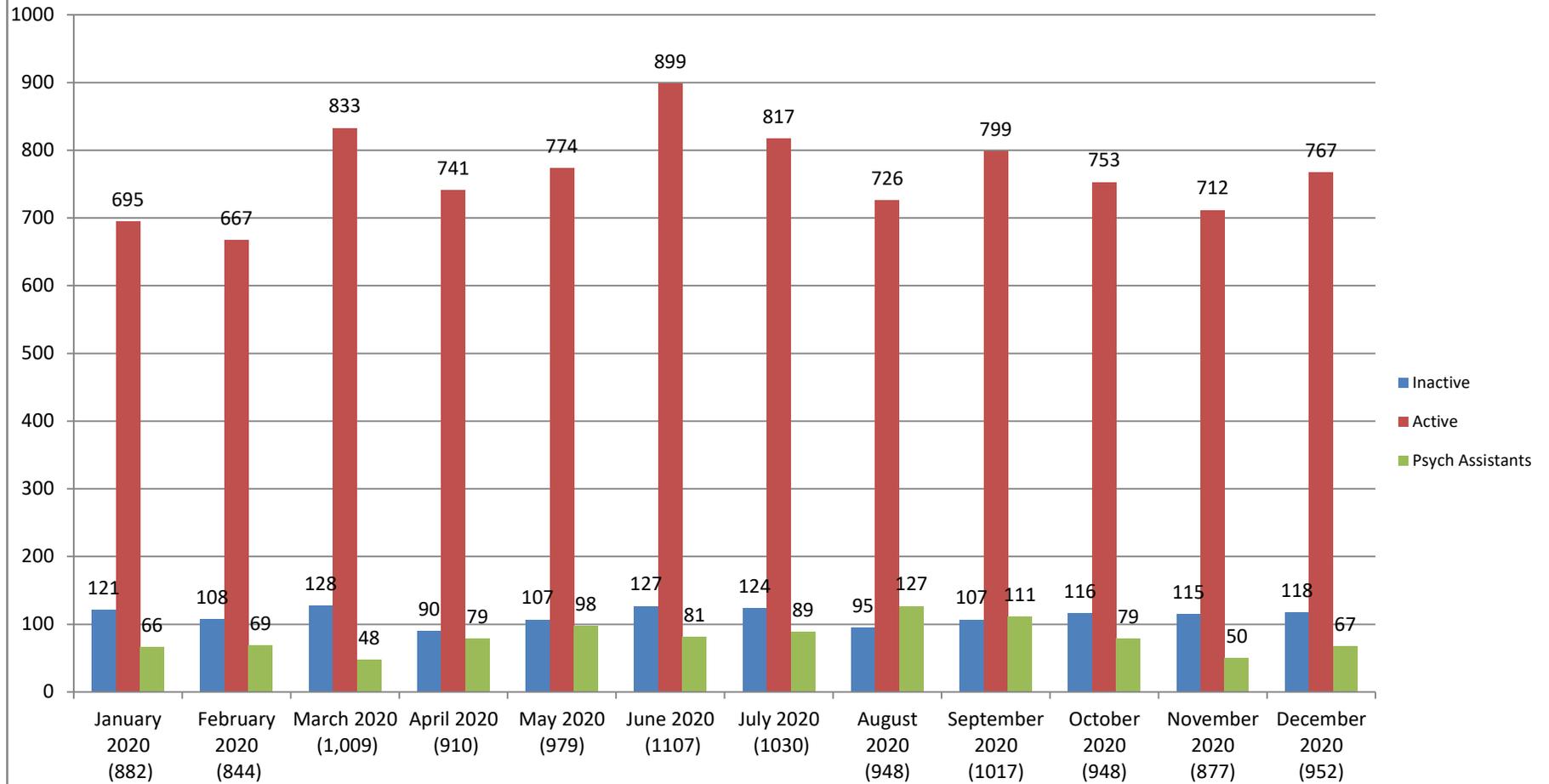
Total Audited	Total Passed	Total Failed	Total Pending	Total Upheld
221	141	31	49	0
	64%	14%	22%	0%

Reasons for Not Passing CE Audit

January 2019 - December 2019

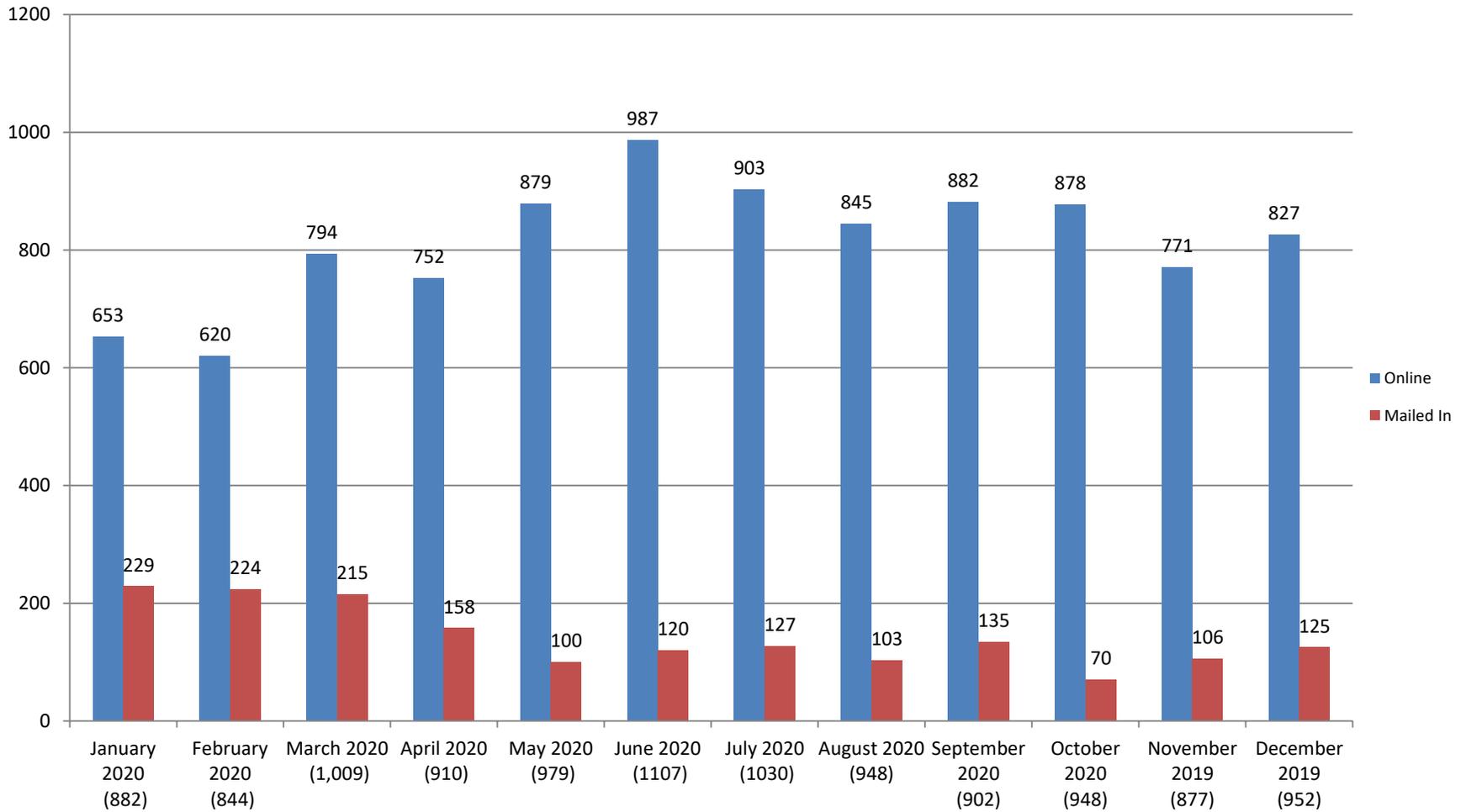


Psychologist and Psychological Assistant Renewal January 2020 - December 2020



An average of 958 renewal applications were processed each month, with an average of 765 Psychologists renewing as Active, and an average of 113 Psychologists renewing as Inactive. Additionally, an average of 80 Psychological Assistant renewal applications were processed each month.

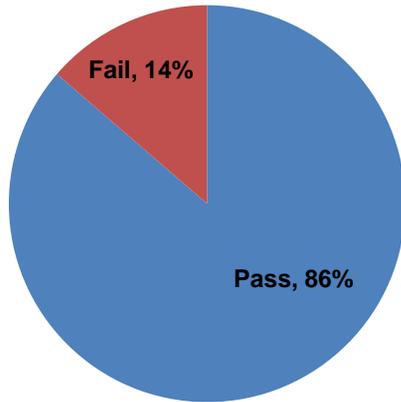
Online vs. Mailed In Renewals Processed January 2020 - December 2020



On average, 816 renewals were renewed online using BreEZe and an average 142 renewals were mailed in.

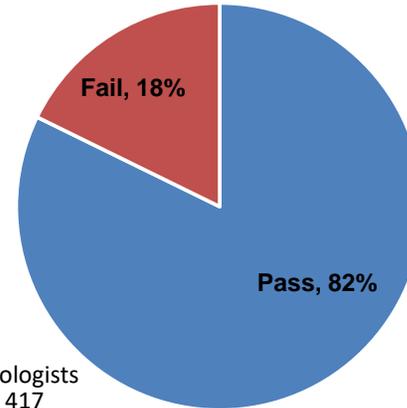
Pass and Fail Rate 2015 - 2018

2015



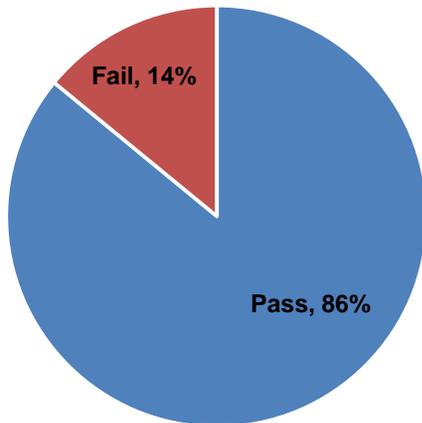
Of the 841 psychologists audited in 2015, 726 passed and 115 failed.

2016



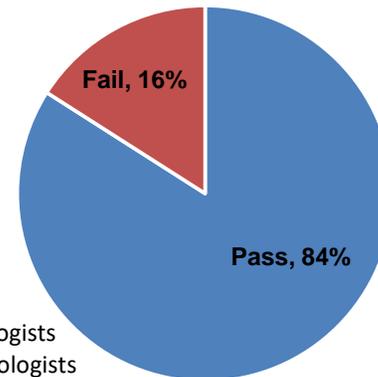
Of the 507 psychologists audited in 2016, 417 passed and 90 failed.

2017



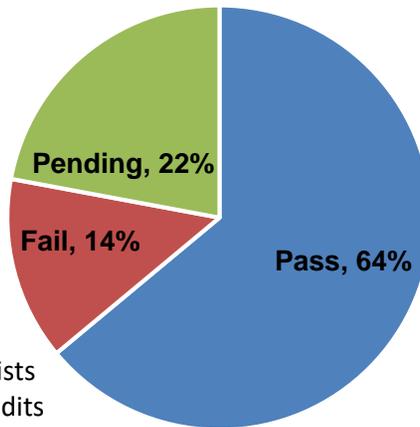
Of the 377 psychologists audited in 2017, 324 passed and 53 failed.

Pass and Fail Rate
2018



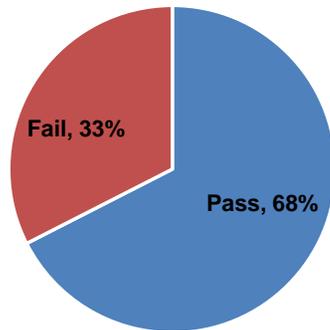
Of the 263 psychologists audited, 221 psychologists passed and 42 failed.

Pass and Fail Rate 2019



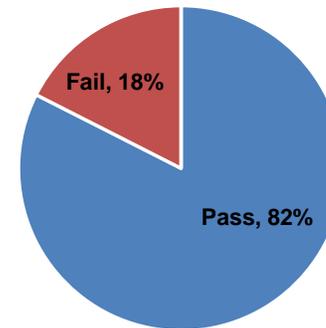
Of the 160 psychologists audited (January through September), 69 psychologists passed, 7 failed, and 84 audits are pending.

**Pass and Fail Rate for 2nd Audits
2016**



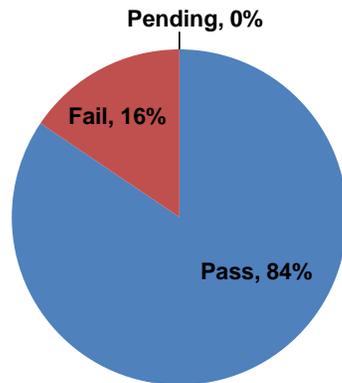
Of the 80 psychologists who had been audited for the second time, 54 passed and 26 failed.

**Pass and Fail Rates for 2nd Audits
2017**



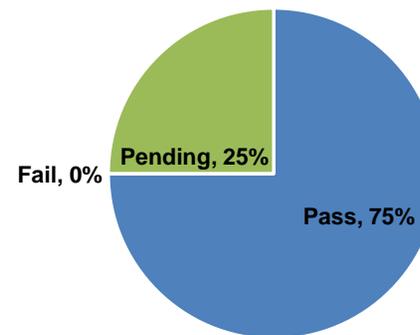
Of the 97 psychologists who had been audited for the second time, 80 passed and 17 failed.

**Pass and Fail Rate for 2nd Audits
2018**



Of the 45 psychologists who had been audited for the second time, 38 passed and 7 failed.

**Pass and Fail Rate for 2nd Audits
2019**



Of the 16 psychologists who had been audited for the second time 12 passed and 4 are pending.

MEMORANDUM

DATE	January 22, 2021
TO	Board of Psychology
FROM	Lavinia Snyder Examination Coordinator
SUBJECT	Agenda Item # 8 (e) (1) -Subject Matter Expert - Demographic Data for FY 2019/2020

Background

In 2017, the Board enacted improvements to the Board's recruitment of qualified SMEs by developing a standard SME application for the Board's California Psychology Laws and Ethics Examination development program. The new SME application not only clarified SME credentials, it provided SME demographics that identified the types of services performed; areas of expertise; work setting and location, type of practice and an optional race category.

The Board also widened the pool of SMEs from 500 to 1500 randomly selected licensees annually. We also increased our interested parties list by advertising in the Board's newsletter to encourage and promote SME participation. Last fiscal year generated 59 additional interested licensees. We currently have a total of 375 interested SMEs who wish to receive annual notification of all examination development workshops.

Overall, the implementation of the standard SME application streamlined the vetting process as well as provides the Board with demographic information of these experts.

For Fiscal Year 2019/2020, in conjunction with the Department of Consumer Affairs/Office of Professional Examination Services, the Board conducted a total of eight (8) workshops. They were as follows:

WORKSHOPS	WORKSHOP DATES
EXAM CONSTRUCTION	August 21 & 22, 2019
PASSING SCORE	September 25 & 26, 2019
ITEM WRITING	October 23 & 24, 2019
ITEM REVIEW	January 15 & 16, 2020
EXAM CONSTRUCTION	February 5 & 6, 2020
PASSNG SCORE	March 25 & 26, 2020
ITEM REVIEW	April 22 & 23, 2020
LINKAGE STUDY OF THE NATIONAL EXAM AND CA CPLEE	June 10 & 11, 2020

As a result of the COVID 19 pandemic, the Board cancelled workshops in March and April 2020. The Linkage Study of the National Exam workshop, initially scheduled for June 2020, was also cancelled but repurposed instead to a CPLEE Passing Score workshop. Repurposing the June workshop enabled the Board to implement a new exam version in July, allowing exam continuity for our candidates at the time of the pandemic.

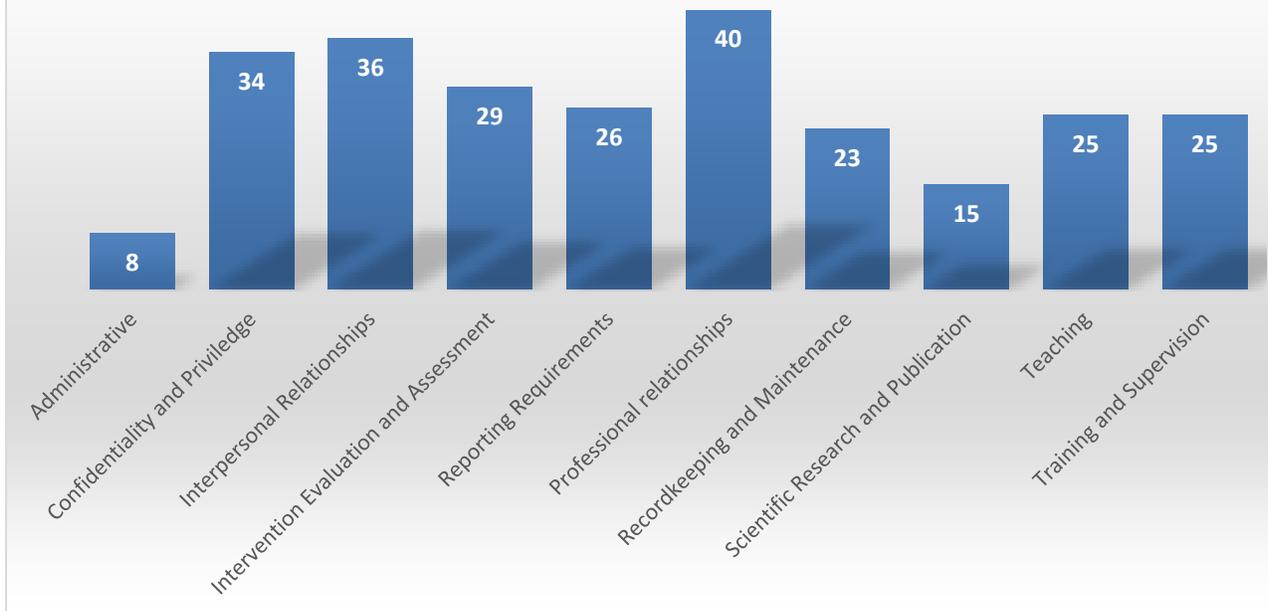
With the workshop cancellations and the reduction of participants (from 10 to 6), we only had a total of 55 SMEs as oppose to our usual 80 participants for fiscal year 2019/2020. The data presented below reflects information from those 55 participants gathered from their SME applications.

1. **Area of Practice:** This identifies total number of SMES who work in the areas of Health Service (HS) or General Applied (GA) Psychology or both.

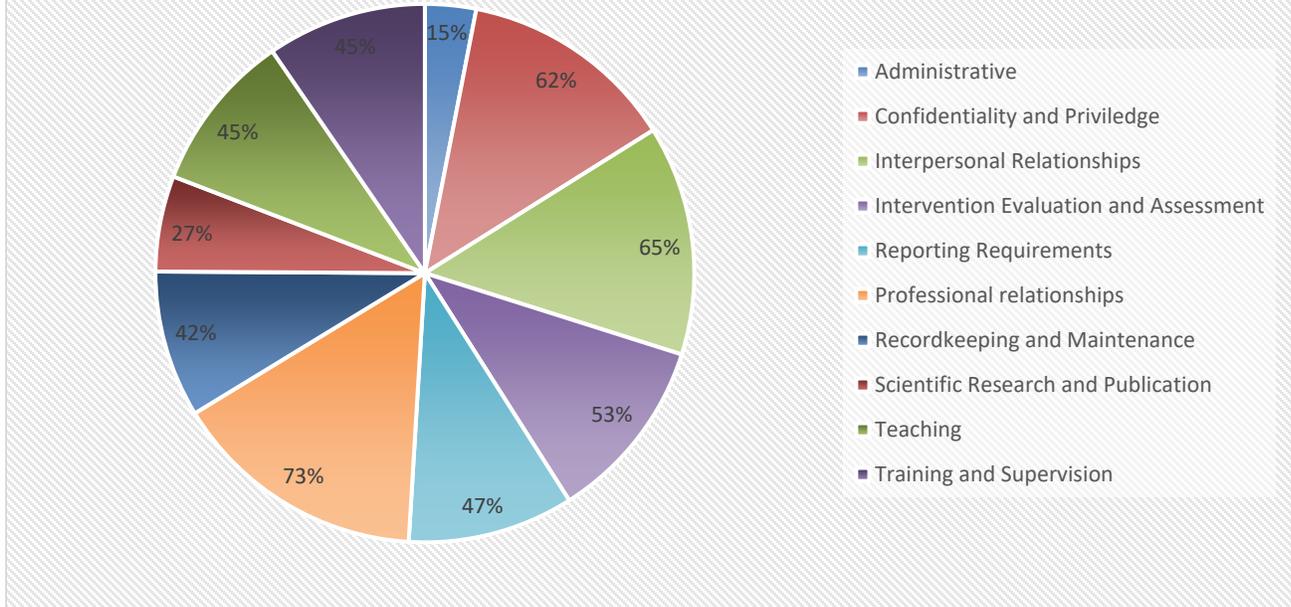
Health Service (HS)/General Applied (GA) Psychology	Count of Work setting
Both	23
GA	19
HS	11
(blank)	1

2. **Area of Knowledge in Laws and Ethics:** Describes the SMEs knowledge in Laws and Ethics. The graphs below represent the total number of SME responses in each area and the percentage of SMEs represented in each area.

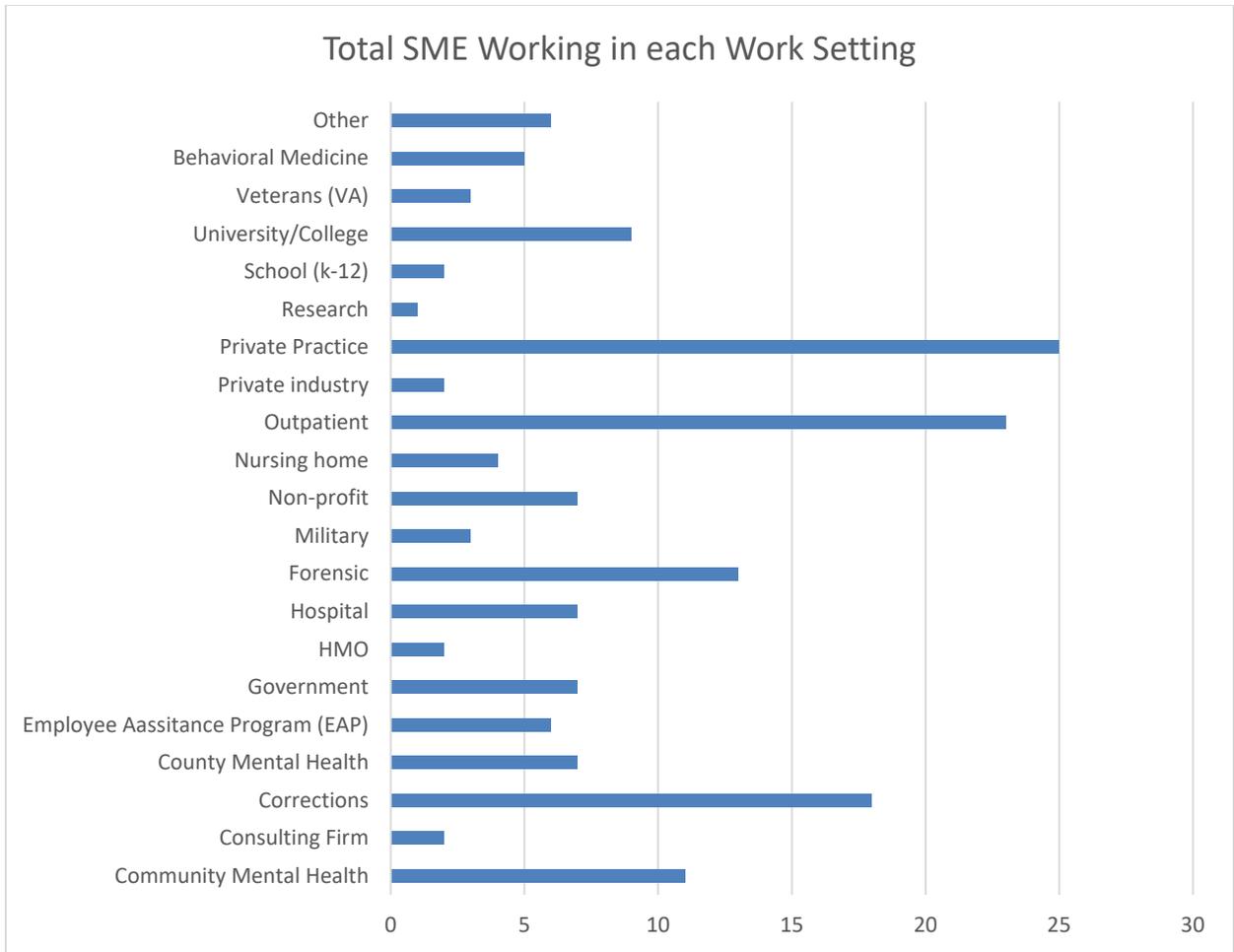
SMEs Knowledge in each Subject Matter Area



Percentage of SME Represented in each Subject Matter Area



3. **Type of Work Setting:** The table below provides the range of SMES providing services in single or multiple work settings.

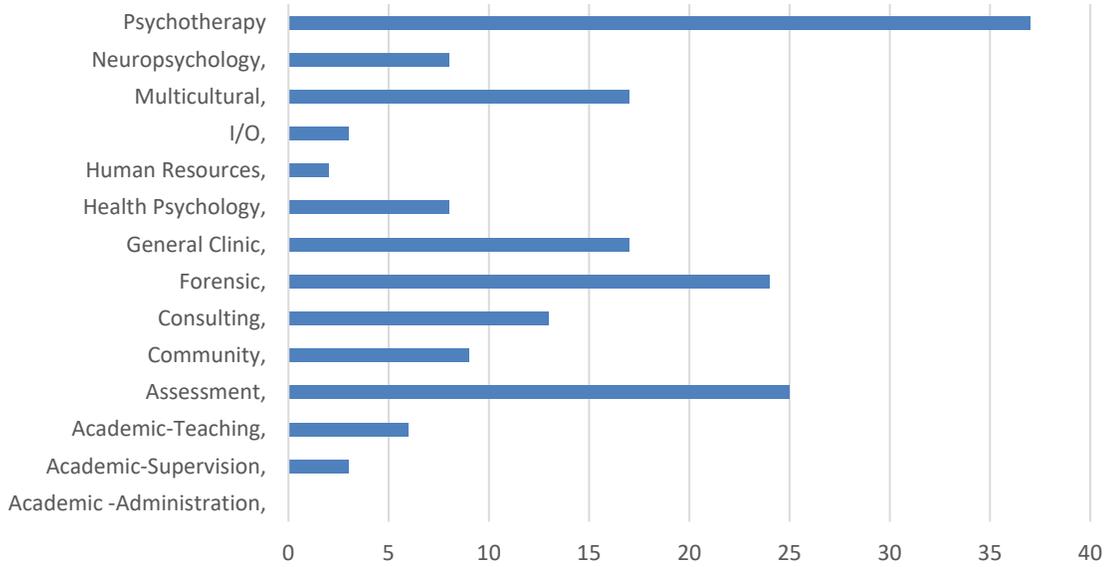


4. **Location of Work setting:** Describes the number of SMEs working in Urban, Rural or both areas.

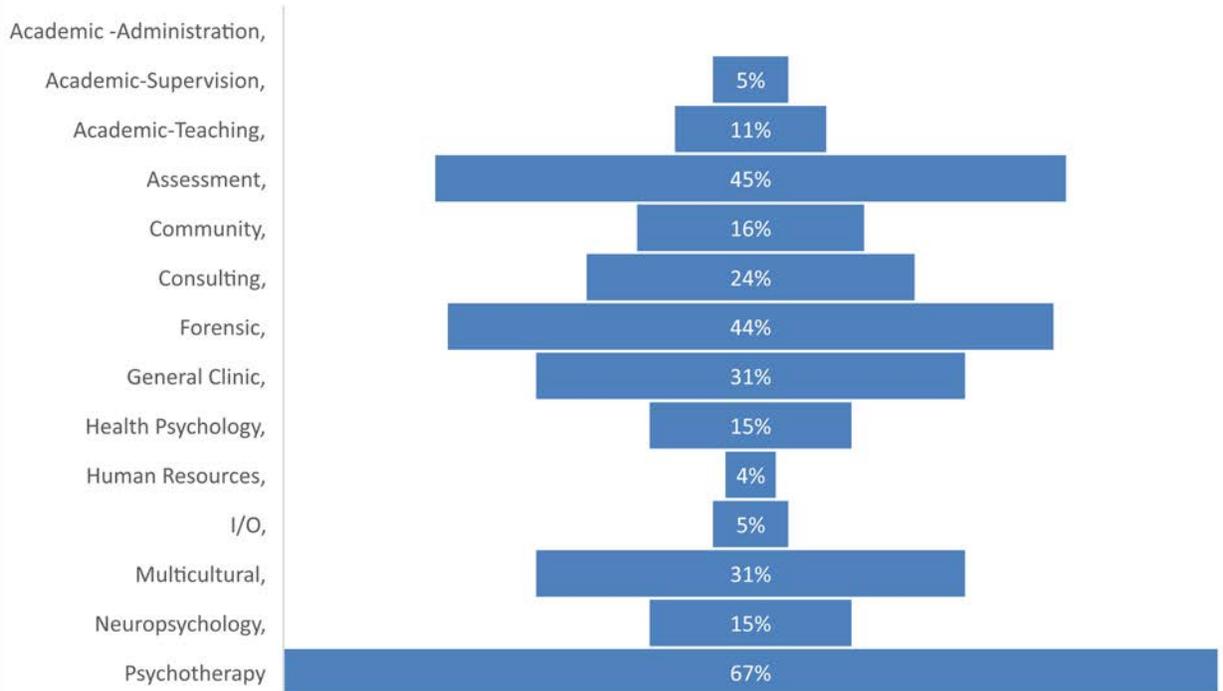
Location of work setting (Urban/Rural)	Count of Work setting
Both	2
Rural	6
Urban	35
(blank)	11

5. **Type of Practice:** The graphs below provide total number of SMEs in single or multiple fields of practice and the percentage of SMEs represented in each practice.

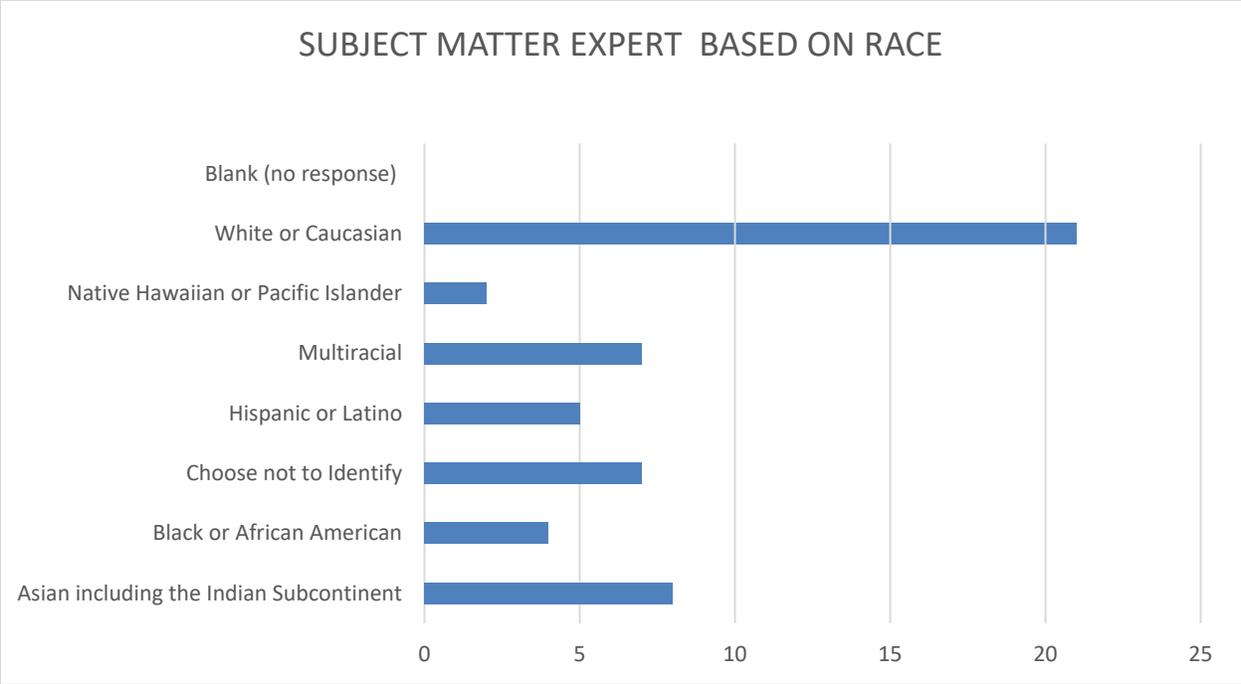
SUBJECT MATTER EXPERTS TYPE OF PRACTICE FOR FISCAL YEAR 2019/2020



Percentage of SMES Represented in each practice



6. **Race:** The graph represents SMEs and their ethnic background.



7. **Government:** Number of SMEs who currently work in government (i.e. any local, city, state or federal agencies).

Compliance to Government Code 19990 Attachment	Count of Compliance to Government Code 19990 Attachment
N/A	31
YES	24

Action:

No action required. This is for information purposes only.

MEMORANDUM

DATE	January 22, 2021
TO	Board of Psychology
FROM	Lavinia Snyder Examination Coordinator
SUBJECT	Agenda Item # 8 (e) (2) Examination Candidate Statistics

The COVID19 pandemic has affected test taking at both Pearson Vue and Psychological Services, Inc. (PSI) exam sites. Exam facilities had to adjust the administration of each exam to accommodate CDC and WHO guidelines. This resulted in exam facility shutdowns and exam scheduling/rescheduling issues.

Pearson Vue test centers closed their doors on March 19, 2020. Pearson Vue re-opened in early May 2020 and continues to work at half capacity. They continue to adhere to distancing guidelines and government guidance as well as safety protocols to ensure safety to our candidates. They have also opened 40 additional third-party test centers in the United States and in Canada to the network and have extended their work hours, especially in high demand areas.

In November and December 2020, as a result of the COVID-19 spike, Pearson Vue was required to reduce capacity to 20% to 25% in some exam sites. This resulted in exam cancellations and rescheduling.

PSI exam sites closed on March 20, 2020, as a result of the pandemic. However, since the Board was deemed an essential service PSI exam sites reopened in April 2020, at half capacity implementing safety protocols for exam staff and candidates. As of September 1, 2020, PSI, Inc. is at full capacity with strict safety protocols at each exam site. Despite the COVID-19 spike in November and December, PSI continues to operate at full capacity.

Despite the above setbacks, both Pearson Vue and PSI, Inc., continue to schedule exams. The collected data below reflects the number of approved applications versus exam candidates. The number of approved candidates is from application approvals processed by the Licensing unit. Exam candidate numbers are from candidates who have taken the EPPP and/or CPLEE examinations.

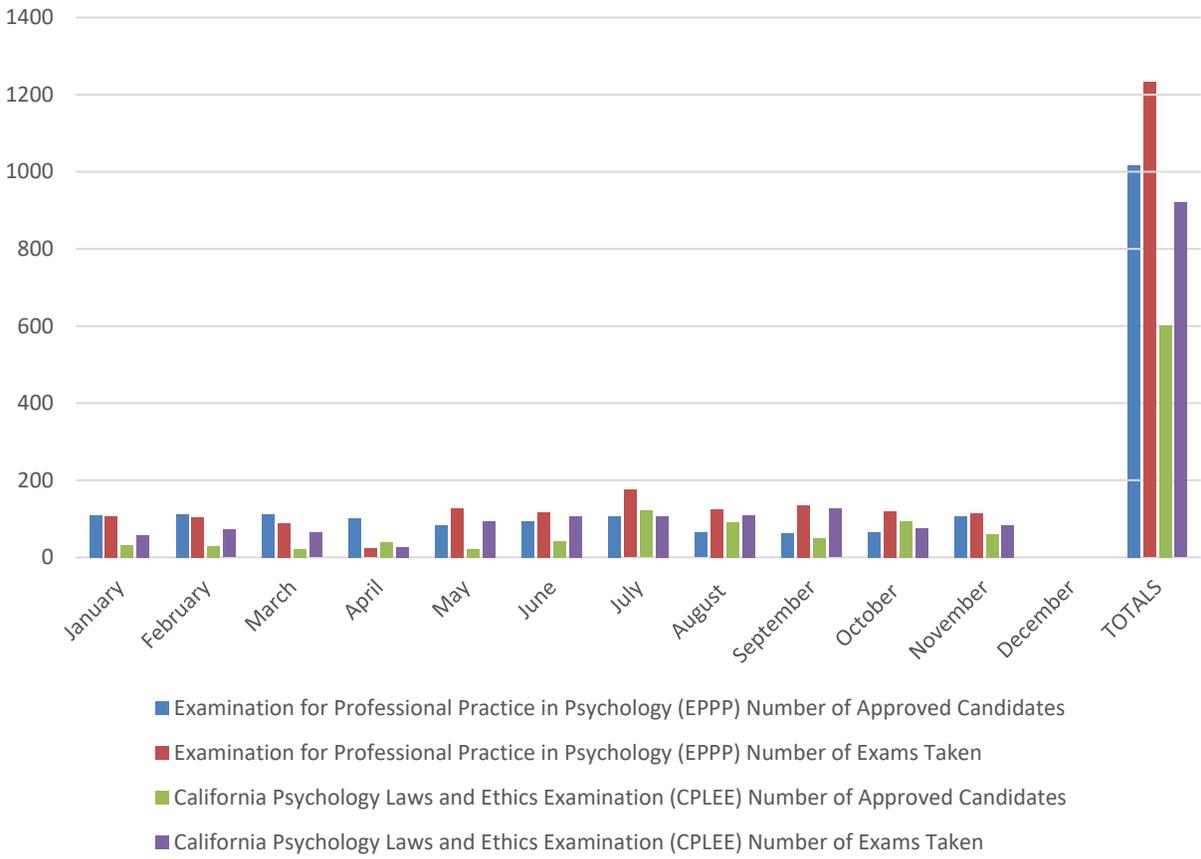
When reviewing the data, it is important to note the following:

- 1) The number of exam candidates reflects first time applicants and re-takes. These numbers will not always correlate with the number of application approvals.
- 2) Exam scheduling is an applicant's responsibility. The Board grants each candidate a year to schedule their exam from the date of their application approval. Board staff has no control over exam scheduling or when a candidate schedules their exam. Applicants

are instructed to directly call or visit the testing vendor's website to schedule their exam. Some candidates tend to schedule their exam immediately others may wait one, two or more months to study before taking the exam.

Approved Candidates Vs. Exam Candidates				
	Examination for Professional Practice in Psychology (EPPP)		California Psychology Laws and Ethics Examination (CPLÉE)	
Month	Number of Approved Candidates	Number of Exams Taken	Approved Candidates	Number of Exams Taken
January	110	107	31	58
February	112	103	30	72
March	111	89	22	64
April	101	23	39	26
May	84	127	21	93
June	94	117	42	106
July	107	175	121	106
August	64	124	91	110
September	63	134	50	126
October	65	119	93	75
November	107	114	61	84
December	87	122	61	87
TOTALS	1105	1354	662	1007

Approved Candidates Vs. Exam Candidates (graph)



MEMORANDUM

DATE	January 27, 2021
TO	Board of Psychology
FROM	Lavinia Snyder Examination Coordinator
SUBJECT	Agenda Item #8(e)(3) California Psychology Laws and Ethics Examination (CPLEE) Fee Increase

Background:

The current cost of the California Psychology Laws and Ethics Examination (CPLEE) is \$129.00 per candidate. The CPLEE examination fee is intended to cover the cost to the Board for the development and administration of the CPLEE.

The exam fee was established in October 22, 1998. The CPLEE was then called the California Oral Examination which was administered twice a year. In 2001, the Board restructured the State exam by eliminating the oral examination and replacing it with a computer-based-testing examination making the exam accessible to candidates six days a week. This change granted candidates the flexibility to schedule their own exam dates and times.

In 2015, the Board increased the development and administration of the CPLEE from two to four times per year (January, April, July, and October), allowing candidates the ability to re-take the CPLEE more frequently, if needed. All these innovative changes were implemented without any increase to the cost of the examination fee.

Between 2015 and 2019, a fee increase for this exam was not possible due to the substantial budgetary reversion the Board experienced at the end of each fiscal year. However, beginning fiscal year 2019-2020, the Board no longer had a substantial budgetary reversion to rely on. With the anticipated 10% PSI fee increase, staff conducted an analysis of the current costs for developing and administering the CPLEE versus the fee charged to examination candidates. The analysis demonstrated a need to increase the CPLEE examination fee to cover the cost of maintaining the CPLEE. A cost comparison of the CPLEE revenue and expenditures for the last three years is attached for review.

Below is the breakdown of the current CPLEE exam fee:

Exam fee/candidate (paid by the candidate to the Board)	\$129.00	covers the cost of exam development and administration of the CPLEE
PSI Fee /candidate (charged to the Board)	\$ 33.50	this does not include accommodation costs or expected 10% increase in 7/2021
Remaining fees (Used by the Board to pay for exam development)	\$ 95.50	The fee is applied to the cost of exam development, SME travel, per diem etc.

Anticipated PSI Fee increase without exam fee increase is as follows:

Exam fee/candidate (paid by the candidate to the Board)	\$129.00	covers the cost of exam development and administration of the CPLEE
PSI Fee /candidate (charged to the Board)	\$ 37.00	does not include accommodation costs.
Remaining Fees (Used by the Board to pay for exam development)	\$ 92.00	The fee is applied to the cost of exam development SME travel, per diem etc.

The reason for the increased costs is mainly due to the increased number of examinations from two (2) to four (4) in fiscal year (FY) 2015-16 and the associated increase to the development costs for additional examination versions. The exam fee of \$129.00 is really the cost to develop two exams not four. The Board was able to cover the cost of the additional two exams in 2015 because we had enough money in our budget available at the end of the fiscal year, available to cover the additional cost. Over the past three fiscal years, the Board subsidized the costs for the CPLEE by an average of approximately \$121,323.56 per fiscal year without any increase to the CPLEE exam fee. Below is the average cost breakdown absorbed by the Board.

Total Average Exam Cost:	\$273,500.56
Total amount reimbursed by applicant:	\$152,177.00
Difference absorbed by the Board:	\$121,323.56

If the Board approves the fee increase of \$235.20 per candidate. The average cost breakdown will be as follows:

Total Average Exam Cost:	\$ 273,500.56
Total Amount Reimbursed by Applicant:	\$ 277,457.00
Difference (money unspent/excess):	\$ 3,957.04 -

Although this leaves almost \$4,000 unspent, the surplus will change each year depending on how many people take the exam.

At the last Licensing Committee meeting, suggestions were made for possible alternatives to a fee increase. They are as follows:

- 1) Reduce the number of exams back to two annually and maintain the exam fee of 129.00 plus the PSI fee increase. This would reduce the total cost total to \$132.35 from \$235.20.
- 2) Contract another exam vendor to administer the CPLEE exam. Our current contract with PSI expires in December 2021. PSI's costs and services are negotiated by DCA with pricing based on anticipated utilization by most of DCA's programs. OPES/PSI provide an excellent support team to our Board. Contracting a different vendor does not guarantee a lower rate and the current seamless data interaction between the exam vendor (currently PSI), OPES, and BreEZe will suffer. In addition, a change in vendor will be very disruptive to our candidates due to the start of a new contract and may delay exams for qualified applicants.

Action

Staff requests the Board consider the exam fee increase and approve the amended regulatory language to ensure the costs of the examination are recouped by the applicant fees.

Attachments

Attachment A: Cost Comparison of CPLEE income and expenditure in the last three years.

Attachment B: Draft Regulatory Language of Section 1392 of the California Code of Regulations.

Attachment A: Cost Comparison of CPLEE income and expenditure in the last 3 years

California Psychology Laws and Ethics Examination (CPLEE)

EXAMINATION DEVELOPMENT COST PER FISCAL YEAR (EXPENDITURES)

FISCAL YEAR (Data collected from Previous Section 139)	Occupational Analysis Cost (once every 7 yrs)	Examination Development Cost (Yearly) Includes OPES and SMEs	Examination Administration Cost (Yearly)	Total Cost	Notes
2016/2017	\$0.00	\$134,095.57	\$142,553.13	\$276,648.70	Accounts for 2015-16 increase to 4 exams per year and accounts for AGPA position
2017/2018	\$0.00	\$127,499.17	\$144,901.50	\$272,400.67	
2018/2019	\$92,179.93	\$83,398.50	\$148,548.13	\$324,126.56	Cost increase due to OA. OAs are conducted once every seven years
Total Cost	\$92,179.93	\$344,993.24	\$436,002.76	\$873,175.93	
Average Total Cost/Year	\$13,168.56	\$114,997.75	\$145,334.25	\$273,500.56	

TOTAL NUMBER OF CANDIDATES AND EXAM FEE COLLECTED PER FISCAL YEAR (INCOME)

FISCAL YEAR (Data collected from previous Examination Statistics)	Total Exam Applicants	Multiply with exam fee (\$129.00)			
2016/2017	1100	\$141,900.00			
2017/2018	1173	\$151,317.00			
2018/2019	1266	\$163,314.00			
Total Number of Candidates For The Past three Years	3539	\$456,531.00			
Average Total Applicants/Year	1180				

Average Total Cost/year	Average Total Applicants/Year	RECOMMENDED EXAM FEE	Current Exam fee	Difference
\$273,500.56	1180	\$231.85	\$129.00	\$102.85
Total exam cost the Board should charge	\$231.85			
10% PSI fee increase effective July 2021	\$3.35			
TOTAL	\$235.20			

Attachment B: Draft Regulatory Language of Section 1392 of the California Code of Regulations

ARTICLE 6. Fees

§ 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~~235.20.

(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.

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

History

1. Amendment of subsections (a) and (b) filed 7-10-89; operative 8-9-89 (Register 89, No. 49). For prior history, see Register 83, No. 25.
2. New subsection (d) filed 12-1-89; operative 12-31-89 (Register 89, No. 49).
3. Amendment of subsection (c) filed 5-17-90; operative 6-16-90 (Register 90, No. 26).
4. Amendment of subsection (c) filed 5-24-91; operative 6-23-91 (Register 91, No. 27).
5. Amendment of subsections (b) and (c) and Note filed 6-14-93; operative 7-1-93 pursuant to Government Code section 113462(d) (Register 93, No. 25).
6. Amendment of subsection (c) filed 3-8-95; operative 4-7-95 (Register 95, No. 10).
7. Amendment of subsection (b) and Note filed 3-24-97; operative 4-23-97 (Register 97, No. 13).
8. Amendment of subsection (b) filed 10-22-98; operative 11-21-98 (Register 98, No. 43).
9. Amendment of subsections (b) and (c) filed 2-14-2000; operative 3-15-2000 (Register 2000, No. 7).
10. Amendment of subsection (b) filed 4-5-2001; operative 5-5-2001 (Register 2001, No. 14).
11. Repealer of subsections (b)-(c), new subsections (b)-(e) and subsection relettering 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.
12. Certificate of Compliance as to 12-19-2001 order transmitted to OAL 1-8-2002 and filed 2-20-2002 (Register 2002, No. 8).
13. Repealer of subsection (b) and subsection relettering filed 2-11-2003; operative 3-1-2003 pursuant to Government Code section 11343.4 (Register 2003, No. 7).
14. Amendment of subsection (b) filed 5-12-2006; operative 5-12-2006 pursuant to Government Code section 11343.4 (Register 2006, No. 19).
15. New subsection (c), subsection relettering and amendment of newly designated subsection (e) filed 4-1-2008; operative 4-1-2008 pursuant to Government Code section 11343.4 (Register 2008, No. 14).
16. Repealer of subsection (b), subsection relettering and amendment of newly designated subsection (c) filed 6-10-2015; operative 7-1-2015 pursuant to Government Code section 11343.4(b) (3) (Register 2015, No. 24).

MEMORANDUM

DATE	January 28, 2021
TO	Board Members
FROM	Stephanie Cheung Licensing Manager
SUBJECT	Agenda Item 8(h) – Psychological Assistant (PSB) #1 Consideration of Licensure Committee Recommendations Regarding Requests for an Extension of the 72-Month Registration Period Limitation for Registered Psychological Assistant Pursuant to Section 1391.1(b) of Title 16 of the California Code of Regulations

Background:

California Code of Regulations (CCR), Title 16, section 1391.1 provides in part:

(b) Registration as a psychological assistant shall be limited to a cumulative total of six years (72 months). Each registration shall be subject to annual renewal pursuant to section 1391.12.

For any psychological assistant registered prior to the effective date of this subdivision, subsequent renewals or registrations shall be limited to a cumulative total of six years (72 months) from the date of the psychological assistant's next registration or renewal, whichever occurs first.

Upon showing of good cause as determined by the Board, these specified time limitations may be reasonably modified.

PSB #1 – Request for a 12-month Extension of the 72-Month Registration Period

PSB #1 was issued a psychological assistant registration on February 19, 2014 and it was set to expire on May 7, 2020 according to the 72-month limitation for a psychological assistant registration. PSB #1 was granted a 6-month extension under the PSY 20-02 Waiver on May 6, 2020 and the registration was expired on November 7, 2020.

PSB #1 reported a total of 4,112 hours of post-doctoral supervised professional experience (SPE) from February 19, 2019 and November 7, 2020. PSB #1 was approved to take the Examination for Professional Practice in Psychology (EPPP) on November 24, 2020.

PSB #1 is requesting for an extension because of the impacts of the COVID-19 pandemic which has affected PSB #1's trajectory to take the EPPP as a result of examination sites temporarily closing down.

PSB #1 explained the desperate need to continue providing psychological services in order to continue helping PSB #1 clients, who many have been severely impacted by the pandemic.

Furthermore, PSB #1 stated financial concerns such as PSB #1 is the main provider for PSB #1's family while going through a divorce and caring for PSB #1's elderly mother.

Attachment:

A: Letter of Request

Action Requested:

Review and consider the Licensure Committee's recommendation to approve the additional 6-month extension request beyond the 78-month limitation provided by the PSY-20-02 waiver.

Xiong, Mai@DCA

From: [REDACTED]
Sent: Wednesday, April 29, 2020 5:45 PM
To: DCA, BOPLicensing@DCA
Subject: 72 Month Registration Extension

[EXTERNAL]: [REDACTED]

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NEVER: provide credentials on websites via a clicked link in an Email.

[REDACTED] PhD
BOP Registration # [REDACTED]
Extension Request: 1 year
Reason: COVID-19 Pandemic

I am requesting an extension of 1 year for my psychological assistant registration which expires on May 7, 2020. Due to the COVID-19 pandemic, my trajectory for taking the EPPP has been completely dismantled. I planned on scheduling the exam when COVID-19 caused examination sites to cease administration. Availability of official testing opportunities were diminished. I am in desperate need of continuing my psychological assistantship in order to continue helping the individuals with whom I have developed a clinical relationship and pay for the EPPP. Many of my patients have been severely impacted by the COVID-19 pandemic and will potentially be harmed by abruptly ending therapy. The instability which COVID-19 has inflicted on the world has and will certainly lead to huge psychological disruption for my patients. Continuing my psychological assistant registration will reduce patient harm by allowing therapy to continue. In addition to commitment to patient care and EPPP fee/scheduling, personal issues also impact the critical need of continuing psychological assistant registration. I am the sole financial support for my family, going through a divorce, and care for my elderly and ailing mother. An extension of my psychological assistant registration will allow me to continue supporting my family during this personally and publically unprecedented time of extreme upheaval. Thank you for your time and consideration in this very important matter.

Sincerely,

[REDACTED] PhD
[REDACTED] Ca
Email: [REDACTED]
Cell: [REDACTED]

MEMORANDUM

DATE	January 28, 2021
TO	Board Members
FROM	Stephanie Cheung Licensing Manager
SUBJECT	Agenda Item 8(h) – Psychological Assistant (PSB) #2 Consideration of Licensure Committee Recommendations Regarding Requests for an Extension of the 72-Month Registration Period Limitation for Registered Psychological Assistant Pursuant to Section 1391.1(b) of Title 16 of the California Code of Regulations

Background:

California Code of Regulations (CCR), Title 16, section 1391.1 provides in part:

(b) Registration as a psychological assistant shall be limited to a cumulative total of six years (72 months). Each registration shall be subject to annual renewal pursuant to section 1391.12.

For any psychological assistant registered prior to the effective date of this subdivision, subsequent renewals or registrations shall be limited to a cumulative total of six years (72 months) from the date of the psychological assistant's next registration or renewal, whichever occurs first.

Upon showing of good cause as determined by the Board, these specified time limitations may be reasonably modified.

PSB #2 – Request for a 24-Month Extension of the 72-Month Registration Period

PSB #2 was issued a total of four psychological assistant registrations with the first registration issued on February 9, 1999. All four registrations have since expired or cancelled. PSB #2's most recent registration was issued on April 11, 2016 and expired on March 8, 2020 according to the 72-month limitation for a psychological assistant registration.

PSB #2 has not applied for psychologist licensure at this time.

PSB #2 is requesting for an extension because PSB #2 is treating a large variety of clients and explained that it would be unethical to abruptly discontinue their care, especially during the COVID-19 pandemic.

On May 8, 2020, staff notified PSB #2 that under the Board's Waiver PSY 20-02, PSB #2 has been granted a 6-month extension approval for the psychological assistant

registration. The expiration date for PSB #2 registration has been revised to September 8, 2020.

On December 14, 2020, PSB #2 reported a total of 2,000 hours of post-doctoral Supervised Professional Experience (SPE) accrued from January 1, 2020 to December 11, 2020. The Board notified PSB #2 of potential unlicensed practice since the Verification of Experience (VOE) form indicated SPE accrued with a completion date of "December 11, 2020," and PSB #2's revised registration expiration date under the PSY 20-02 Waiver is September 8, 2020. PSB #2 stated that PSB #2 has accrued more SPE hours in the previous years in addition to the reported 2,000 hours of SPE. However, PSB #2 has not submitted the VOE forms to the Board for the additional SPE accrued.

There is an outstanding 18-month extension from PSB #2's initial request of a 2-year extension.

Attachment:

A: Letter of Request

Action Requested:

Review and consider the Licensure Committee's recommendation to deny the additional 18-month extension request beyond the 78-month limitation provided by the PSY-20-02 waiver.

Xiong, Mai@DCA

From: [REDACTED]
Sent: Sunday, May 3, 2020 1:15 PM
To: DCA, BOPLicensing@DCA
Subject: Requesting an extension (Stephanie Cheung)

[EXTERNAL]: [REDACTED]

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Stephanie Cheung,

I have been treating a large variety of clients including those that have been diagnosed with PTSD and adults that have been abused as children. It would be unethical to abruptly discontinue their care after they have established tremendous rapport and trust with me. It could be dangerous, devastating and could lead to a major decline in their mental health.

Especially during our current pandemic, it would be unethical to discontinue client's care without following ample steps.

I am requesting an extension of my psychological assistant registration until March 2022.

Thank you in advance for your attention, understanding and cooperation regarding this matter.

Respectfully,

[REDACTED]
Psychological Assistant [REDACTED]

MEMORANDUM

DATE	January 28, 2021
TO	Board Members
FROM	Stephanie Cheung Licensing Manager
SUBJECT	Agenda Item 8(h) – Psychological Assistant (PSB) #3 Consideration of Licensure Committee Recommendations Regarding Requests for an Extension of the 72-Month Registration Period Limitation for Registered Psychological Assistant Pursuant to Section 1391.1(b) of Title 16 of the California Code of Regulations

Background:

California Code of Regulations (CCR), Title 16, section 1391.1 provides in part:

(b) Registration as a psychological assistant shall be limited to a cumulative total of six years (72 months). Each registration shall be subject to annual renewal pursuant to section 1391.12.

For any psychological assistant registered prior to the effective date of this subdivision, subsequent renewals or registrations shall be limited to a cumulative total of six years (72 months) from the date of the psychological assistant's next registration or renewal, whichever occurs first.

Upon showing of good cause as determined by the Board, these specified time limitations may be reasonably modified.

PSB #3 – Request for an 8-month Extension of the 72-Month Registration Period

PSB #3 was issued a total of four psychological assistant registrations with the first registration issued on November 5, 2013. PSB #3's most recent registration was issued on February 11, 2016 and expired on July 18, 2020 according to the 72-month limitation for a psychological assistant registration.

PSB #3 stated that due to the COVID-19 pandemic causing a limitation of work, PSB #3 is experiencing difficulties completing the post-doctoral Supervised Professional Experience (SPE) hours required for licensure prior to the 72-month limitation for psychological assistant pursuant to CCR, Title 16, section 1391.1.

PSB #3 was credited 1,500 hours of pre-doctoral supervised professional experience (SPE) accrued from November 11, 2013 to October 31, 2014. PSB #3 reported a total of 3,378 hours of post-doctoral SPE accrued from December 10, 2018 to June 30, 2020.

The Board's record shows that PSB #3 was approved to take the EPPP on June 16, 2020 but has not taken the examination yet.

On July 8, 2020, staff notified PSB #3 of a tentative approval of a 6-month extension to PSB #3's registration under the PSY 20-02 Waiver. The expiration date for PSB #3 registration has been revised to January 18, 2021.

On December 15, 2020, PSB #3 expressed concerns that the entirety of the post-doctoral SPE hours accrued and pending for review may not be credited for licensure. PSB #3 revised the length of extension from 7-month to 8-month for adequate time to accrue post-doctoral SPE hours if necessary.

On January 14, 2021, the Board has approved PSB #3 for a total of 3,333 post-doctoral SPE. PSB #3 has met the SPE requirement toward licensure.

Attachment:

A: Letter of Request

Action Requested:

Review and consider the Licensure Committee's recommendation to approve the additional 2-month extension request beyond the 78-month limitation provided by the PSY-20-02 waiver.

Xiong, Mai@DCA

From: [REDACTED]
Sent: Sunday, May 10, 2020 3:45 PM
To: DCA, BOPRenewals@DCA; Bailey, Tammey@DCA; DCA, BOPLicensing@DCA
Subject: Request of extension to the 72-months Psychological assistant # [REDACTED]

[EXTERNAL]: [REDACTED]

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Dear Board of psychology renewal staff,
I hope you are well. I am writing to request to extend my psychological assistant. Due to the current pandemic COVID-19 I am facing problem to complete my post doctoral hours by the end of my psychological assistant expiration date (July 18, 2020). According to the board my 72 months will be over by July 2020, however, I would not be able to finish my hours by that time due to the limitation of the work and current pandemic. I would like to request for my time to be extended until February 2021, to be able to finish my post doctoral hours. I appreciate in advance for your fair consideration and assistance regarding this matter.
Best Regards,

[REDACTED]
Registered psychological assistant
PSB # [REDACTED]
cell: [REDACTED]

MEMORANDUM

DATE	January 28, 2021
TO	Board Members
FROM	Stephanie Cheung Licensing Manager
SUBJECT	Agenda Item 8(h) – Psychological Assistant (PSB) #4 Consideration of Licensure Committee Recommendations Regarding Requests for an Extension of the 72-Month Registration Period Limitation for Registered Psychological Assistant Pursuant to Section 1391.1(b) of Title 16 of the California Code of Regulations

Background:

California Code of Regulations (CCR), Title 16, section 1391.1 provides in part:

(b) Registration as a psychological assistant shall be limited to a cumulative total of six years (72 months). Each registration shall be subject to annual renewal pursuant to section 1391.12.

For any psychological assistant registered prior to the effective date of this subdivision, subsequent renewals or registrations shall be limited to a cumulative total of six years (72 months) from the date of the psychological assistant's next registration or renewal, whichever occurs first.

Upon showing of good cause as determined by the Board, these specified time limitations may be reasonably modified.

Psychological Assistant (PSB) #4 – Request for a 12-month Extension of the 72-Month Registration Period

PSB #4 was issued a total of two psychological assistant registrations with the first registration issued on October 17, 2011 and expired July 14, 2012. PSB #4's most recent registration was issued on May 31, 2016 and expired on June 8, 2020 according to the 72-month limitation for a psychological assistant registration. PSB #4 was issued a registered psychologist registration on November 19, 2013 and expired on May 31, 2016.

PSB #4 reported a total of 3,036 hours of post-doctoral Supervised Professional Experience (SPE) accrued from October 17, 2011 to February 9, 2013 and has met the SPE requirement towards licensure.

PSB #4 is requesting for an extension due to the impacts of the COVID-19 pandemic. PSB #4 was approved to take the Examination for Professional Practice in Psychology

(EPPP) on March 10, 2020 and stated that due to the shutdown happening shortly after PSB #4's EPPP approval, PSB #4 was unable to schedule to take the EPPP.

The Board's record shows that PSB #4 has taken the EPPP a total of three times. Below are the dates for each attempt:

- March 29, 2013
- May 11, 2015
- September 18, 2015

PSB #4 was granted a 6-month extension under the PSY 20-02 Waiver on June 23, 2020 and the registration was expired on December 8, 2020.

There is an outstanding 6-month extension from PSB #4's initial request of a 12-month extension.

Attachment:

A: Letter of Request

Action Requested:

Review and consider the Licensure Committee's recommendation to deny the additional 6-month extension request beyond the 78-month limitation provided by the PSY-20-02 waiver.

Xiong, Mai@DCA

From: [REDACTED]
Sent: Sunday, June 7, 2020 11:56 AM
To: DCA, BOPLicensing@DCA
Cc: [REDACTED]
Subject: 72-month limitation ffor psychological assistant registration Extension request

[EXTERNAL]: [REDACTED]

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I am requesting a 12 month extension for registration due to the Covid-19 pandemic and the shut down of EPPP testing sights. I was cleared to take testing at the middle of March, before the ending of my registration, and shortly after being approved the state went into a shut down leaving me unable to schedule to take the EPPP testing. The pandemic has caused there to be a lot to get adjusted to professionally and personally. I am requesting this extension to offset the current unpredictable circumstance. Please advise me if you need more information to make your determination.

Thank-you.

MEMORANDUM

DATE	January 28, 2021
TO	Board Members
FROM	Stephanie Cheung Licensing Manager
SUBJECT	Agenda Item 8(h) – Psychological Assistant (PSB) #5 Consideration of Licensure Committee Recommendations Regarding Requests for an Extension of the 72-Month Registration Period Limitation for Registered Psychological Assistant Pursuant to Section 1391.1(b) of Title 16 of the California Code of Regulations

Background:

California Code of Regulations (CCR), Title 16, section 1391.1 provides in part:

(b) Registration as a psychological assistant shall be limited to a cumulative total of six years (72 months). Each registration shall be subject to annual renewal pursuant to section 1391.12.

For any psychological assistant registered prior to the effective date of this subdivision, subsequent renewals or registrations shall be limited to a cumulative total of six years (72 months) from the date of the psychological assistant's next registration or renewal, whichever occurs first.

Upon showing of good cause as determined by the Board, these specified time limitations may be reasonably modified.

PSB #5 – Request for an 8-month Extension of the 72-Month Registration Period

PSB #5 was issued a psychological assistant registration on April 7, 2015 and is set to expire on April 7, 2021 according to the 72-month limitation for a psychological assistant registration.

PSB #5 has accrued more than 3,000 hours of Supervised Professional Experience (SPE) by June 2018 and has met the SPE requirement towards licensure.

PSB #5 is requesting an extension due to financial concerns and stated that it will be difficult to transfer a large caseload of patients. Therefore, PSB #5 is requesting an extension request in advance for adequate time to transfer patients if the extension request is to be denied.

PSB #5 is determined to become licensed before reaching the 72-month limitation for psychological assistant pursuant to the CCR, Title 16, section 1391.1. However, PSB #5

stated that PSB #5 has been struggling to pass the Examination for Professional Practice in Psychology (EPPP) and as a result of the COVID-19 pandemic, there has been a delay in scheduling to retake the EPPP.

PSB #5 has taken the EPPP three times. Below are the dates for each attempt:

- April 14, 2018
- September 4, 2018
- November 23, 2020

Attachment:

A: Letter of Request

Action Requested:

Review and consider the Licensure Committee's recommendation to approve the 8-month extension request of the 72-month limitation for the psychological assistant registration.

Xiong, Mai@DCA

From: [REDACTED]
Sent: Tuesday, June 30, 2020 10:08 AM
To: DCA, BOPLicensing@DCA
Subject: Extension to the 72-month registration limitation period of a psychological assistant

[EXTERNAL]: [REDACTED]

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To Whom it May Concern:

I am writing you in regards to extending my current psychological assistant registration which will expire in April of 2021. I have been done with my hours for quite some time, but my current full time job where I receive my income is where I am practicing as a psychological assistant. I have really been struggling with passing my EPPP and have taken every course and have every study material item you can think of. I am currently scheduled to take it again at the end of September, and due to COVID-19, all the time slots were taken due to others who had their tests cancelled and re-scheduled at the testing sites, otherwise I would have taken it sooner. My hours have also been significantly reduced due to the pandemic.

I am respectfully asking to receive an extension so I can continue to work and have an income in this expensive state of California until I can get licensed (the hope is still before April). I also have a large caseload of patients that will be difficult to transfer and it would be very disruptive to their treatment. I am asking for an extension until the end of the year of 2021 (8 additional months) in the case that I do not obtain licensure prior to April when my registration is set to expire.

I respectfully ask that you consider extending my registration and would be happy to answer any additional questions. Thank you so much for your time and consideration. Stay safe!

[REDACTED]
[REDACTED]

MEMORANDUM

DATE	January 28, 2021
TO	Board Members
FROM	Stephanie Cheung Licensing Manager
SUBJECT	Agenda Item 8(h) – Psychological Assistant (PSB) #6 Consideration of Licensure Committee Recommendations Regarding Requests for an Extension of the 72-Month Registration Period Limitation for Registered Psychological Assistant Pursuant to Section 1391.1(b) of Title 16 of the California Code of Regulations

Background:

California Code of Regulations (CCR), Title 16, section 1391.1 provides in part:

(b) Registration as a psychological assistant shall be limited to a cumulative total of six years (72 months). Each registration shall be subject to annual renewal pursuant to section 1391.12.

For any psychological assistant registered prior to the effective date of this subdivision, subsequent renewals or registrations shall be limited to a cumulative total of six years (72 months) from the date of the psychological assistant's next registration or renewal, whichever occurs first.

Upon showing of good cause as determined by the Board, these specified time limitations may be reasonably modified.

PSB #6 – Request for a 9-12 Months Extension of the 72-Month Registration Period

PSB #6 was issued a total of four psychological assistant registrations. Below is a list of the number of registrations with the registration's issuance and expiration dates:

PSB Registration	Issued Date	Expiration Date
Registration #1	August 3, 2009	May 28, 2012
Registration #2	May 4, 2010	May 4, 2012
Registration #3	September 19, 2013	September 19, 2014
Registration #4	June 30, 2015	June 17, 2020

PSB #6 has accrued more than 3,000 hours of Supervised Professional Experience (SPE) by September 2015 and has met the SPE requirement towards licensure.

From the Board's record, PSB #6 has taken the Examination for Professional Practice in Psychology (EPPP) on May 27, 2017 and January 8, 2018 but failed to pass the examination. PSB #6 was approved to retake the EPPP on November 19, 2020.

PSB #6 is requesting for an extension due to needing more time to pass the required examinations for licensure and stated that test taking has been difficult for PSB #6 due to learning disabilities.

PSB #6 was approved for several examination accommodations. On February 16, 2018 PSB #6 was approved to receive extended time. On May 23, 2019, PSB #6 was approved to receive the examination with increased font size. Both examination accommodations aforementioned were expired on May 23, 2020. PSB #6 was recently approved on December 16, 2020 for extended time to take the examination.

On August 13, 2020, staff notified PSB #6 that under the Board's Waiver PSY 20-02, PSB #6 has been granted a 6-month extension approval for the psychological assistant registration. The expiration date for PSB #6's registration has been revised to December 17, 2020.

Attachment:

A: Letter of Request

Action Requested:

Review and consider the Licensure Committee's recommendation to deny the additional 3-6 month extension request beyond the 78-month limitation provided by the PSY-20-02 waiver.

Xiong, Mai@DCA

From: [REDACTED]
Sent: Monday, August 3, 2020 12:26 PM
To: DCA, BOPLicensing@DCA
Subject: Extension 72 month psych assistant

[EXTERNAL]: [REDACTED]

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Good afternoon,

I am writing to request an extension on my psych assistant number Like all of us I have been under enormous stress and pressure. In March I got sick with what my doctor is sure was Covid. At the time it was advised that I do not get tested, so I stayed home to recuperate. Many months later I am still dealing with symptoms that can not be medically treated but I have been reassured in time will dissipate.

In the meantime I have been swamped with new clients and volunteering my time with people who can not afford mental health treatment. I am doing the best I can to make a living, recoup from being sick and deal with my EPPP test studies which had to be put aside to focus on my health.

I am asking the BOP to please consider giving me more time to pass this exam by extending my psych assistant number. I acknowledge that it has taken me this entire time but I am also dealing with learning disabilities which make test taking extremely difficult for me.

I love being a therapist and I love helping people.

Thank you in advance for you kind attention to this matter.

Sincerely,

[REDACTED]
[REDACTED]

PSB [REDACTED]

MEMORANDUM

DATE	January 28, 2021
TO	Board Members
FROM	Stephanie Cheung Licensing Manager
SUBJECT	Agenda Item 8(h) – Psychological Assistant (PSB) #7 Consideration of Licensure Committee Recommendations Regarding Requests for an Extension of the 72-Month Registration Period Limitation for Registered Psychological Assistant Pursuant to Section 1391.1(b) of Title 16 of the California Code of Regulations

Background:

California Code of Regulations (CCR), Title 16, section 1391.1 provides in part:

(b) Registration as a psychological assistant shall be limited to a cumulative total of six years (72 months). Each registration shall be subject to annual renewal pursuant to section 1391.12.

For any psychological assistant registered prior to the effective date of this subdivision, subsequent renewals or registrations shall be limited to a cumulative total of six years (72 months) from the date of the psychological assistant's next registration or renewal, whichever occurs first.

Upon showing of good cause as determined by the Board, these specified time limitations may be reasonably modified.

PSB #7 – Request for a 12-month Extension of the 72-Month Registration Period

PSB #7 was issued a psychological assistant registration on July 9, 2014 and it was set to expire on September 20, 2020 according to the 72-month limitation for a psychological assistant registration. PSB #7 initially requested for the maximum amount of time for an extension to the psychological assistant registration but later decided to revise the length of extension to 12-month.

PSB #7 reported a total of 9,577 hours of post-doctoral Supervised Professional Experience (SPE) accrued from December 20, 2015 to August 28, 2020.

The Board's records show that PSB #7 has applied to take the Examination for Professional Practice in Psychology (EPPP) on September 8, 2020 and was approved to take the EPPP on September 18, 2020.

PSB #7 stated that the reasons for the request is due to maternity and parental leave in addition to the impacts and restrictions of COVID-19.

PSB #7 provided supporting documentation stating the start of the maternity leave on May 15, 2020 and reported a returned date of June 29, 2020. PSB #7 explained that PSB #7 anticipates taking additional time off for parental leave but have not scheduled a timeframe for that.

On September 10, 2020, PSB #7 was notified of a tentative approval of a 6-month extension to PSB #7's registration under the PSY 20-02 Waiver. The revised projected end date of the 72-month limitation for an uninterrupted registration will be on March 20, 2021.

Attachment:

A: Letter of Request

Action Requested:

Review and consider the Licensure Committee's recommendation to approve the additional 6-month extension request beyond the 78-month limitation provided by the PSY-20-02 waiver.

Xiong, Mai@DCA

From: [REDACTED]
Sent: Friday, September 4, 2020 4:43 PM
To: Xiong, Mai@DCA
Subject: Re: Extension to the 72-month Registration Limitation Period

[EXTERNAL]: [REDACTED]

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Hi Mai,
Thank you for getting back to me.
I would like a 12-month extension, as I will be taking further parental leave.
Please let me know what information I need to provide you with in order to proceed with the request.

Thank you!

On Sep 1, 2020, at 5:04 PM, Xiong, Mai@DCA <Mai.Xiong@dca.ca.gov> wrote:

Hi Dr. [REDACTED]

Thank you for contacting the Board of Psychology.

As stated on the [Submission and Review Guidelines for Extension Requests](#), staff are able to approve a maximum length of extension of 12-month for straightforward requests that fall into one or more of the following categories: 1) Disability under the ADA, 2) care of family member, 3) injury or accident, and 4) parental leave. However, please note that an extension with the reason(s) aforementioned does not indicate an automatic approval.

If you are interested in an extension that exceeds 12-month, your request will need to go to the Licensure Committee and then the following Board meeting for review. The next Licensure Committee has not been scheduled at the time.

Per my review, you may qualify for the [PSY 20-02 Waiver](#). The waiver will approve your registration for an additional 6-month following your psychological assistant registration expiration date.

With that said, please let me know if you would like to proceed with your extension request to the Licensure Committee and Board meeting for a potential extension exceeding 12-month. If not, please specify the length of extension to 12-month or less to be considered for staff review.

Feel free to let me know if you have any questions.

Thank you,

<image001.png>

<image002.png>

<image003.png>

<image004.png>

Mai Xiong
Licensing/BreEZe Coordinator
1625 North Market Blvd., Suite N-215
Sacramento, CA 95834
(916) 574-7224 Direct
(916) 574-8672 Fax
mai.xiong@dca.ca.gov

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From: [REDACTED]
Sent: Thursday, August 27, 2020 3:26 PM
To: DCA, BOPLicensing@DCA <BopLicensing@dca.ca.gov>
Subject: Extension to the 72-month Registration Limitation Period

[EXTERNAL]: [REDACTED]

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Good afternoon,

I am requesting for an extension to the 72-month limitation for a psychological assistant registration due to my pregnancy (maternity and parental leave) and COVID-19 restrictions. I would like to propose for the maximum length of extension qualified. Please see attachment of my child's birth certificate.

Respectfully,

[REDACTED], Psy.D.
Psychological Assistant, PSB [REDACTED]

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MEMORANDUM

DATE	January 28, 2021
TO	Board Members
FROM	Stephanie Cheung Licensing Manager
SUBJECT	Agenda Item 8(h) – Psychological Assistant (PSB) #8 Consideration of Licensure Committee Recommendations Regarding Requests for an Extension of the 72-Month Registration Period Limitation for Registered Psychological Assistant Pursuant to Section 1391.1(b) of Title 16 of the California Code of Regulations

Background:

California Code of Regulations (CCR), Title 16, section 1391.1 provides in part:

(b) Registration as a psychological assistant shall be limited to a cumulative total of six years (72 months). Each registration shall be subject to annual renewal pursuant to section 1391.12.

For any psychological assistant registered prior to the effective date of this subdivision, subsequent renewals or registrations shall be limited to a cumulative total of six years (72 months) from the date of the psychological assistant's next registration or renewal, whichever occurs first.

Upon showing of good cause as determined by the Board, these specified time limitations may be reasonably modified.

PSB #8 – Request for a 24-month Extension of the 72-Month Registration Period

PSB #8 was issued a total of four psychological assistant registrations. Below is a list of the number of registrations with the registration's issuance and expiration dates:

PSB Registration	Issued Date	Expiration Date
Registration #1	February 6, 2009	September 30, 2011
Registration #2	October 23, 2013	October 23, 2014
Registration #3	October 4, 2015	October 4, 2017
Registration #4	December 1, 2016	October 11, 2020

PSB #8 has accrued more than 3,000 hours of post-doctoral Supervised Professional Experience (SPE) by October 2019 and has met the SPE requirement towards licensure.

PSB #8 is requesting an extension due to financial concerns and the intent to continue providing mental health services for underserved population in a rural community.

From the Board's record, PSB #8 was approved to take the Examination for Professional Practice in Psychology (EPPP) on August 28, 2020 but no attempt has been made.

On November 11, 2020, staff notified PSB #8 that under the Board's Waiver PSY 20-02, PSB #8 has been granted a 6-month extension approval for the psychological assistant registration. PSB #8's revised projected end date of the 78-month limitation provided by the PSY-20-02 waiver for an uninterrupted registration will be on April 11, 2021. There is an outstanding 18-month extension from PSB #8's initial request of a 24-month extension.

Attachment:

A: Letter of Request

Action Requested:

Review and consider the Licensure Committee's recommendation to grant a 3-month, instead of 18-month, extension request beyond the 78-month limitation provided by the PSY-20-02 waiver.

Xiong, Mai@DCA

From: [REDACTED]
Sent: Friday, November 6, 2020 4:24 PM
To: DCA, BOPLicensing@DCA
Subject: 72-month limitation for psychological assistant registration

[EXTERNAL]: [REDACTED]

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To whom it may concern,

I am requesting an extension of 24 months because I need to continue working to financially support my family. I am currently studying for the licensing exam and hope to take it within the next several months. The process of completing my hours was delayed because of my geographic location, and the lack of available supervision. It was my intention of serving underrepresented people and my community is designated as rural in the state which creates difficulty attracting doctoral level supervisors. I am bilingual and bicultural and one of a very few clinicians available to serve this community. If I am not granted this extension, I will not be able to support my family and the access for underserved people in my community to quality mental health services will be decreased. I look forward to hearing back from you as soon as possible. I thank you in advance for this consideration.

Respectfully,

[REDACTED], Psy.D.
PSE [REDACTED]

MEMORANDUM

DATE	January 28, 2021
TO	Board Members
FROM	Stephanie Cheung Licensing Manager
SUBJECT	Agenda Item 8(h) – Psychological Assistant (PSB) #9 Consideration of Licensure Committee Recommendations Regarding Requests for an Extension of the 72-Month Registration Period Limitation for Registered Psychological Assistant Pursuant to Section 1391.1(b) of Title 16 of the California Code of Regulations

Background:

California Code of Regulations (CCR), Title 16, section 1391.1 provides in part:

(b) Registration as a psychological assistant shall be limited to a cumulative total of six years (72 months). Each registration shall be subject to annual renewal pursuant to section 1391.12.

For any psychological assistant registered prior to the effective date of this subdivision, subsequent renewals or registrations shall be limited to a cumulative total of six years (72 months) from the date of the psychological assistant's next registration or renewal, whichever occurs first.

Upon showing of good cause as determined by the Board, these specified time limitations may be reasonably modified.

PSB #9 – Request for a 12-month Extension of the 72-Month Registration Period

PSB #9 was issued a total of two psychological assistant registrations with the first registration issued on April 8, 2014 and expired April 8, 2015. PSB #9's most recent registration was issued on December 2, 2015 and was set to expire on November 30, 2020 according to the 72-month limitation for a psychological assistant registration.

PSB #9 is requesting for an extension due to the impacts of the COVID-19 pandemic which caused a delay in exam scheduling.

PSB #9 has accrued more than 3,000 hours of post-doctoral Supervised Professional Experience (SPE) by November 2020 and has met the SPE requirement towards licensure.

PSB #9 has failed to pass the Examination for Professional Practice in Psychology (EPPP) on March 12, 2019 and October 11, 2019. PSB #9 passed the EPPP on October 27, 2020.

PSB #9 was approved to take the California Psychology Law and Ethics Examination (CPLÉE) on December 17, 2020 and has taken and passed the CPLÉE on December 31, 2020.

On November 16, 2020, PSB #9 was notified of a tentative approval of a 6-month extension to PSB #9's registration under the PSY 20-02 Waiver. The revised projected end date of the 72-month limitation for an uninterrupted registration will be on May 30, 2021. There is an outstanding 6-month extension from PSB #9's initial request of a 12-month extension.

Attachment:

A: Letter of Request

Action Requested:

Review and consider the Licensure Committee's recommendation to approve the additional 6-month extension request beyond the 78-month limitation provided by the PSY-20-02 waiver.

Xiong, Mai@DCA

From: [REDACTED]
Sent: Wednesday, June 17, 2020 12:54 PM
To: DCA, BOPLicensing@DCA
Subject: Re: Psych Assistants 72 month extensions?

[EXTERNAL]: [REDACTED]

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Good morning,
I would like to apply for an extension on my psych assistant license. I am unable to schedule an exam before my expiration date. I have searched several sites as far as 100 miles away from my home and there are no test dates available due to Covid19 and the new social distancing policies.

Please advise,

[REDACTED]

On Tue, Mar 24, 2020 at 2:29 PM DCA, BOPLicensing@DCA <BopLicensing@dca.ca.gov> wrote:

Dear Dr. [REDACTED]

Thank you for contacting the Board. Extension requests are reviewed on a case-by-case basis. Please review the [Extension Request Guidelines](#) on the Board's [website](#) for further information.

Please visit Pearson Vue's website for latest updates and important test delivery information pertaining to COVID-19 at <https://home.pearsonvue.com/coronavirus-update-us#state-specific>.

Have a great day.

Sincerely,



Stephanie Cheung

Licensing Manager

1625 North Market Blvd., Suite N-215

Sacramento, CA 95834

(916) 574-7720 Main

(916) 574-8671 Fax

Stephanie.Cheung@dca.ca.gov



From: [REDACTED]
Sent: Monday, March 23, 2020 10:35 AM
To: DCA, BOPLicensing@DCA <BopLicensing@dca.ca.gov>
Subject: Psych Assistants 72 month extensions?

[EXTERNAL]: [REDACTED]

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Good morning,

Will extensions be granted for psych assistants whose licenses expire this year since we are unable to test because of covid19?

[REDACTED]

MEMORANDUM

DATE	January 28, 2021
TO	Board Members
FROM	Stephanie Cheung Licensing Manager
SUBJECT	Agenda Item 8(i) – Psychologist Licensure Applicant (PSY) #1 Consideration of Licensure Committee Recommendations Regarding Requests for an Extension of the 30-Consecutive Month Limitation to Accrue 1500 Hours of Post-Doctoral Supervised Professional Experience Pursuant to Section 1387(a) of Title 16 of the California Code of Regulations

Background:

California Code of Regulations, Title 16, section 1387 provides in part:

(a) Pursuant to section 2914(c) of the code, two years of qualifying SPE shall be completed and documented prior to licensure. One year of SPE shall be defined as 1500 hours. At least one year of SPE shall be completed postdoctorally. Each year of SPE shall be completed within a thirty (30) consecutive month period. If both years of SPE (3000 hours) are completed postdoctorally, they shall be completed within a sixty (60) month period. Upon showing of good cause as determined by the board, these specified time limitations may be reasonably modified.

PSY #1 – Request for 10-Month Extension to the 30-Consecutive Month Limitation to Accrue Post-Doctoral Supervised Professional Experience (SPE)

PSY #1 reported a total of 3,031.97 hours of SPE and 2,587 hours of SPE was credited towards licensure. The breakdown of the total hours of SPE for PSY #1 is as follows:

Pre-doctoral SPE: 1,000	
Number of Hours	Start and End Date of SPE
1,000	June 24, 2009 – December 31, 2009

Post-doctoral SPE: 2,031.97	
Number of Hours	Start and End Date of SPE
1,587.3	February 18, 2017 – June 27, 2018
47.97	June 30, 2019 – September 10, 2019
146.75	October 5, 2019 – April 4, 2020
249.95	January 7, 2020 – May 27, 2020

Pursuant to the time limitation in accruing SPE set forth by section 1387(a) of the California Code of Regulations, PSY #1 is required to complete all post-doctoral SPE between February 18, 2017 and August 18, 2019.

PSY #1 is requesting for an extension due to struggling to find a supervisor. PSY #1 stated that the first supervisor PSY #1 was working with to accrue post-doctoral SPE decided to reduce the private practice hours. PSY #1 explained PSY #1's effort in applying to different organizations to resume accruing post-doctoral SPE. However, PSY #1 was unsuccessful in the job search process due to not meeting the organizations' specific requirements.

The Board's records show that PSY #1 has taken the EPPP three times. Below are the dates for each attempt:

- October 29, 2018
- December 6, 2018
- January 3, 2020

Attachment:

A: Letter of Request

Action Requested:

Review and consider the Licensure Committee's recommendation to grant the 10-month extension request to the 30-consecutive month limitation to accrue post-doctoral SPE.

May 24, 2020

Respected Licensing Department,

I am writing this letter to request an extension of my post-doc clinical hours. Kindly consider the following reasons why I could not complete the remaining 413 clinical hours within the 30-month limit.

Firstly, I would like to start with a recompilation of my post-doc hours. On July 19, 2018, I received an e-mail from Mr. Chris Siefert, Licensing Analyst, with a notification that the Board approved 1,587 post-doc hours accrued under Dr. B [REDACTED], and that the Board also approved 1,000 pre-doc hours accrued under Dr. M [REDACTED], when I was working at [REDACTED]. In total, the Board has approved 2,587 hours toward the 3,000 required. A remaining 413 hours were needed to be submitted to comply with the Board requirements for Licensing Exam.

I was not able to complete the remaining clinical hours under Dr. B [REDACTED] because she reduced her private practice as of July 1, 2018. Leaving uncertain where to complete the remaining clinical hours within the 30-month limit. I applied to different organizations here in [REDACTED], just to mention some of them, [REDACTED], [REDACTED], [REDACTED], [REDACTED], [REDACTED], [REDACTED], [REDACTED], [REDACTED] and the responses I received was not having a licensed psychologist on board or they wanted a candidate starting with accruing hours. By that time, my registration as a Psychological Assistant expired on 1/26/2019.

Reaching to psychologists colleagues and friends, I was able to start accruing hours under the supervision of Dr. B [REDACTED] between 6/30/2019 through 9/10/2020 I was not able to continue working at her private practice. I accrued 48 hours that were approved by the Board.

Through a friend psychologist, I was introduced to Dr. [REDACTED] R [REDACTED], psychiatrist and I was able to accrue a total of 146.75 clinical hours from

October 5, 2019, through April 4, 2020. At the same time, on January 7, 2020, I started accruing additional clinical hours under the supervision of Dr. [REDACTED] K [REDACTED] at her private practice.

Kindly consider my struggles and kindly grant me an extension until May 31, 2020, that I will be able to submit the remaining of my clinical hours.

Thank you for your time and consideration.

Yours Sincerely,

[REDACTED], PsyD

MEMORANDUM

DATE	January 28, 2021
TO	Board Members
FROM	Stephanie Cheung Licensing Manager
SUBJECT	Agenda Item 8(i) – Psychologist Licensure Applicant (PSY) #2 Consideration of Licensure Committee Recommendations Regarding Requests for an Extension of the 30-Consecutive Month Limitation to Accrue 1500 Hours of Post-Doctoral Supervised Professional Experience Pursuant to Section 1387(a) of Title 16 of the California Code of Regulations

Background:

California Code of Regulations, Title 16, section 1387 provides in part:

(a) Pursuant to section 2914(c) of the code, two years of qualifying SPE shall be completed and documented prior to licensure. One year of SPE shall be defined as 1500 hours. At least one year of SPE shall be completed postdoctorally. Each year of SPE shall be completed within a thirty (30) consecutive month period. If both years of SPE (3000 hours) are completed postdoctorally, they shall be completed within a sixty (60) month period. Upon showing of good cause as determined by the board, these specified time limitations may be reasonably modified.

PSY #2 – Request for 6-Month Extension to the 30-Consecutive Month Limitation to Accrue Post-Doctoral Supervised Professional Experience (SPE)

PSY #2 is requesting an extension because PSY #2 was accruing post-doctoral SPE hours alongside a full-time job as a school psychologist. PSY #2 stated that all the SPE hours accrued was separate from PSY #2 full-time work week.

The breakdown of the total hours of SPE for PSY #2 is as follows:

- 2,000 hours of pre-doctoral SPE accrued from August 1, 2005 to July 31, 2006; and
- 1,500 hours of post-doctoral SPE accrued from October 1, 2015 to October 1, 2018.

Pursuant to the time limitation in accruing SPE set forth by section 1387(a) of the California Code of Regulations, PSY #2 is required to complete all post-doctoral SPE between October 1, 2015 and April 1, 2018. On May 21, 2020, PSY #2 was notified of the denial of the portion of the hours accrued after April 1, 2018 as they were accrued outside the time limitation set forth by the regulations.

The Board's records show that PSY #2 was approved to take the Examination for Professional Practice in Psychology (EPPP) on May 20, 2020.

Attachment:

A: Letter of Request

Action Requested:

Review and consider the Licensure Committee's recommendation to grant the 6-month extension request to the 30-consecutive month limitation to accrue post-doctoral SPE.

Xiong, Mai@DCA

From: [REDACTED]
Sent: Wednesday, July 8, 2020 3:46 PM
To: Xiong, Mai@DCA
Subject: Re: Extension Request

[EXTERNAL]: [REDACTED]

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Hello,

Thank you so much. I am applying for the extension, because I was fulfilling my post-doc hours in addition to my already full-time job as a school psychologist at a school. All of my hours were separate from my full-time work week. It took me 32 months rather than 30 months to fulfill the 1500 hours of post-doc SPE. I am hopeful to be granted the request, given that I met the requirements in a timely fashion on top of having a full-time job.

With gratitude and respect,

[REDACTED]

On Wed, Jul 8, 2020 at 3:31 PM Xiong, Mai@DCA <Mai.Xiong@dca.ca.gov> wrote:

Hi Dr. [REDACTED]

This email is to confirm receipt of your extension request to the 30-month limitation to accrue post-doctoral SPE. Due to a higher than normal extension requests received, please allow us at least 4 weeks from today to review your extension request.

For the meantime, may you provide to me a reason(s) for being unable to complete the 1500 hours of SPE within the required 30-month limitation. Where possible, please provide supporting documentation for the stated reason(s). The reason(s) you provide will help the Board decide if your extension request meets the [guidelines](#) to be review by Board staff or if it will need to go to the Licensure and Board meetings for review.

Feel free to reach out if you have any questions.

Respectfully,

MEMORANDUM

DATE	January 28, 2021
TO	Board Members
FROM	Stephanie Cheung Licensing Manager
SUBJECT	Agenda Item 8(i) – Psychologist Licensure Applicant (PSY) #3 Consideration of Licensure Committee Recommendations Regarding Requests for an Extension of the 30-Consecutive Month Limitation to Accrue 1500 Hours of Post-Doctoral Supervised Professional Experience Pursuant to Section 1387(a) of Title 16 of the California Code of Regulations

Background:

California Code of Regulations, Title 16, section 1387 provides in part:

(a) Pursuant to section 2914(c) of the code, two years of qualifying SPE shall be completed and documented prior to licensure. One year of SPE shall be defined as 1500 hours. At least one year of SPE shall be completed postdoctorally. Each year of SPE shall be completed within a thirty (30) consecutive month period. If both years of SPE (3000 hours) are completed postdoctorally, they shall be completed within a sixty (60) month period. Upon showing of good cause as determined by the board, these specified time limitations may be reasonably modified.

PSY #3 – Request for 18-Month Extension to the 30-Consecutive Month Limitation to Accrue Post-Doctoral Supervised Professional Experience (SPE)

PSY #3 reported a total of 3,073 hours of SPE and 2,587 hours of SPE was credited towards licensure. The breakdown of the total hours of SPE for PSY #3 is as follows:

Pre-doctoral SPE: 1,504.5	
Number of Hours	Start and End Date of SPE
1,504.5	August 18, 2014 – August 18, 2015

Post-doctoral SPE: 1,568.5	
Number of Hours	Start and End Date of SPE
1,379	May 23, 2016 – June 16, 2017
189.5	February 3, 2020 – May 15, 2020

PSY #3 passed the Examination for Professional Practice in Psychology (EPPP) on July 31, 2019 and subsequently applied to take the California Psychology Law and Ethics Examination (CPLEE). On December 18, 2019, PSY #3 was notified of the denial of the portion of the hours (121 hours out of 1,500 submitted) accrued from May

23, 2016 to August 1, 2016 as these hours were worked prior to the issuance of a registered psychologist registration. Though PSY #3 was operating under the impression that the training site was CAPIC-approved, it was not an approved site upon Board staff's review.

Upon notification, PSY #3 applied for a registered psychological assistant registration and resume accruing the remaining post-doctoral SPE hours required for licensure. During the process of accruing post-doctoral SPE hours, PSY #3 stated that she gave birth in August 2017 and provided supporting documentation to the Board.

Pursuant to the time limitation in accruing SPE set forth by section 1387(a) of the California Code of Regulations, PSY #3 is required to complete all post-doctoral SPE between August 1, 2016 and February 1, 2019.

Attachment:

A: Letter of Request

Action Requested:

Review and consider the Licensure Committee's recommendation to grant the 18-month extension request to the 30-consecutive month limitation to accrue post-doctoral SPE.

Xiong, Mai@DCA

From: Siepert, Chris@DCA
Sent: Friday, July 10, 2020 2:01 PM
To: Xiong, Mai@DCA
Cc: Cheung, Stephanie@DCA
Subject: Fw: Attention: Stephanie Cheung, Licensing manager
Attachments: Scan Birth Document 1.jpeg

Thank you

Chris Siepert
Licensing Analyst
1625 North Market Blvd., Suite N-215
Sacramento, CA 95834
(916) 574-7135 Direct
(916) 574-8672 Fax
chris.siepert@dca.ca.gov

Effective October 1, 2017, California Code of Regulations, Title 16, sections 1387 and 1387.1 relating to the supervision agreement, verification of experience, and the responsibilities of the primary supervisor were amended. For more information regarding the specific changes, please click on the following link to review the Verification of Experience Form and Supervision Agreement Regulation Advisory on the Board's website. http://www.psychology.ca.gov/laws_regs/voe.shtml

A Supervision Agreement (SA) for supervised professional experience (SPE) must be an agreement outlining the goals and objectives of SPE and must be completed and signed prior to the start of the SPE. The SA must meet the requirements set forth in the California Code of Regulations (CCR) section 1387(b)(10). Failure to complete and sign the agreement prior to the start of the experience will result in the Board's rejection of those hours. For individuals who intend for hours of SPE to count toward meeting the licensing requirements and applying for psychological assistant registrations, the SA must be submitted along with the application.

Please take a few moments to complete the Licensing/Registration Applicant Satisfaction Survey: https://www.dca.ca.gov/webapps/psychboard/licensing_survey.php

From: [REDACTED]
Sent: Thursday, July 9, 2020 11:16 AM
To: DCA, BOPLicensing@DCA <BopLicensing@dca.ca.gov>
Subject: Attention: Stephanie Cheung, Licensing manager

[EXTERNAL]: [REDACTED]

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This letter is a formal request to extend the 30-month time requirement to 60 months for accruing postdoctoral hours toward licensure. My postdoctoral hours were completed in a 48-month period. In the following letter you will find an explanation for the additional 18 months needed to complete my hours.

On 5/23/2016 I accepted what I believed to be a California Psychology Internship Council- Approved Postdoctoral Internship at [REDACTED]. Dr. [REDACTED] was my Primary Supervisor. My Supervised Agreement stated I would be providing clinical services and accruing hours toward licensure under the title of "Postdoctoral Intern". I provided clinical services at [REDACTED], Inc. from 5/23/16 through 6/16/17. During this time I learned I was eligible to become a "Registered Psychologist" since [REDACTED] is government funded. I applied for this, as an additional title because I was at an eligible agency, not because my status as a Postdoctoral Intern under CAPIC was in question.

Following completion of my postdoctoral experience, 6/16/2017, I gave birth to my daughter (born 8/24/2017). After some time I began studying for the EPPP. Once I passed the EPPP I learned the hours accrued during the period of 5/23/2016-8/1/2016 would not be counted toward licensure as [REDACTED] was not in fact a CAPIC-Approved Postdoctoral site. I immediately applied for a Psych Assistant registration and completed the remaining hours required for licensure. My VOE for the remaining hours was received by Mr. Chris Siepert, Licensing analyst, on 6/3/2020. It is for these reasons I am requesting an extension of the 30-month requirement to complete my post-doctoral hours. The total amount of time needed to complete my postdoctoral experience was a 48-month period. I have attached documentation of my daughter's birth to this email. Please let me know if you need any additional documentation. Thank you for your time and consideration in this matter.

Best,
[REDACTED], PhD

--
[REDACTED], PhD

MEMORANDUM

DATE	January 21, 2021
TO	Board of Psychology
FROM	Cristina Rivera Legislative and Regulatory Analyst
SUBJECT	Agenda Item #9(a)(1) – SB 275 (Pan) – Amendments to section 2960.1 of the Business and Professions Code Regarding Denial, Suspension and Revocation for Acts of Sexual Contact

Background:

The Board of Psychology (Board) proposed adding sexual behavior to the offenses in Business and Professions Code (BPC) section 2960.1 that require a proposed decision to contain an order of revocation when the finding of facts prove that there were acts of sexual behavior between a psychologist and their client or former client. This change to section 2960.1 would require revocation to be in the proposed decision and not allow an administrative law judge to propose an alternate decision. The proposed language would also clarify that the Board would retain the final adjudicatory discretion to apply a lower level of discipline if the circumstances of the case warranted such a reduction.

The impetus to add inappropriate sexual behavior to the statutory provisions requiring revocation in the proposed decision for cases involving inappropriate sexual behaviors that did not rise to the definition of sexual contact was due to the Board's experiences prosecuting cases with clearly inappropriate sexual behavior but being unable to achieve disciplinary terms that matched the egregiousness of the acts in the case. In other cases, clients did not complain to the Board or know that the behavior was inappropriate until sexual contact was initiated, but there were clear sexual grooming behaviors exhibited by the psychologist before sexual contact was initiated. Some examples of inappropriate sexual behaviors that the Board has seen in a variety of cases include:

- kissing a client,
- touching or exposing oneself inappropriately,
- sending flirtatious, sexually suggestive or sexually explicit texts (sexting), messages or emails to a client,
- sending clients photos that include nudity, genitals, or sexually suggestive poses, and
- buying romantic/sexual gifts for a client.

Regarding the proposed changes to BPC Section 2960.1, the Policy and Advocacy Committee (Committee) began discussions and policy activities at its April 19, 2018 meeting, where it reviewed and revised the proposed language. During this discussion, the Committee members expressed support for a broader definition of sexual behavior, as the violation could be a series or pattern of lesser behaviors or one extremely egregious behavior, and specific behaviors would change over time with advances in technology and communication mediums. In December 2018, the Committee held a teleconference stakeholder meeting to obtain stakeholder input on the proposed changes to BPC Section 2960.1. Board staff invited a diverse group of stakeholders to attend the teleconference as well as posted the meeting to social media sites and through the Board's email listserv. During the December teleconference meeting, the Committee listened to stakeholder comments and Board staff and Board Legal

Counsel provided clarification on how the proposed language would operate within the disciplinary process and how that process has built-in protections to ensure that allegations of sexual behavior would be reviewed by subject matter experts and sworn peace officers, thus ensuring that those allegations prosecuted as sexual behavior were serious violations that were not part of appropriate therapeutic interventions relating to sexual issues. The Committee also voted to add language to BPC 2960.1 to provide additional clarity to the public and licensees regarding the Board's ability to stay the revocation if the Board determined that the allegations did not warrant revocation.

At the Board's February meeting, the Board approved the language and directed staff to seek an author. The week after the Board meeting, Senator Richard Pan agreed to author the bill for the Board, which became SB 275 (Pan).

On April 1, 2019, the Senate Committee on Business, Professions and Economic Development heard SB 275. Board President Stephen Phillips, JD, PsyD, testified on the Board's behalf. SB 275 received unanimous support from the committee and passed through the Senate Floor on May 5, 2019.

On July 9, 2019, the Assembly Committee on Business and Professions (Assembly B&P) heard SB 275. At the hearing, Senator Pan and Dr. Phillips gave strong testimony on the need for the bill and Ms. Burns provided additional statutory clarification to the Committee, but Assembly B&P failed to move the bill or take a vote. Since the bill did not move out of Assembly B&P by the legislative deadline, the bill became a 2-year bill and can be acted on upon the start of the next session in January 2020.

Board staff worked with Assembly B&P staff and Senator Pan's staff regarding potential technical amendments to facilitate moving the bill forward.

On January 6, 2020, and February 13, 2020, SB 275 (Pan) was amended and re-referred to the Assembly Business and Professions Committee.

On April 10, 2020, Staff was notified by Senator Pan's office that due to the need to reduce the bill load, Senator Pan will not be pursuing SB 275 this year.

On June 17, 2020 SB 275 was amended and is now titled:

SB 275 (Pan): Health Care and Essential Workers Protection Act: personal protective equipment.

On September 29, 2020 SB 275 (Pan) was signed by Governor Newsom and chaptered by the Secretary of State.

In December 2020, Staff reached out to Senator Pan's office regarding the Senator's interest in pursuing this change during the 2021 legislative year. Senator Pan's office advised they were still developing their bill list but would include our bill in the list to discuss with the Senator.

Action Requested:

No action is required at this time. This is for informational purposes only.

ISSUE MEMORANDUM

DATE	January 21, 2021
TO	Board of Psychology Members
FROM	Jason Glasspiegel Central Services Manager
SUBJECT	Agenda Item #9(a)(2) - Pathways to Licensure Statutory Revisions – Amendments to sections 27, 2909, 2909.5, 2910, 2911, 2913, 2914, 2915, 2915.5, 2915.7, 2942, 2944, 2946, and 2960 of the Business and Professions Code, and section 1010 of the Evidence Code

Background:

Requested legislative amendments to sections 27, 2909, 2909.5, 2910, 2911, 2913, 2914, 2915, 2915.5, 2915.7, 2942, 2944, 2946, and 2960 of the Business and Professions Code, and section 1010 of the Evidence Code were provided to the Senate and Assembly Business and Professions committees along with the Board's Sunset Report and COVID supplemental as a follow up to the Committee's request for section changes last year.

Action Requested:

This is for informational purposes only. No action is required at this time.

ISSUE MEMORANDUM

DATE	January 21, 2021
TO	Board of Psychology Members
FROM	Jason Glasspiegel Central Services Manager
SUBJECT	Agenda Item #9(a)(3) - Sunset Provisions – Amendments to section 2912, and Addition of Sections Related to Reinstatement to Active after Voluntary Surrender, Licensure Committee Delegated Authority, and Authority to Issue Waivers

Background:

Requested legislative changes regarding Business and Professions Code Section 2912, and Addition of Sections Related to Reinstatement to Active after Voluntary Surrender, Licensure Committee Delegated Authority, and Authority to Issue Waivers were provided to the Senate and Assembly Business and Professions committees along with the Board's Sunset Report and COVID supplemental.

Action Requested:

This is for informational purposes only. No action is required at this time.

MEMORANDUM

DATE	January 25, 2021
TO	Psychology Board Members
FROM	Sandra Monterrubio, Enforcement Program Manager Board of Psychology
SUBJECT	Enforcement Report, Item 10

Please find attached the Overview of Enforcement Activity conveying complaint, investigation, and discipline statistics to date for the current fiscal year. The current Performance Measures are also included.

The Board is still actively looking to recruit an Enforcement Technician (OT). The OT is responsible for opening complaints, corresponding with stakeholders regarding the complaint process, and provides administrative support to the enforcement staff.

Complaint Program

Since July 1, 2020, the Board has received 626 complaints. All complaints received are opened and assigned to an enforcement analyst.

Citation Program

Since July 1, 2020, the Board has issued 16 enforcement citations. Citation and fines are issued for minor violations.

Discipline Program

Since July 1, 2020, the Board has referred 35 cases to the Office of the Attorney General for formal discipline.

The Board of Psychology (board) tracks the timeline of its investigations through "Performance Measures," which illustrate the specific phases of case review from start to finish.

For cases that result in disciplinary action against a license, the board refers to "Performance Measure (4)", which is broken out further into four distinct phases as follows:

- PM4a: Intake Only – This represents the length of time between when the board receives a complaint and when the complaint is assigned to an Enforcement Analyst. When the case is assigned to an Enforcement Analyst, this phase ends.
- PM4b: Investigation Only – This represents the length of time that starts when the Enforcement Analyst begins their initial desk review and refers the case to the field for a formal investigation by a sworn investigator. When that field investigation is concluded and the Enforcement Analyst receives the case back from the field, this phase ends.
- PM4c: Pre-AG Transmittal – This represents the length of time that starts when the Enforcement Analyst receives the case back from the field investigator and runs until the Enforcement Analyst refers the case to the AG’s office for discipline. This phase ends when the Enforcement Analyst transmits the case to the AG.
- PM4d: Post-AG Transmittal – This represents the length of time that starts when the case is accepted by the AG’s office. This phase includes the time it takes for the AG to draft an Accusation, set a date for hearing (the number of days that pass before that hearing takes place is counted here as well) and to finally settle the case, either at hearing or through a stipulated settlement negotiated between the board, Respondent and the AG.

Probation Program

Enforcement staff is currently monitoring 44 probationers. Of the 44 probationers, none are out of compliance. Being out of compliance can result in a citation and fine or further disciplinary action through the Office of the Attorney General.

Attachments:

Overview of Enforcement Activity
Performance Measures

Action Requested

This item is for informational purposes only.

BOARD OF PSYCHOLOGY

Overview of Enforcement Activity

License & Registration	16/17	17/18	18/19	19/20	*20/21
Psychologist	20,596	20,977	21,329	18,763	22,058
Registered Psychologist	249	188	162	127	110
Psychological Assistant	1,442	1,350	1,475	1,392	1,369
Cases Opened	16/17	17/18	18/19	19/20	20/21
Complaints Received	1,042	1,097	1,093	1,092	626
Arrest Reports**	39	53	40	43	21
Investigations Opened	771	805	862	829	556
Cases referred to DA	0	0	0	0	1
Cases referred to AG	45	70	56	75	35
Filings	16/17	17/18	18/19	19/20	20/21
Accusations	27	15	31	47	24
Statement of Issues	7	6	4	10	0
Petition to Revoke Probation	1	6	3	2	1
Petitions to Compel Psych. Exam	0	0	0	2	0
Petitions for Penalty Relief	3	6	5	4	8
Petition for Reinstatement	2	1	5	3	3
Petitions for Reconsideration	0	2	0	0	0
Filing Withdrawals/Dismissals	16/17	17/18	18/19	19/20	20/21
Accusations Withdrawn	0	0	3	1	1
Accusations Dismissed	1	0	4	0	0
Statement of Issues Withdrawn	1	3	0	3	2
Citations	16/17	17/18	18/19	19/20	20/21
Citations Ordered	32	46	47	35	16
Disciplinary Decisions	16/17	17/18	18/19	19/20	20/21
Revocations	2	9	1	9	1
Revocation, Stayed, Probation	16	7	11	16	3
Revoked, Stayed, Probation, Susp.	0	0	0	0	1
Surrender	26	11	9	12	12
Reprovals	3	4	1	2	8
ISO/TRO/PC23 Ordered	1	2	1	2	0
Statement of Issues-License Denied	0	0	0	0	1
Total Disciplinary Decisions	48	33	23	41	13
Other Decisions	16/17	17/18	18/19	19/20	20/21
Statement of Issues-License Granted	0	0	3	0	1
Petitions for Penalty Relief Denied	2	4	7	3	2
Petitions for Penalty Relief Granted	1	2	3	2	0
Petition for Reinstatement Granted	0	0	1	0	0
Petition for Reinstatement Denied	2	1	1	1	0
Reconsiderations Denied	0	2	0	0	0
Reconsiderations Granted	0	0	0	0	0
Orders Compelling Psych. Evaluation	0	3	0	2	0
Total Other Decisions	5	12	15	8	0
Violation Types	16/17	17/18	18/19	19/20	20/21
Gross Negligence/Incompetence	29	20	20	28	8
Improper Supervision	0	1	0	0	0
Repeated Negligent Acts	31	21	13	15	3
Self-Abuse of Drugs or Alcohol	15	7	3	1	1
Dishonest/Corrupt/Fraudulent Act	8	9	6	10	0
Mental Illness	5	2	2	1	0
Aiding Unlicensed Practice	0	0	0	0	0
General Unprofessional Conduct	2	13	8	25	5
Probation Violation	26	29	12	6	1
Sexual Misconduct	14	2	3	4	7
Conviction of a Crime	23	1	8	7	1
Discipline by Another State Board	5	2	0	0	1
Misrepresentation of License Status	1	1	0	3	0

* Current and Inactive

**Enforcement data pulled on January 27, 2021

Select a DCA Entity
Board of Psychology

Select a Fiscal Year
SFY 2021

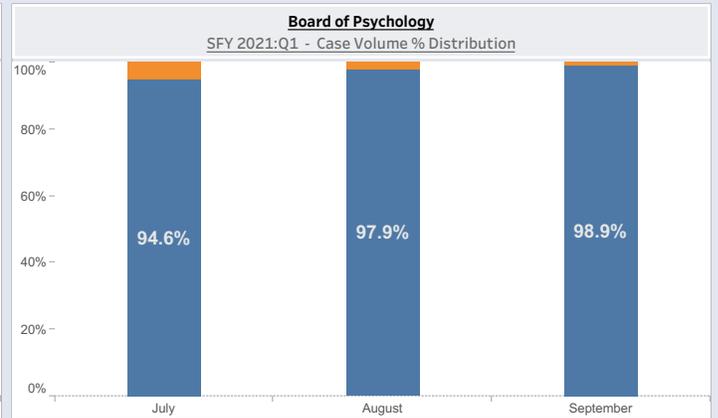
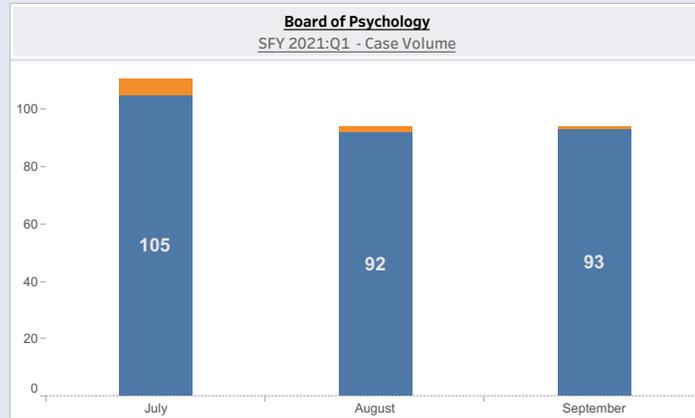
Select a Quarter
Q1

Case Type
Conviction/Arrest
Complaints

Performance Measure 1 (Complaint Volume) – Total number of complaints and conviction/arrest notices received within the specified period.

Data last refreshed on 1/5/2021

Complaints	Conviction/Arrest	Total Volume
290	9	299



Data Source: California Department of Consumer Affairs, OIS/Data Governance Unit. The data included in this interactive tool is compiled from monthly enforcement statistical reporting from DCA Boards and Bureaus. In some instances historical enforcement performance data may differ slightly from the data reported in this tool due to errors and omissions in the previously released reports.

Select a DCA Entity
Board of Psychology

Select a Fiscal Year
SFY 2021

Select a Quarter
Q1

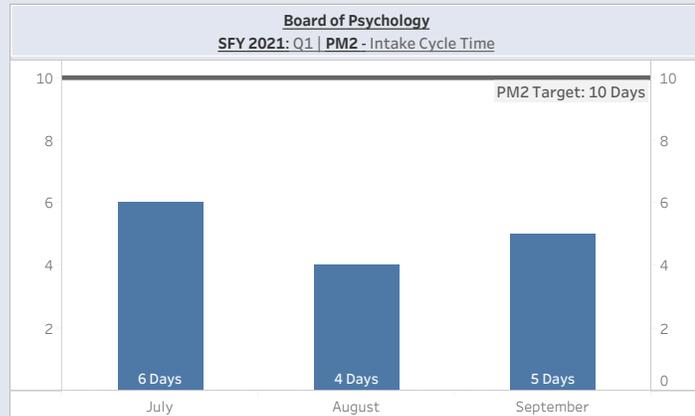
Processing Time
Actual Target

Case Volume by Month
July August September

Performance Measure 2 represents the total number of complaint cases received and assigned for investigation and the average number of days (cycle time) from receipt of a complaint to the date the complaint was assigned for investigation or closed.

Data last refreshed on 1/5/2021

Case Volume	Target	Actual	Variance
305	10 Days	5 Days	▼ -5 Days



Data Source: California Department of Consumer Affairs, OIS/Data Governance Unit. The data included in this interactive tool is compiled from monthly enforcement statistical reporting from DCA Boards and Bureaus. In some instances historical enforcement performance data may differ slightly from the data reported in this tool due to errors and omissions in the previously released reports.

Select a DCA Entity
Board of Psychology

Select a Fiscal Year
SFY 2021

Select a Quarter
Q1

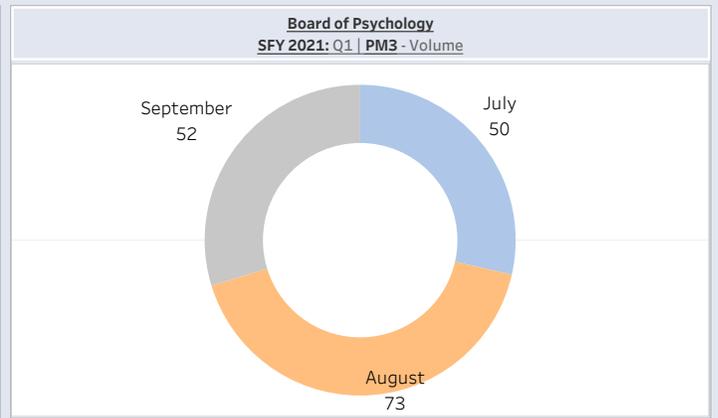
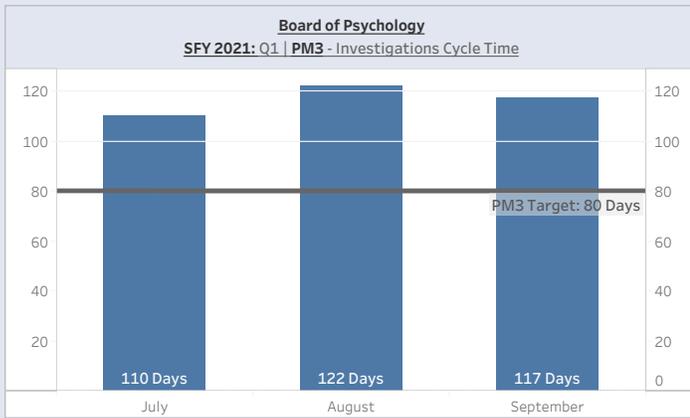
Processing Time
Actual Target

Case Volume by Month
July August September

Performance Measure 3 (Investigation) – Total number of cases closed within the specified period that were not referred to the Attorney General for disciplinary action.

Data last refreshed on 1/5/2021

Case Volume	Target	Actual	Variance
175	80 Days	117 Days	▲ 37 Days



Data Source: [California Department of Consumer Affairs, OIS/Data Governance Unit](#). The data included in this interactive tool is compiled from monthly enforcement statistical reporting from DCA Boards and Bureaus. In some instances historical enforcement performance data may differ slightly from the data reported in this tool due to errors and omissions in the previously released reports.

Select a DCA Entity
Board of Psychology

Select a Fiscal Year
SFY 2021

Select a Quarter
Q1

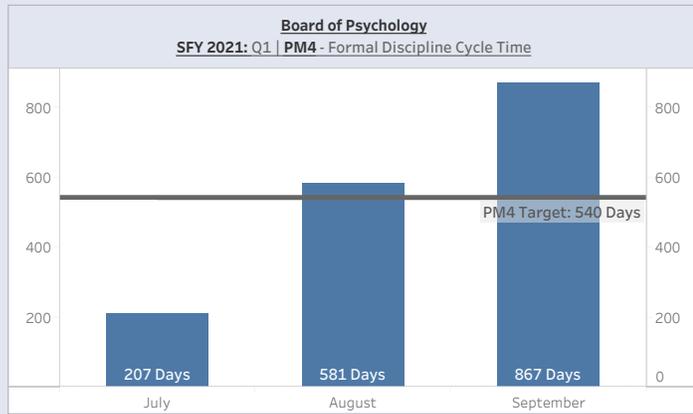
Processing Time
Actual Target

Case Volume by Month
July August September

Performance Measure 4 (Formal Discipline) – Total number of cases closed within the specified period that were referred to the Attorney General for disciplinary action. This includes formal discipline, and closures without formal discipline (e.g. withdrawals, dismissals, etc.).

Data last refreshed on 1/5/2021

Case Volume	Target	Actual	Variance
8	540 Days	512 Days	▼ -28 Days



Data Source: [California Department of Consumer Affairs, OIS/Data Governance Unit](#). The data included in this interactive tool is compiled from monthly enforcement statistical reporting from DCA Boards and Bureaus. In some instances historical enforcement performance data may differ slightly from the data reported in this tool due to errors and omissions in the previously released reports.

Select a DCA Entity
Board of Psychology

Select a Fiscal Year
SFY 2021

Performance Measure
PM7

Select a Quarter
Q1

Processing Time
Actual Target

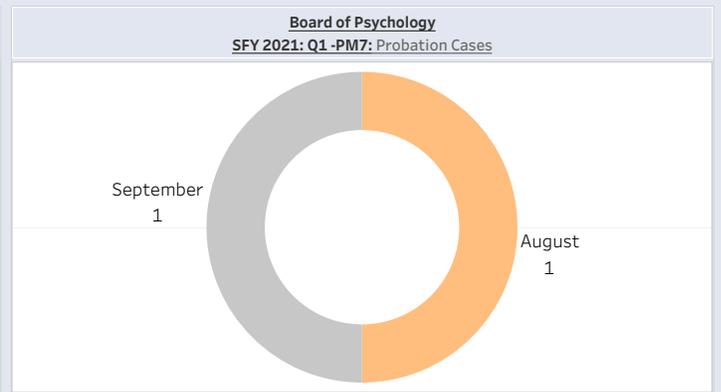
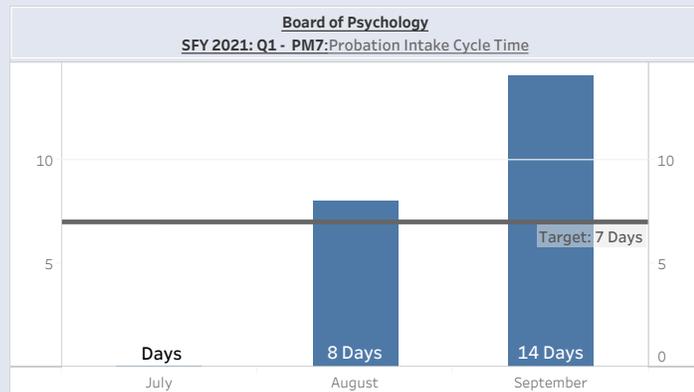
Case Volume by Month
July August September

Performance Measure 7 (Probation Case Intake) – Total number of new probation cases and the average number of days from monitor assignment, to the date the monitor makes first contact with the probationer.

Performance Measure 8 (Probation Violation Response) – Total number of probation violation cases and the average number of days from the date a violation of probation is reported, to the date the assigned monitor initiates appropriate action.

Data last refreshed on 1/5/2021

Case Volume	Target	Actual	Variance
2	7 Days	11 Days	▲ 4 Days



Data Source: California Department of Consumer Affairs, OIS/Data Governance Unit. The data included in this interactive tool is compiled from monthly enforcement statistical reporting from DCA Boards and Bureaus. In some inst..

Select a DCA Entity
Board of Psychology

Select a Fiscal Year
SFY 2021

Performance Measure
PM8

Select a Quarter
Q1

Processing Time
Actual Target

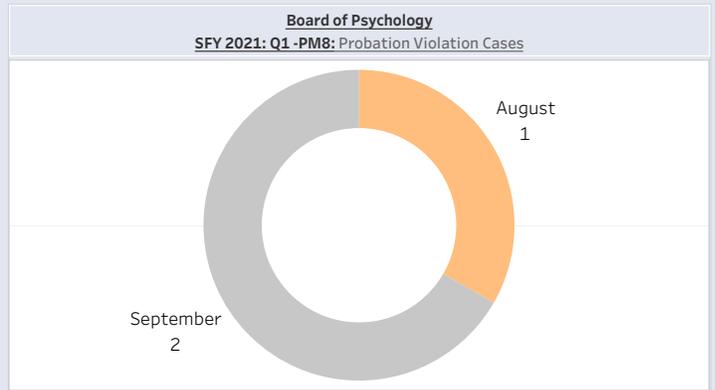
Case Volume by Month
July August September

Performance Measure 7 (Probation Case Intake) – Total number of new probation cases and the average number of days from monitor assignment, to the date the monitor makes first contact with the probationer.

Performance Measure 8 (Probation Violation Response) – Total number of probation violation cases and the average number of days from the date a violation of probation is reported, to the date the assigned monitor initiates appropriate action.

Data last refreshed on 1/5/2021

Case Volume	Target	Actual	Variance
3	10 Days	3 Days	▼ -7 Days



Data Source: California Department of Consumer Affairs, OIS/Data Governance Unit. The data included in this interactive tool is compiled from monthly enforcement statistical reporting from DCA Boards and Bureaus. In some inst..

MEMORANDUM

DATE	January 21, 2021
TO	Board of Psychology
FROM	Cristina Rivera Legislative and Regulatory Analyst
SUBJECT	Agenda Item #11 – Consideration of Adopting Amendments to 16 CCR sections 1381.9, 1397.60, 1397.61, 1397.62, and 1397.67, and adding sections 1397.60, 1397.61, 1397.62, and 1397.67– Continuing Education/Professional Development

The California Board of Psychology (Board) is seeking to change the continuing education guidelines and requirements that must be completed by licensed psychologists when renewing, reactivating, or reinstating their license. The Board would like to move from the existing Continuing Education (CE) model to a broader Continuing Professional Development (CPD) model.

SB 1193 (Hill Chapter 484, Statutes of 2016) modified existing law specifying that the Board shall issue a renewal license only to an applicant who has completed 36 hours of approved continuing professional development in the preceding two years.

This bill also defined continuing professional development (CPD) as certain continuing education learning activities approved in four different categories:

- (1) Professional.
- (2) Academic.
- (3) Sponsored continuing education coursework.
- (4) Board certification from the American Board of Professional Psychology.

This rulemaking file brings the Board in compliance with the changes enacted by SB 1193 (Hill Chapter 484, Statutes of 2016).

This package was noticed for the initial 45-day comment period on October 2, 2020. The comment period for this rulemaking file ended on November 17, 2020.

The Board considered the comments at the December 2020, Board meeting, and issued a Notice of modified text on December 15, 2020. The comment period for this file ended on January 6, 2021.

Action Requested:

Staff recommends the Board reject the comments received during the 15-day comment period as the comments are not germane and outside the scope of the revised text.

Attachment A: Comments received during 15-day comment period

Attachment B: Notice of Modified Text

From: [REDACTED]
To: [Glasspiegel, Jason@DCA](mailto:Glasspiegel.Jason@DCA)
Subject: Continuing Professional Development questions/feedback
Date: Wednesday, December 23, 2020 11:22:23 PM

[EXTERNAL]: [REDACTED]

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Greetings!

I am excited to see that much of the feedback provided prior appears to have been reflected in the modified language for the CPD. There are some clarifications that I still need that others may also be confused about. The first is in regards to understanding the difference between a full day conference (6 hours) and sponsor approved CE courses (18 hours). Most conferences I attend include more than 6 hours of CE's (i.e. Evolution of Psychotherapy Conference). Will this mean that a conference that may not offer as many, if any APA approved CE's could be counted up to the 6 hours if they are still relevant to the field? For example, I oversee behavioral health programs that include substance use and mental health needs. Many of the Substance Use Conferences I attend do not have many APA approved CE's. Would these hours count towards the 6 hour maximum for the conference? In my prior example of the Evolution of Psychotherapy Conference, that offers many CE's, would that count for up to the maximum of the 18 hours? Or do those conferences fit under the Sponsored Continuing Education up to the 27 CE's?

For the category of peer consultation, does this include consultation with other licensed professionals (e.g. LMFT, MD, LCSW)?

Thank you so much for all that have contributed to this document. Hopefully my questions make sense. I look forward to further clarifications. Happy Holidays!

Edina Martinez, PsyD

From: [REDACTED]
To: [Glasspiegel, Jason@DCA](mailto:Glasspiegel_Jason@DCA)
Cc: [REDACTED]
Subject: FW: Comment needed -15-Day Notice of Modified Text for Proposed Continuing Professional Development Regulations
Date: Thursday, December 24, 2020 12:01:51 PM

[EXTERNAL]: [REDACTED]

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Hello Jason,

This email is to submit a comment on the Modified Text for Proposed Continuing Professional Development Regulations.

One of the items in CPA's written comments to the proposed regulations was:

- Modify §1397.61(f)(3) to make it clear that a minimum of 4.5 hours of "Professional Service" is **not** mandatory. This can be accomplished by making the following change to that paragraph: "A minimum of 4.5 hours and maximum of 12 hours ~~shall~~ may be credited in 'Professional Service'."

I believe we raised this issue verbally as well during the Board of Psychology meeting. Although this language is not part of the new modifications, based on the Board discussion, I think it's a technical correction that needs to be made for purposes of clarity. If the language is not corrected, it will read as a mandate for 4.5 hours minimum of "Professional Service," which seems inconsistent with the intention of the Board.

Please confirm that you have received this email and let me know whether the change can be made.

Best holiday wishes,
Elizabeth

Elizabeth Winkelman, JD, PhD
Director of Professional Affairs | California Psychological Association
1231 I St, Suite 204 | Sacramento, CA 95814

[REDACTED] [REDACTED]
www.cpapsych.org | facebook.com/cpapsych

Note: CPA does not and cannot provide legal advice to our membership. Those seeking legal advice are advised to consult a private attorney.

CPA - The Voice of Psychology in California

-----Original Message-----

From: Board of Psychology General Information mailing list <PSYCH-GENERAL@SUBSCRIBE.DCALISTS.CA.GOV> On Behalf Of Psychology Board

Sent: Monday, December 21, 2020 12:57 PM

To: PSYCH-GENERAL@SUBSCRIBE.DCALISTS.CA.GOV

Subject: 15-Day Notice of Modified Text for Proposed Continuing Professional Development Regulations

Good Afternoon,

The Board of Psychology has issued a 15-Day Notice of Modified Text to its proposed regulatory action regarding Continuing Professional Development. The 15-day comment period ends on January 6, 2021. To view the regulatory documents including the modified text, please visit: https://www.psychology.ca.gov/laws_regs/regulations.shtml

Thank you,

The Board of Psychology

To unsubscribe from this email list please click on the link below and follow the instructions on the web page.

<https://www.dca.ca.gov/webapps/psychboard/subscribe.php>

From: [REDACTED]
To: [Glasspiegel, Jason@DCA](mailto:Glasspiegel.Jason@DCA)
Subject: Comment Letter for the Upcoming Meeting of the Board of Psychology on January 7, 2021
Date: Saturday, December 26, 2020 7:03:31 PM
Attachments: [image001.png](#)
[201226.BOP Comment Letter - Dr. Keith Valone.pdf](#)

[EXTERNAL]: [REDACTED]

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Dear Jason,

Attached is a letter that I would as to be presented to the Board of Psychology for review in their Public Comments section at their next meeting, which I believe is on January 7, 2021.

Best regards,

Dr. Valone

Keith Valone, Ph.D., Psy.D., M.S.C.P.
California Licensed Psychologist #PSY7843
CEO and Chief Clinical Officer, The Arroyos Treatment Centers
CEO and Clinical Director, The Arroyos Psychological Associates

The Arroyos Treatment Centers
One West California Boulevard
Suite 321
Pasadena, California 91105

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Web www.thearroyos.org

Twitter @thearroyos



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Mr. Jason Glasspiegel
Board of Psychology
1625 N. Market Blvd.
Ste. 215
Sacramento, CA 95834
Tel: 916-574-7137
Fax: 916-574-8672
Jason.glasspiegel@dca.ca.gov

December 26, 2020

RE: Comments for Board of Psychology Meeting on January 7, 2021

Dear Jason:

I am a licensed psychologist writing to provide comment on the modified text of sections 1397.60, 1397.61, 1397.62, and 1397.67 which are contained within Title 16 of the California Code of Regulations and which cover the continuing education requirements for licensure renewal.

My comments are as follows:

Professional Activities

- Practice Outcome Measuring (POM): Most psychologists will be unfamiliar with the concept of POM and have little or no experience with how to implement POM in their practice. It would be helpful if the Board could provide some source materials or reference in how to implement this activity if the Board is going to list it as an acceptable learning activity.
- Professional Services: I mentioned this in my previous letter to the Board, and I would request additional clarification in this section. If a psychologist serves as a member of a Continuing Education Provider Committee, for example an approved freestanding APA Continuing Education Provider (not associated with any university), will the hours that the psychologist participates in this activity qualify as Professional Services hours? The closest that I can see that would fit this description is "program development and/or evaluation activities." A bit more clarification would be helpful.

Academic

- Academic Coursework: I would suggest changing the language to "graduate-level or postgraduate-level" to include programs such as (a) the master of science program in clinical psychopharmacology, which otherwise meets the requirements but is postgraduate rather than graduate as, to enroll in this program, the student must have a license to practice psychology and must have a doctorate in clinical psychology, and (b) postgraduate training in psychoanalysis, which for psychologists, requires a doctoral degree in psychology and licensure as a psychologist. I assume the intent of the Board is to include these types of courses, but additional

clarification here will probably avoid numerous calls to the Board once these regulations are published.

- Academic/Sponsor-Approved Continuing Education (CE) Instruction: Same issue here under the (A) section – change the language to “graduate-level or postgraduate level” to cover academic instruction of postgraduate-level courses.
- Publications: As written, this would exclude editing or co-editing a chapter in a book or an issue of a journal. Those types of editing tasks are onerous, and it seems to me that the text should be updated to include these types of editing. I feel that that they should also qualify, in addition to editing or co-editing a book.
- Self-Directed Learning: I am assuming that the Board is well-aware that Sponsored CE courses include the option of reading a book and getting APA CE credit for this activity. The process of creating and taking an APA-approved book reading course is quite different from the self-directed learning experience described here. To create an APA CE course for a book, the CE provider needs to use the Mergener Formula to calculate the number of CE hours allowed by entering the number of words in the book, the difficulty level of the reading material, and the number of posttest questions. The psychologist taking the course must complete reading the entire book and take the posttest at a passing grade before getting their CE certificate. Therefore, I am assuming that a psychologist who takes a Sponsored CE Course that entails reading a book and gets their CE certificate for this activity would still count this as a Sponsored CE Activity, and not as a Self-Directed Learning activity, correct?
- Board Certification: I brought this up in my last letter to the Board. Why is ABPP the only board that is recognized here? There are other boards besides ABPP. Why is ABPP given such a privileged position here?

Cultural Diversity/Social Justice

- I will again ask the Board to consider making this a one-time requirement rather than a requirement in perpetuity every time a psychologist gets relicensed. There are so many topics that, in my opinion, licensed psychologists should be mandated to take continuing education on, for example improving their diagnostic skills, developing better basic skills in clinical psychopharmacology, developing better baseline skills in treating severe mental illness, and so on. Why not rotate this requirement every relicensing period and mandating 4 hours of training on these topics? I guarantee that they will have to address cultural diversity and social justice issues.

Authorized CE Provider Organizations

- When reading through this section, I assumed that the term “organization” referred to CE Credentialing organizations such as the American Psychological Association, and not to individual providers who are approved to give APA CE courses by APA. However, this was not entirely clear to me when reading this section through. It might be helpful to give an example or two to make this clearer, for example, give an example of an organization (e.g., The American Psychological Association Continuing Education Sponsor Approval Program).

Thank you for the opportunity to provide comment, and I request that my comment be included in those reviewed by the Board of Psychology at their meeting on January 7, 2021 via WebEx.

Sincerely,

Keith Valone PhD PsyD MSCL

Keith Valone, Ph.D., Psy.D., M.S.C.P.

California Licensed Psychologist #PSY7843

CEO and Chief Clinical Officer, The Arroyos Treatment Centers

C.E.O. and Clinical Director, The Arroyos Psychological Associates

Voice: [REDACTED]

Email: [REDACTED]

From: [REDACTED]
To: [Glasspiegel, Jason@DCA](mailto:Glasspiegel.Jason@DCA)
Subject: Proposed changes
Date: Saturday, December 26, 2020 11:45:53 PM

[EXTERNAL]: [REDACTED]

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Dr. Glasspiegel,

This is what I would like clarified in the new changes:

1. Would the book clubs where we discuss a chosen fiction or non-fiction book in terms of its psychological implications and insights be allowed?
2. Can the BOP confirm that such things as LACPA's Special Interest Groups (SIGS) would be allowed? In what category would they fall if a guest speaker was involved? Would one have to be an ongoing member of that SIG?
3. Would Peer Consultation include providing or receiving or bi-directional case consultation, for a fee or not, with LMFTs, LCSWs, **MDs, psychiatric nurse RNs**, or other licensed non-psychologist mental health professionals?

Thank you for your attention to my concerns.

All the best in the New Year,
Karen M. Derr, Ph.D.
CA Lic. PSY13164

From: [REDACTED]
To: Glasspiegel.Jason@DCA
Subject: Comments on CPD/CE for Comment Period ending January 6.
Date: Wednesday, December 30, 2020 11:33:14 AM

[EXTERNAL]: [REDACTED]

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To: California Board of Psychology, % Jason Glasspiegel (Jason.glasspiegel@dca.ca.gov)

I am grateful for all the changes made since the original proposal and for the delay until January 2022. This will provide time for questions to be answered. My understanding is that the BOP will provide a FAQ document that will answer many of the questions we have and provide clarifications on things that might still be unclear.

Here are some clarifications I would like included in the FAQ document:

1. Please clarify whether or not contacting a lawyer for an ethics/legal consult, for a fee or not, would count:
 1. If this is a lawyer who also holds a doctoral degree in psychology
 2. If this is a lawyer who also holds a master's or doctoral degree as a licensed practitioner in a non-psychology mental health field
 3. If this is a lawyer who does not also hold a degree or license in a mental health field?
2. Please clarify whether engaging in a consult about law/ethics in professional practice with CPA's or APA's or our County Psychological Association's or our professional insurance company's ethics or "professional affairs" advisors would count, whether or not the person consulted is licensed in a mental health field (psychology or non-psychology license).
3. When engaging in peer consultation with a colleague, with or without a fee, does it count If the other person(s) is/are licensed in a non-psychology mental health field (MD, LMFT, LMSW, etc.?)
4. For structured and organized consults with a colleague, with or without a fee, can we count partial hours and add them up? For example, I have four consults over the course of 2 years, each of which lasted 15 minutes or so. Or, I have two consults, each that lasted approximately 30 minutes. Can I claim 1 hour of credit each for these?
5. Would book clubs that involve issues of mental health, ethics, or social justice but are not peer-reviewed books or articles; books that are biographies or novels (fiction and non-fiction) or historical books, count under Peer Consultation? The book clubs, such as LACPA's book clubs, read these kinds of books and discuss them as they relate to mental health, culture, the human condition, ethics, history of psychological events, etc. We would like to know if our book club meetings would count.
6. Would Special Interest Group (SIG) meetings count as Peer Consultation? LACPA has several SIGs, each meet several times a year. Sometimes there are guest speakers,

sometimes they are discussion groups about a topic in psychology research or practice.
Examples are: Couples Therapy SIG, Assessment SIG, Child & Adolescent SIG,
Geropsychology SIG.

Thank you very much,
Karen Shore

Karen Shore, PhD, ABPP
Santa Monica/Los Angeles, CA



From: [Dr. Larissa Seay Dashjian](#)
To: [Glasspiegel, Jason@DCA](#); [Larissa Seay Dashjian](#)
Subject: Comments to Proposed Changes to BOP CE Requirements
Date: Wednesday, December 30, 2020 1:19:08 PM

[EXTERNAL]: 

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Hello,

I recently received an email reminder from CPA that the BOP is planning to shift to the CPD model in 2021. This set of changes will dictate what psychologists must do to be licensed beyond just CEs (i.e. case consultation, attending conferences, mentoring/supervision, teaching a class, etc.). Psychologists will have to engage in activities beyond traditional CE activities simply for license renewal (must have evidence of completing hours in 2 of the 4 domains every renewal cycle, in addition to minor changes in the CE requirements).

My reactions are as follows:

1. These changes appear particularly burdensome time-wise and/or financially given some of the proposed "credit" allowances of some of these activities (i.e. 1 credit hour for attending a full-day conference as "Professional Development," or taking a full semester-long course counting as 6 credit hours in the "Academic" category?).

In addition, they appear somewhat punitive to psychologists who practice full-time and do not typically have time to engage in lengthy or ongoing professional activities outside of CE opportunities provided as part of the job or via psychological organizations. These new regulations curiously seem to benefit those in academia the most, who are already teaching, publishing, and typically attending several conferences (typically paid for and sponsored by the academic institution or grants).

I believe that these regulations will actually require additional time and expense than the current CE model for practicing psychologists outside of academia, and, at the extreme, may contribute to increased burnout for those already working full-time--quite the opposite of the intended effect.

2. I co-founded a local therapist's group that meets semi-regularly. The group discusses local issues, ethics, and referrals, and SHOULD count as CPD, but wouldn't count as CPD under these proposed regulations. This makes no sense. The only way it would count is if it is a designated "peer consultation" group? That is very restrictive and limited if not ALL professional activities and volunteer positions in professional or mental health-related endeavors are counted as CPD. Why is the board trying to restrict professional activities only to those select few that it deems worthy? This seems punitive to those who engage in volunteer efforts that don't meet the criteria, but are, in actuality, professional development activities.

3. In a field with extremely low disciplinary action rates (see ASPPB's annual report: <https://www.asppb.net/page/DiscStats>), why are we seeing increased demand from ASPPB and CA BOP for further oversight/scrutiny? The rationale that traditional CE's aren't adequate and psychologists need further ongoing training for competence, etc. is not one based in fact if we are to use the complaint rates above as indirect evidence. Psychology practice is one of the most closely-monitored professions/career paths in this country already, and requires a significant number of supervised years prior to practice and licensure. Thus, these proposed changes make it seem as though the ASPPB and the CA BOP are simply seeking to micromanage psychologists' activities, and based on current complaint data, is not justified.

Thank you for taking the time to review these comments.

Sincerely,

Dr. Larissa Seay Dashjian

Larissa Seay Dashjian, Ph.D.
Licensed Psychologist #PSY29181
Bridgeview Psychological Services
Ph: [REDACTED]
Email: [REDACTED]
Bridgeviewpsychologicalservices.com

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From: [REDACTED]
To: [Glasspiegel, Jason@DCA](mailto:Glasspiegel.Jason@DCA)
Subject: Proposed new CPD regulations
Date: Wednesday, December 30, 2020 5:11:40 PM

[EXTERNAL]: [REDACTED]

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Hi Jason,

I would like to provide some feedback on the proposed regs for CPD, as well as ask some q's that might be clarified in the FAQ's.

As a general tone, the regulations seem geared primarily towards psychologists who practice primarily/exclusively psychotherapy, leaving some categories, like the outcomes assessment process not an option for psychologists who do not conduct psychotherapy, such as clinical or forensic assessment or other types of consultation that are not amenable to outcomes assessment. I realize the addition of some other academic categories does add additional breadth. That said, 9 hours is far off the mark for the amount of time an author would spend to get a paper published in a peer-reviewed psychology journal.

As a recently retired academic, and one who has been a peer reviewer and editorial board member, I can assure you that getting a peer reviewed academic article published takes COUNTLESS hours, probably closer to 30-60+ than 9 hours, particularly given that only a very small fraction of papers are ever accepted for publication. Almost no papers are accepted as it, and a very small fraction of submissions are accepted provisionally upon first submission, meaning that the papers are accepted conditionally upon successful completing additional requested changes usually within a limited time period. Most peer reviewed papers however are rejected entirely, and a small percentage are rejected with an opportunity to resubmit based on revising the submission in accord with extensive feedback provided from 2-3 peer reviewers and/or the journal editor. A revise and resubmit resubmission requires substantial work to revise and resubmit the paper, along with waiting months and months for feedback which can be another revise and resubmit, a rejection, or a preliminary acceptance conditional on making requested changes. Therefore, I'm wondering if an academic paper, particularly a sole or first author paper, be awarded a greater number of CEU hours?

In regards to a peer-review paper, would am "in press" or "accepted provisionally" status qualify? Or would the paper need to appear in print?

Likewise, I believe it would also be helpful to provide CE credit for presentations given at a peer reviewed conference, not just for offering CEU type training, as well as peer review for conferences and grants.

I find it confusing that required ethics and social justice activities were described as pertaining to CA specifically, rather than universally as applied to the field of psychology. Both the ethics and social justice issues seem to be much broader than anything CA-specific, and for

those who don't practice psychotherapy, taking CE credits on ethics or social justice issues pertaining only to CA seems to miss the bigger picture. It's also unclear how social justice topics can even be state-specific.

I wonder about the viability of having CE credits for activities that can only be a one-time achievement, such as ABPP diplomate status.

I was thinking about whether there might be other "expert review/consultation" activities that can accrue CE credits, such as expert consultation to attorneys or other professionals.

What activities that would be acceptable under the peer consultation category needs more specification. Again, for those of us that are not psychotherapists, that don't have grand rounds, local peer consultation groups, we might seek out professional consultation on an as needed basis with a member of the insurance panel, a member of a relevant professional listserv, or informally with colleagues one might reach out to because of their expertise on a particular issue/topic/problem. Similarly, what would be required for a "research group?" How structured or formal would it be required to be? What activities during any consultation group (research, clinical, etc) would qualify.

Finally, while many psychologists might enjoy attending Board meetings, only those local to Sac can do that. Is there a means of obtaining CE credit for attending virtually?

Thank you very much for your hard word on this, and for your consideration of my suggestions/questions.

Mindy Mechanic, Ph.D.
CA license #19660

"Contagion is real, but it doesn't just work for viruses. It works for kind words and generous thoughts, and acts of selflessness and honesty."

Taffy Brodesser-Akner, New York Times

"One does not become enlightened by imagining figures of light, but by making the darkness conscious."

-Carl Jung

Mindy B. Mechanic, Ph.D.

Professor Emeritus
Department of Psychology
California State University, Fullerton



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Thank you

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DEPARTMENT OF CONSUMER
AFFAIRS
TITLE 16. BOARD OF PSYCHOLOGY

PROPOSED REGULATORY LANGUAGE
Continuing Professional Development

Legend:

Added text is indicated with an underline.

Deleted text is indicated with a ~~strikeout~~.

Changes to the originally proposed text are shown with double underline for new text and ~~double strikeout~~ for the deleted text.

§ 1381.9. Renewal of Expired License: Reapplication After Cancelled License.

(a) In the event a licensee does not renew ~~his or her~~their license as provided in section 2982 of the Code, the license expires. In addition to any other requirements, a licensee renewing pursuant to section 2984 of the Code shall furnish a full set of fingerprints as required by and set out in section 1381.7(b) as a condition of renewal.

(b) After a license has been expired for three years, the license is automatically cancelled, and a new license must be obtained in order to provide psychological services. A person whose license has been cancelled may obtain a new license pursuant to the requirements in section 2986 of the Code, and providing the person:

- (1) submits a complete licensing application pursuant to section 1381;
- (2) meets all current licensing requirements;
- (3) successfully passes the examination pursuant to section 1388.6;
- (4) provides evidence of continuing professional development taken pursuant to section 1397.67(b), and no fact, circumstance, or condition exists that would be grounds for denial of licensure under sections 480 or Division/ Chapter/ Article 4 of the Code.

NOTE: Authority cited: Sections 2930 and 2982, Business and Professions Code. Reference: Sections 118, 480, 2984 and 2986, Business and Professions Code; and Section 11105(b)(10), Penal Code.

§ 1397.60. Definitions. [Effective until December 31, 2020.]

This section is inoperative January 1, 2024, and repealed on December

31, 2042.

As used in this article:

(a) “Conference” means a course consisting of multiple concurrent or sequential free-standing presentations. Acceptable presentations must meet the requirements of section 1397.61(c).

(b) “Continuing education” (CE) means the variety of forms of learning experiences, including, but not limited to, lectures, conferences, seminars, workshops, grand rounds, in-service training programs, video conferencing, and independent learning technologies.

(c) “Course” or “presentation” means an approved systematic learning experience of at least one hour in length. One hour shall consist of 60 minutes of actual instruction. Courses or presentations less than one hour in duration shall not be acceptable.

(d) “Grand rounds” or “in-service training program” means a course consisting of sequential, free-standing presentations designed to meet the internal educational needs of the staff or members of an organization and is not marketed, advertised or promoted to professionals outside of the organization. Acceptable presentations must meet the requirements of section 1397.61(c).

(e) “Independent learning” means the variety of forms of organized and directed learning experiences that occur when the instructor and the student are not in direct visual or auditory contact. These include, but are not limited to, courses delivered via the Internet, CD-ROM, satellite downlink, correspondence and home study. Self-initiated, independent study programs that do not meet the requirements of section 1397.61(c) are not acceptable for continuing education. Except for qualified individuals with a disability who apply to and are approved by the Board pursuant to section 1397.62(c), independent learning can be used to meet no more than 75% (27½-hours) of the continuing education required in each renewal cycle. Independent learning courses must meet the requirements of section 1397.61(c).

(f) “Provider” means an organization, institution, association, university, or other person or entity assuming full responsibility for the course offered, whose courses are accepted for credit pursuant to section 1397.61(c)(1).

Note: Authority cited: Sections 2915(g) and 2930, Business and Professions Code. Reference: Sections 29 and 2915, Business and Professions Code.

§ 1397.60. Definitions. [Effective January 1, 2042.]

This section shall be applicable to a license that expires on or after, or is

renewed, reactivated, or reinstated on or after, January 1, 2024~~2~~.

Continuing Professional Development (CPD) means required learning activities approved for the purpose of license renewal. CPD shall be met in the following four categories: Professional Activities; Academic; Sponsored Continuing Education; and Board Certification.

(a) Acceptable CPD learning activities under “Professional Activities” include:

(1) “Peer Consultation”

(A) “Peer Consultation” means engaging in structured and organized interaction, in person or electronically mediated, with professional colleagues designed to broaden professional knowledge and expertise, reduce professional isolation, and directly inform the work of the psychologist. CPD pursuant to this section may only be obtained through individual or group case consultation, reading groups, or research groups. These activities must be focused on maintaining, developing, or increasing conceptual and applied competencies that are relevant to psychological practice, education, or science.

(B) “Peer Consultation” does not include “Supervision” as defined in section (b)(3).

(2) “Practice Outcome Monitoring” (POM)

“Practice Outcome Monitoring” (POM) means the application of outcome assessment protocols with clients/patients, in order to monitor one’s own practice process and outcomes, with the goal of assessing effectiveness. All outcome measures must be sensitive to cultural and diversity issues.

(3) “Professional Services”

“Professional Services” means ongoing participation in services related to the field of psychology, or other related disciplines, including but not limited to, serving on psychological association boards or committees, editorial boards of peer reviewed journals related to psychology or other related disciplines, scientific grant review teams, boards of regulatory bodies, program development and/or evaluation activities, separate and apart from a fee for service arrangement.

(4) “Conference/Convention Attendance”

“Conference/Convention Attendance” means attending a professional gathering, either in person or via electronic means, that consists of multiple concurrent or sequential free-standing presentations related to the practice of psychology, or that may be applied to psychological practice, where the licensee interacts with

professional colleagues and participates in the social, interpersonal, professional, and scientific activities that are part of the environment of those gatherings. CPD credit may be accrued for "Conference/Convention Attendance" separate from credit earned for completing sponsored CE coursework or sessions at the same conference/convention.

(5) "Examination Functions"

"Examination Functions" means serving in any function related to examination development for the Board or for the development of the EPPP.

(6) "Expert Review/Consultation"

"Expert Review/Consultation" means serving in any expert capacity for the Board.

(7) "Attendance at a California Board of Psychology Meeting"

"Attendance at a California Board of Psychology Meeting" means physical attendance at a full-day Board meeting or physical attendance at a separately noticed Committee meeting of the Board.

(b) Acceptable CPD learning activities under "Academic" include:

(1) "Academic Coursework"

"Academic Coursework" means completing and earning academic credit for a graduate-level course related to psychology from an institution whose degree meets the requirements of section 2914 of the Code.

(2) "Academic/Sponsor-Approved Continuing Education (CE) Instruction"

(A) "Academic Instruction" means teaching a graduate-level course that is part of a degree program which degree meets the requirements of section 2914(c) of the Code.

(B) "Sponsor-Approved CE Instruction" means teaching a sponsored CE course that relates to the practice of psychology as defined in section 1397.60(c).

(3) "Supervision"

"Supervision" means overseeing the professional experience of a trainee who is accruing hours toward licensure as a Psychologist, Marriage and Family Therapist, Licensed Clinical Social Worker, Licensed Professional Clinical Counselor, Licensed Educational Psychologist, or Physician and Surgeon.

(4) “Publications”

“Publications” means authoring or co-authoring peer-reviewed journal articles, book chapters, or books, or editing or co-editing a book, related to psychology or related discipline.

(5) “Self-Directed Learning”

“Self-Directed Learning” means independent educational activities focused on maintaining, developing, or increasing conceptual and applied competencies that are relevant to psychological practice, education, or science, such as reading books or peer-reviewed journal articles, watching videos or webcasts, or listening to podcasts.

(c) Acceptable CPD learning activities under “Sponsored Continuing Education” means Sponsor-Approved Continuing Education, which includes any approved structured, sequenced learning activity, whether conducted in-person or online. “Course” or “presentation” means a sponsor-approved systematic learning experience. “Provider” means an organization, institution, association, university, or other person or entity assuming full responsibility for the CE program offered, and whose courses are accepted for credit pursuant to section 1397.61(k).

(d) Acceptable CPD learning activities under “Board Certification” are defined as the initial earning of a specialty certification in an area of psychology from the American Board of Professional Psychology (ABPP).

Note: Authority cited: Sections 2915(g) and 2930, Business and Professions Code. Reference: Sections 29 and 2915, Business and Professions Code.

§ 1397.61. Continuing Education Requirements. [Effective until December 31, 2021.]

This section is inoperative January 1, 2022, and repealed on December 31, 2022.

(a) Except as provided in section 2915(e) of the Business and Professions Code and section 1397.62 of these regulations, each licensed psychologist shall certify on the application for license renewal that ~~he or she~~ the licensee has completed the continuing education requirements set forth in section 2915 of the Code. A licensee who renews ~~his or her~~ their license for the first time after the initial issuance of the license is only required to accrue continuing education for the number of months that the license was in effect, including the month the license was issued, at the rate of 1.5-hours of approved continuing education per month. Continuing education earned via independent learning pursuant to section 1397.60(e) shall be accrued at no more than 75% of the continuing

education required for the first time renewal. The required hours of continuing education may not be accrued prior to the effective date of the initial issuance of the license. A licensee who falsifies or makes a material misrepresentation of fact on a renewal application or who cannot verify completion of continuing education by producing verification of attendance certificates, whenever requested to do so by the Board, is subject to disciplinary action under section 2960 of the Code.

(b) Any person renewing or reactivating ~~his or her~~their license shall certify under penalty of perjury to the Board of Psychology as requested on the application for license renewal, that ~~he or she~~the licensee has obtained training in the subject of laws and ethics as they apply to the practice of psychology in California. The training shall include recent changes/updates on the laws and regulations related to the practice of psychology; recent changes/updates in the Ethical Principles of Psychologists and Code of Conduct published by the American Psychological Association; accepted standards of practice; and other applications of laws and ethics as they affect the licensee's ability to practice psychology with safety to the public. Training pursuant to this section may be obtained in one or more of the following ways:

- (1) Formal coursework in laws and ethics taken from an accredited educational institution;
- (2) Approved continuing education course in laws and ethics;
- (3) Workshops in laws and ethics;
- (4) Other experience which provide direction and education in laws and ethics including, but not limited to, grand rounds or professional association presentation.

If the licensee chooses to apply a specific continuing education course on the topic of laws and ethics to meet the foregoing requirement, such a course must meet the content requirements named above, must comply with section 1397.60(c), and may be applied to the 36~~h~~ hours of approved continuing education required in Business and Professions Code section 2915(a).

(c) The Board recognizes and accepts for continuing education credit courses pursuant to this section. A licensee will earn one hour continuing education credit for each hour of approved instruction.

- (1) Continuing education courses shall be:
 - (A) provided by American Psychological Association (APA), or its approved sponsors;
 - (B) Continuing Medical Education (CME) courses specifically applicable and pertinent to the practice of psychology and that are accredited by the California Medical Association (CMA) or the Accreditation Council for Continuing Medical Education (ACCME);or
 - (C) provided by the California Psychological Association, or its approved sponsors.

(D) approved by an accrediting agency for continuing education courses taken prior to January 1, 2013, pursuant to this section as it existed prior to January 1, 2013.

(2) Topics and subject matter for all continuing education shall be pertinent to the practice of psychology. Course or learning material must have a relevance or direct application to a consumer of psychological services.

(3) No course may be taken and claimed more than once during a renewal period, nor during any twelve (12) month period, for continuing education credit.

(4) An instructor may claim the course for his/her own credit only one time that he/she teaches the acceptable course during a renewal cycle, or during any twelve (12) month period, receiving the same credit hours as the participant.

(d) Examination Functions. A licensee who serves the Board as a selected participant in any examination development related function will receive one hour of continuing education credit for each hour served. Selected Board experts will receive one hour of continuing education credit for each hour attending Board sponsored Expert Training Seminars. A licensee who receives approved continuing education credit as set forth in this paragraph shall maintain a record of hours served for submission to the Board pursuant to section 1397.61(e).

(e) A licensee shall maintain documentation of completion of continuing education requirements for four (4) years following the renewal period, and shall submit verification of completion to the Board upon request. Documentation shall contain the minimum information for review by the Board: name of provider and evidence that provider meets the requirements of section 1397.61(c)(1); topic and subject matter; number of hours or units; and a syllabus or course description. The Board shall make the final determination as to whether the continuing education submitted for credit meets the requirements of this article.

(f) Failure to provide all of the information required by this section renders any application for renewal incomplete and not eligible for renewal.

Note: Authority cited: Sections 2915(g) and 2930, Business and Professions Code. Reference: Sections 29, 32, 2915 and 2915.7, Business and Professions Code.

§ 1397.61. Continuing Professional Development Requirements. [Effective January 1, 2024.]

This section shall be applicable to a license that expires on or after, or is renewed, reactivated, or reinstated on or after, January 1, 2024.

(a) Except as provided in section 2915(eg) of the Business and Professions Code and section 1397.62 of these regulations, a psychologist shall certify under penalty of perjury to the Board on the application for license renewal that he or

she has completed the CPD requirements set forth in this Article and section 2915 of the Code. Failing to do so, or falsifying or making a material misrepresentation of fact on a renewal application, or failing to provide documentation verifying compliance whenever requested to do so by the Board, shall be considered unprofessional conduct and subject the licensee to disciplinary action and render ~~his or her~~ their license ineligible for renewal.

(b) A psychologist renewing ~~his or her~~ their license shall certify under penalty of perjury on the application for license renewal that ~~he or she~~ the licensee has engaged in a minimum of four (4) hours of training in the subject of laws and ethics, as they apply to the practice of psychology in California for each renewal period. This includes recent changes or updates on the laws and regulations related to the practice of psychology; recent changes or updates in the Ethical Principles of Psychologists and Code of Conduct published by the American Psychological Association; accepted standards of practice; and other applications of laws and ethics as they affect the licensee's ability to practice psychology safely. This requirement shall be met using any combination of the four (4) CPD categories, and the licensee shall indicate on ~~his or her~~ their documentation which of the CPD activities are being used to fulfill this requirement. The four (4) hours shall be considered part of the 36-hour CPD requirement.

(c) A psychologist renewing ~~his or her~~ their license shall certify under penalty of perjury on the application for license renewal that ~~he or she~~ the licensee has engaged in a minimum of four (4) hours of training for each renewal period pertinent to Cultural Diversity and/or Social Justice issues as they apply to the practice of psychology in California. Cultural Diversity pertains to differences in age, race, culture, ethnicity, nationality, immigration status, gender, gender identity, sexual orientation, socioeconomic status, religion/spirituality, and physical ability. Social Justice pertains to the historical, social and political inequities in the treatment of people from non-dominant groups, while addressing the various injustices and different types of oppression that contribute to individual, family and community psychological concerns. This requirement shall be met using any combination of the four (4) CPD categories and the licensee shall indicate on ~~his or her~~ their documentation which of the CPD activities are being used to fulfill this requirement. The four (4) hours shall be considered part of the 36-hour CPD requirement.

(d) Topics and subject matter for all CPD activities shall be pertinent to the practice of psychology.

(e) The Board recognizes and accepts CPD hours that meet the description of the activities set forth in section 1397.60. With the exception of 100% ABPP Board Certification, a licensee shall accrue hours during each renewal period from at least two (2) of the four (4) CPD activity categories: Professional Activities; Academic; Sponsored Continuing Education; and Board Certification. Unless otherwise specified, for any activity for which the licensee wishes to claim credit, no less than one (1) hour credit may be claimed and no more than the maximum number of allowable hours, as set forth in subsection (f), may be claimed for each renewal period.

(f) Acceptable CPD learning activities under "Professional Activities" include:

(1) "Peer Consultation"

(A) A maximum of 18 hours shall be credited in "Peer Consultation". (B) One (1) hour of activity in "Peer Consultation" equals one (1) hour of credit.

(C) The licensee shall maintain a record of this activity as documentation of compliance. This record shall include: date(s), type of activity, and total number of hours.

(2) "Practice Outcome Monitoring" (POM)

(A) A maximum of nine (9) hours shall be credited in "POM".

(B) "POM" for one (1) patient/client equals one (1) hour credited.

(C) The licensee shall maintain a record of this activity as documentation of compliance. This record shall include: date(s) of monitoring, client identifier, and how outcomes were measured.

(3) "Professional Service"

(A) A minimum of 4.5 hours and a maximum of 12 hours shall be credited in "Professional Service".

(B) One (1) year of "Professional Service" for a particular activity equals nine (9) hours credited and six (6) months equals 4.5 hours credited.

(C) The licensee shall maintain a record of this activity as documentation of compliance. This record shall include: board or program name, role of licensee, dates of service, and term of service (six months or one year).

(4) "Conference/Convention Attendance"

(A) A maximum of six (6) hours shall be credited in "Conference/Convention Attendance".

(B) One (1) full conference/convention day attendance equals one (1) hour credited.

(C) The licensee shall maintain a record of this activity as documentation of compliance. This record shall include: name of

conference/convention attended, proof of registration, and date(s) of conference/convention attended.

(5) "Examination Functions"

(A) A maximum of 12-hours shall be credited in "Examination Functions".

(B) One (1) hour of service equals one (1) hour of credit.

(C) The licensee shall maintain a record of this activity as documentation of compliance. This record shall include: name of exam, dates of service, and number of hours.

(6) "Expert Review/Consultation"

(A) A maximum of 12-hours shall be credited in "Expert Review/Consultation".

(B) One (1) hour of service in an expert capacity equals one (1) hour of credit.

(C) The licensee shall maintain a record of this activity as documentation of compliance. This record shall include: dates of service and number of hours.

(7) "Attendance at a California Board of Psychology Meeting"

(A) A maximum of eight (8) hours shall be credited in "Attendance at a California Board of Psychology Meeting".

(B) Attendance for one (1) day Board or Committee meeting equals six (6) hours of credit. For Board or Committee meetings that are three (3) hours or less, one (1) hour of attendance equals one (1) hour of credit.

(C) The licensee shall maintain a record of hours as documentation of compliance. This record shall include: date of meeting, name of meeting, and number of hours attended. A psychologist requesting CPD credit pursuant to this subdivision shall have signed in and out on an attendance sheet providing ~~his or her~~ their first and last name, license number, time of arrival and time of departure from the meeting.

(g) Acceptable CPD learning activities under "Academic" include:

(1) "Academic Coursework"

(A) A maximum of 18-hours shall be credited in "Academic Coursework".

(B) Each course taken counts only once for each renewal period and may only be submitted for credit once the course is completed.

(C) Each one (1) semester unit earned equals six (6) hours of credit and each one (1) quarter unit earned equals 4.5-hours of credit.

(D) The licensee shall maintain a record of this activity as

documentation of compliance. This record shall include a transcript with evidence of a passing grade (C or higher or “pass”).

(2) “Academic/Sponsor-Approved CE Instruction”

(A) “Academic Instruction”

(i) A maximum of 18-hours shall be credited in “Academic Instruction”.

(ii) Each course taught counts only once for each renewal period and may only be submitted for credit once the course is completed.

(iii) A term-long (quarter or semester) academic course equals 18-hours of credit.

(iv) The licensee shall maintain a record of this activity as documentation of compliance. This record shall include: course syllabus, title of course, name of institution, and dates of instruction.

(B) “Sponsor-Approved CE Instruction”

(i) A maximum of 18-hours shall be used in “Sponsor-Approved CE Instruction”.

(ii) Each course taught counts only once for each renewal period and may only be submitted for credit once the course is completed.

(iii) One (1) hour of instruction equals 1.5-hours of credit.

(iv) The licensee shall maintain a record of this activity as documentation of compliance. This record shall include: course syllabus, title of course, dates of instruction, name of sponsoring entity, and number of hours taught.

(3) “Supervision”

(A) A maximum of 18-hours shall be credited in “Supervision”.

(B) One (1) hour of supervision equals one (1) hour of credit.

(C) The licensee shall maintain a record of this activity as documentation of compliance. This record shall include: dates of supervision and a trainee identifier.

(4) “Publications”

(A) A maximum of nine (9) hours shall be credited in “Publications”.

(B) One (1) publication equals nine (9) hours of credit.

(C) A publication may only be counted once.

(D) The licensee shall maintain a record of this activity as documentation of compliance. This record shall include: either a letter of acceptance for publication, or proof of publication with publication date in the renewal period for which it is being submitted.

(5) “Self-Directed Learning”

(A) A maximum of six (6) hours shall be credited in "Self-Directed Learning".

(B) One (1) hour of activity in "Self-Directed Learning" equals one (1) hour of credit.

(C) The licensee shall maintain a record of this activity as documentation of compliance. This record shall include: date(s), medium (e.g. webinar), topic or title, and total number of hours.

(h) Acceptable "Sponsored Continuing Education" includes:

(1) A maximum of 27-hours shall be credited in "Sponsored Continuing Education".

(2) Credit may be granted only once during a renewal cycle for each course taken.

(3) One (1) hour of sponsored continuing education equals one (1) hour of credit.

(4) The licensee shall maintain proof of attendance provided by the sponsor of the continuing education as documentation of compliance.

(i) Acceptable CPD learning activities under "Board Certification" include:

(1) ABPP Board Certification

(A) ABPP Board Certification may count for 100% (36-hours) of required CPD in the renewal cycle in which the certification is awarded.

(B) The licensee shall maintain proof of specialty certification as documentation of compliance.

(2) "Senior Option" ABPP Board Certification

(A) "Senior Option" ABPP Board Certification may count for 50% (18-hours) of required CPD in the renewal cycle in which the certification is awarded.

(B) The licensee shall maintain proof of specialty certification as documentation of compliance.

(j) To satisfy the requirements of section 2915 of the Code, an organization seeking the authority to approve a provider of continuing education shall meet the following requirements. An organization authorized pursuant to this section may also provide continuing education. An organization previously approved by the Board to approve providers of CE are deemed authorized under this section.

(1) The approving organization must:

(A) have a 10-year history of providing educational programming for psychologists.

(B) have documented procedures for maintaining a continuing education approval program, including, but not limited to:

(i) maintaining and managing records and data related to approved CE programs, and

- (ii) monitoring and approving CE providers and courses
- (C) have policies in place to avoid a conflict of interest between its provider and approval functions,
- (D) evaluate each CE provider seeking approval, including itself, according to current evidence as to what constitutes an appropriate program in terms of content and level of presentation, as set out in subsection (j)(2),
- (E) conduct periodic reviews of courses offered by providers approved by the organization, as well as its own courses, to determine compliance with the organization's requirements and the requirements of the Board,
- (F) establish a procedure for determining if an approved provider meets regulatory criteria as established in this subsection, and
- (G) have a process to respond to complaints from the Board, providers, or from licensees concerning activities of any of its approved providers or the provider's~~their~~ courses.

- (2) The approving organization shall ensure that approved providers:
 - (A) offer content at post-licensure level in psychology that is designed to maintain, develop, broaden, and/or increase professional competencies,
 - (B) demonstrate that the information and programs presented are intended to maintain, develop, and increase conceptual and applied competencies that are relevant to psychological practice, education, or science, and have a direct consumer application in at least one of the following ways:
 - (i) programs include content related to well-established psychological principles,
 - (ii) programs are based on content that extends current theory, methods or research, or informs current practice,
 - (iii) programs provide information related to ethical, legal, statutory, or regulatory guidelines and standards that impact the practice of psychology, and/or
 - (iv) programs' content focuses on non-traditional or emerging practice or theory and can demonstrate relevance to practice.
 - (C) use a formal (written) evaluation tool to assess program effectiveness (what was learned) and assess how well each of the educational goals was achieved (this is separate from assessing attendee satisfaction with the CE program),
 - (D) use results of the evaluation process to improve and plan future programs,
 - (E) provide CE credit on the basis of one hour of credit will be earned for each hour of approved instruction,
 - (F) provide attendance verification to CE attendees that includes the name of the licensee, the name of the course, the date of the course,

the number of credit hours earned, and the approving agency,
(G) provide services to all licensees without discrimination, and
(H) ensure that advertisements for CE courses include language that
accurately reflects the approval status of the provider.

(3) Failure of the approving organization to meet the provisions of this
section shall constitute cause for revocation of authorization by the
Board.

Authorization shall be revoked only by a formal Board action, after notice
and hearing, and for good cause.

(k)(1) Each person who applies to renew ~~his or her~~ their license shall certify
under penalty of perjury that ~~he or she~~ the licensee has complied with all the
requirements of this section within the licensure period they are currently in,
shall maintain proof of compliance for four (4) years from the effective date of
the renewal, and shall submit such proof to the Board upon request.

(k)(2) Each person who applies to reactivate or reinstate ~~his or her~~ their license
shall certify under penalty of perjury that ~~he or she~~ the licensee has complied
with all the requirements of this section within the 24 month period prior to the
request to reactive or reinstate, shall maintain proof of compliance for four (4)
years from the date of the reactivation or reinstatement, and shall submit such
proof to the Board upon request.

(l) No activity may be claimed for credit in more than one CPD category.

(m) For a license that renews or is reactivated between January 1, 2024~~2~~, and
December 31, 2024~~2~~, the hours accrued will qualify for renewal if they meet
either the requirements of this section as it existed prior to January 1, 2024~~2~~ or
as it exists after January 1, 2024~~2~~.

Note: Authority cited: Sections 2915 and 2930, Business and Professions Code.
Reference: Sections 29, 32, 2915 and 2915.7, Business and Professions Code.

§ 1397.62. Continuing Education Exemptions and Exceptions. [Effective
until December 31, 2024~~1~~.]

This section is inoperative January 1, 2024~~2~~, and repealed on December
31, 2024~~2~~.

At the time of making application for renewal of a license, a psychologist may as provided in this section request an exemption or an exception from all or part of the continuing education requirements.

(a) The Board shall grant an exemption only if the psychologist verifies in writing that, during the two-year period immediately prior to the expiration date of the license, ~~he or she~~ the licensee:

- (1) Has been engaged in active military service reasonably preventing completion of the continuing education requirements, except that a licensee granted an exemption pursuant to this section shall still be required to fulfill the laws and ethics requirement set forth in section 1397.61(b); or
- (2) Has been prevented from completing the continuing education requirements for reasons of health or other good cause which includes:
 - (A) Total physical and/or mental disability of the psychologist for at least one year; or
 - (B) Total physical and/or mental disability of an immediate family member for at least one year where the psychologist has total responsibility for the care of that family member.

Verification of a physical disability under subsection (a)(2) shall be by a licensed physician and surgeon or, in the case of a mental disability, by a licensed psychologist or a board certified or board eligible psychiatrist.

(b) An exception to the requirements of Business and Professions Code section 2915(d) may be granted to licensed psychologists who are not engaged in the direct delivery of mental health services for whom there is an absence of available continuing education courses relevant to their specific area of practice.

- (1) An exception granted pursuant to this subsection means that the Board will accept continuing education courses that are not acceptable pursuant to section 1397.61(c) provided that they are directly related to the licensee's specific area of practice and offered by recognized professional organizations. The Board will review the licensee's area of practice, the subject matter of the course, and the provider on a case-by-case basis. This exception does not mean the licensee is exempt from completing the continuing education required by Business and Professions Code section 2915 and this article.
- (2) Licensees seeking this exception shall provide all necessary information to enable the Board to determine the lack of available approved continuing education and the relevance of each course to the continuing competence of the licensee.

Such a request shall be submitted in writing and must include a clear statement as to the relevance of the course to the practice of psychology and the following information:

- (A) Information describing, in detail, the depth and breadth of the content covered (e.g., a course syllabus and the goals and objectives of the course), particularly as it relates to the practice of psychology.

(B) Information that shows the course instructor's qualifications to teach the content being taught (e.g., ~~his or her~~their education, training, experience, scope of practice, licenses held and length of experience and expertise in the relevant subject matter), particularly as it relates to the practice of psychology.

(C) Information that shows the course provider's qualifications to offer the type of course being offered (e.g., the provider's background, history, experience and similar courses previously offered by the provider), particularly as it relates to the practice of psychology.

(3) This subsection does not apply to licensees engaged in the direct delivery of mental health services.

(c) Psychologists requiring reasonable accommodation according to the Americans with Disabilities Act may be granted an exemption from the on-site participation requirement and may substitute all or part of their continuing education requirement with an American Psychological Association or accreditation agency approved independent learning continuing education program. A qualified individual with a disability must apply to the Board to receive this exemption.

(d) Any licensee who submits a request for an exemption or exception that is denied by the Board shall complete any continuing education requirements within 120 days of the notification that the request was denied.

NOTE: Authority cited: Sections 2915(g) and 2930, Business and Professions Code. Reference: Section 2915, Business and Professions Code.

§ 1397.62. Continuing Education Exemptions. [Effective January 1, 2024]

This section shall be applicable to a license that expires on or after, or is renewed, reactivated, reinstated on or after, January 1, 2024.

(a) To be granted an exemption from all or part of the CPD requirements, a licensee must certify in writing that ~~he or she~~the licensee has met the requirement of section 114.3 of the Code that during the two-year period immediately preceding the expiration of the license, ~~he or she~~the licensee was on active military duty. The request for exemption must be submitted no less than thirty (30) days prior to the submission of an application for the renewal of the license. For the first renewal after discharge from active military service, ~~he or she~~the licensee shall be exempt from the CPD renewal requirements, except that ~~he or she~~the licensee must accrue, as a condition of renewal, 1.5-hours per month (or portion of month) remaining in the renewal cycle post-discharge, calculated 60 days after discharge date. The licensee shall then, at a minimum,

fulfill the Laws and Ethics requirement set out in section 1397.61(b), and the Cultural Diversity and/or Social Justice requirement set out in section 1397.61(c).

(b) Any licensee who submits a request for an exemption that is denied, in whole or in part, by the Board shall complete any CPD requirements within 120 days of the notification that the request was denied.

NOTE: Authority cited: Sections 114.3, 2915(g), and 2930, Business and Professions Code. Reference: Sections 114.3 and 2915, Business and Professions Code.

§ 1397.67. Renewal After Inactive or Delinquent Expired Status. [Effective until December 31, 2021.]

This section is inoperative January 1, 2022, and repealed on December 31, 2022.

(a) To activate a license which has been placed on inactive status pursuant to section 2988 of the Code, the licensee must submit evidence of completion of the requisite 36-hours of qualifying continuing education courses for the two-year period prior to establishing the license as active.

(b) For the renewal of a delinquent psychologist license within three years of the date of expiration, the applicant for renewal shall provide evidence of completion of 36-hours of qualifying continuing education courses for the two-year period prior to renewing the license.

After a license has been delinquent for three years, the license is automatically cancelled and the applicant must submit a complete licensing application, meet all current licensing requirements, and successfully pass the licensing examination just as for the initial licensing application unless the board grants a waiver of the examination pursuant to section 2946 of the Code.

NOTE: Authority cited: Sections 2915(g) and 2930, Business and Professions Code. Reference: Section 2915, 2984, and 2988, Business and Professions Code.

§ 1397.67. Continued Professional Development Requirements for Reactivation. [Effective January 1, 2022.]

This section shall be applicable to a license that expires on or after, or is renewed, reactivated, or reinstated on or after, January 1, 2022.

(a) To activate a license that has been placed on inactive status pursuant to section 2988 of the Code, the licensee shall submit evidence of completion of the requisite 36-hours of qualifying CPD for the two-year period prior to reactivating the license.

(b) For the renewal of an expired psychologist license within three years of the date of expiration, the applicant for renewal shall provide evidence of completion of 36-hours of qualifying CPD for the two-year period prior to renewing the license.

NOTE: Authority cited: Sections 2915(g) and 2930, Business and Professions Code. Reference: Section 2915, 2984, and 2988, Business and Professions Code.

MEMORANDUM

DATE	January 21, 2021
TO	Board of Psychology
FROM	Cristina Rivera Legislative and Regulatory Analyst
SUBJECT	Agenda Item #12 – Consideration of Adding 16 CCR section 1396.8– Standards of Practice for Telehealth

In 2011, as part of the Board's Sunset Review, the Legislature asked the Board if legislative or regulatory changes need to be made to address telehealth or online practice. In its report back to the Legislature, the Board stated it was researching and analyzing the use of telehealth as a mode for the practice of psychology and what impact this newer mode of psychotherapy delivery will have on the consumer of psychological services.

In 2016, as part of its next Sunset Review, the Board committed to developing telepsychology regulations that would instruct licensees how to provide telehealth to Californians and give additional opportunities to provide care to underserved populations. In its efforts to meet its commitment, the Board established the ad hoc Telepsychology Committee (Committee).

The Committee considered the American Psychological Association Guidelines (APA Guidelines) for the Practice of Telepsychology and the Association of State and Provincial Psychology Board (ASPPB) Telepsychology Task Force Principles and Standards when developing draft regulatory language.

This package was noticed for the initial 45-day comment period on August 14, 2020. This comment period ended on September 29, 2020. Staff conducted a hearing on September 30, 2020.

While this package was in review by the Department of Consumer Affairs (DCA), the Telepsychology Committee met and developed potential amendments to the package in review by DCA, with the intention of introducing these amendments after the initial comment period.

After reviewing the public comments received during the noticed comment period, staff made additional modifications to the Telepsychology Committee amendments to address these comments.

The Board considered the comments at the December 2020, Board meeting, and issued a notice of modified text was filed on December 4, 2020. The 15-day comment period ended on December 22, 2020.

Action Requested:

Staff recommends the Board reject the comments received during the 15-day comment period as the comments are not germane and outside the scope of the modified text.

Attachment A: Comment received during 15-day comment period

Attachment B: Modified Text

From: [REDACTED]
To: [Glasspiegel, Jason@DCA](mailto:Glasspiegel.Jason@DCA)
Subject: Comment on Standard of Practice for Telehealth
Date: Monday, December 7, 2020 4:55:18 PM

[EXTERNAL]: [REDACTED]

CAUTION: THIS EMAIL ORIGINATED OUTSIDE THE DEPARTMENT OF CONSUMER AFFAIRS!

DO NOT: click links or open attachments unless you know the content is safe.

NEVER: provide credentials on websites via a clicked link in an Email.

Hello -

For sections 1396.8(a).2 and 1396.8(a).3, it would be helpful to have further guidance around the duration and/or circumstances that can be deemed "temporarily."

Best,
Todd

--

Todd Brown, PhD
Behavioral Therapist

[REDACTED]
OCD & Anxiety Program of Southern California
3205 Ocean Park Blvd, Suite 250
Santa Monica, CA 90405
www.socalocdprogram.org

Title 16. Board of Psychology

PROPOSED LANGUAGE

Proposed new language is underlined

Changes to the originally proposed language are shown with double underline for new text and double strikeout for the deleted text.

Add Section 1396.8 of Article 8 of Division 13.1 of Title 16 of the California Code of Regulations to read:

§1396.8. Standards of Practice for Telehealth Services

(a) A licensee is permitted to provide psychological health care services via telehealth to a client at an originating site in this State, as defined in section 2290.5 of the Code, as well as to a client who is a resident of California who is temporarily located outside of this State, subject to the laws and regulations of the other state jurisdiction where either the licensee and/or the client is located, including, but not limited to, the following circumstances:

(1) To a client at an originating site in this State, as defined in section 2290.5 of the Code, when a licensee is located at a distant site within this state. Resident means any individual who is or has been present in California for other than a temporary or transitory purpose, or who is domiciled in California.

(2) To a client who has received services in California, and who is temporarily located outside of this State. Domicile means the place where an individual voluntarily establishes themselves and their family, not merely for a special or limited purpose, but with a present intention of making it their true, fixed, permanent home and principal establishment.

(3) To a client who is located in this State when a licensee is temporarily located outside of this State.

(b) As used in this section, a licensee shall include a licensee, registrant, psychology trainee, or other supervised individual permitted to provide psychological services under the Psychology Licensing Law, beginning with section 2900 of the Code.

(c) The provision of psychological health care services under subdivision (a) are subject to the following conditions:

(1) The licensee holds a valid and current license issued by the Board or is otherwise allowed to practice under this section.

- (2) The licensee obtains and documents informed consent for the provision of psychological health care services via telehealth from the client. Such consent shall cover concerns unique to the receipt of psychological health care services via telehealth, including risks to confidentiality and security, data storage policies and procedures specific to telehealth, the possibility of disruption and/or interruption of service due to technological failure, insurance coverage considerations, and other issues that the licensee can reasonably anticipate regarding the non-comparability between psychological health care services delivered in person and those delivered via telehealth.
- (3) The licensee determines that delivery of psychological health care services via telehealth is appropriate after considering at least the following factors:
- (A) The client's diagnosis, symptoms, and medical/psychological history;
 - (B) The client's preference for receiving psychological health care services via telehealth;
 - (C) The nature of the psychological health care services to be provided, including anticipated benefits, risks, and constraints resulting from their delivery via telehealth;
 - (D) The benefits, risks, or constraints posed by the client's physical location. These include the availability of appropriate physical space for the receipt of psychological health care services via telehealth, accessibility of local emergency psychological health care services, and other considerations related to the client's diagnosis, symptoms, or condition.
 - (E) The provision of telehealth services is within the scope of competency of a psychology trainee, or other supervised individuals as specified in (b) above, who provides psychological health care services under the supervision of the licensee.
- (4) The licensee is competent to deliver such services based upon whether ~~he or she~~ the licensee possesses the appropriate knowledge, skills, and abilities relating to delivery of psychological health care services via telehealth, the information technology chosen for the delivery of telehealth services, and how such services might differ from those delivered in person.
- (5) The licensee takes reasonable steps to ensure that electronic data is transmitted securely, and informs the client immediately of any known data breach or unauthorized dissemination of data.
- (6) The licensee complies with all other provisions of the Psychology Licensing Law and its attendant regulations, and all other applicable provisions of law and standards of care in this state and the other ~~state~~ jurisdiction, if any, where either the licensee or the client is located.

~~(c) Failure to comply with these regulations or the laws and regulations relating to telehealth of the other state, if any, where either the licensee or the client is located constitutes unprofessional conduct.~~

Authority: 2930 Business and Professions Code

Reference: Business and Profession Code sections 686, 2290.5, 2904.5, 2960, 2960.6

MEMORANDUM

DATE	January 21, 2021
TO	Board of Psychology
FROM	Cristina Rivera Legislative and Regulatory Analyst
SUBJECT	Agenda Item #13 – Regulatory Update, Review, and Consideration of Additional Changes

The following is a list of the Board's regulatory packages, and their status in the regulatory process:

a) Update on 16 CCR sections 1391.1, 1391.2, 1391.5, 1391.6, 1391.8,

Preparing		Notice with OAL and Hearing	Notice of Modified Text and Hearing	Preparation of Final Documentation	Final Departmental Review	Submission to OAL for Review	OAL Approval and Board Implementation
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This package was provided to the Department of Consumer Affairs (DCA) on November 12, 2019 and is now in the Initial Departmental Review Stage. This stage involves a review by DCA's legal, budget, and executive offices, and the State's Business Consumer Services and Housing Agency (Agency). Upon approval by DCA and Agency, staff will notice this package for a 45-day comment period and subsequent hearing.

b) Update on 16 CCR sections 1381.9, 1381.10, 1392 – Retired License, Renewal of Expired License, Psychologist Fees

Preparing Regulatory Package	Initial Departmental Review	Notice with OAL and Hearing	Notice of Modified Text and Hearing	Preparation of Final Documentation	Final Departmental Review	Submission to OAL for Review	OAL Approval and Board Implementation
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This package was provided to the Department of Consumer Affairs (DCA) on November 14, 2019 and is now in the Initial Departmental Review Stage. This stage involves a review by DCA's legal, budget, and executive offices, and the State's Business Consumer Services and Housing Agency (Agency). Upon approval by DCA and Agency, staff will notice this package for a 45-day comment period and subsequent hearing.

c) Update on 16 CCR sections 1391.13, and 1391.14 – Inactive Psychological Assistant Registration and Reactivating a Psychological Assistant Registration

	Initial Departmental Review	Notice with OAL and Hearing	Notice of Modified Text and Hearing	Preparation of Final Documentation	Final Departmental Review	Submission to OAL for Review	OAL Approval and Board Implementation
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This package is in the Initial Review Stage. Staff received feedback from Legal Counsel on September 17, 2019 and have incorporated the recommended changes. Staff is waiting to submit the package back to Board Counsel until the Sunset Psychological Assistant regulatory package is farther through the regulatory process. Upon approval by Board Legal Counsel, the package will be submitted for the Initial Departmental Review which involves reviews by DCA Legal Affairs Division, DCA Budget Office, DCA's Division of Legislative Affairs, DCA Chief Counsel, DCA Director, and the Business Consumer Services and Housing Agency.

d) **Update on 16 CCR section 1394 – Substantial Relationship Criteria:**

Section 1395.1 – Rehabilitation Criteria for Denials Suspensions or

Preparing Regulatory Package	Initial Departmental Review	Notice with OAL and Hearing	Notice of Modified Text and Hearing	Preparation of Final Documentation	Final Departmental Review	Submission to OAL for Review	OAL Approval and Board Implementation
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Board staff submitted the final package to OAL on 8/27/2020. Staff received technical non-substantive changes on 1/12/2021 and submitted the package back to OAL. OAL is currently pending the STD 399 from the Department of Finance. The Department of Finance has until 2/8/2021 to submit the approved document to OAL or the regulatory package will be denied.

Action Requested:

No action required at this time. This is for informational purposes only.



Validation of State and National Examination Programs

Amy Welch Gandy, M.A., OPES
Research Data Supervisor II
Heidi Lincer, Ph.D., OPES Chief
Tracy Montez, Ph.D., Programs
and Policy Review Division Chief

February 19, 2021

- **Who is OPES?**
 - Regulations, Technical Standards, and Professional Guidelines
 - OPES Clients
 - Purpose of Licensure Examinations
- **Examination Development Cycle**
 - Occupational Analysis
 - Roles of Board Staff and Members
- **National Examination Reviews**
- **OPES Services Provided to CA Board of Psychology**
 - Passing Rates
- **Questions**

Presentation Topics

The Office of Professional Examination Services provides:

Professional consulting services in examination validation and development to DCA's boards, bureaus, and committees

Recommendations based on regulations, professional guidelines, and technical standards related to licensure examinations

OPES Clients

Boards

- Accountancy
- Acupuncture
- Architects
- Barbering and Cosmetology
- Behavioral Sciences
- Chiropractors
- Contractors
- Court Reporters
- Dental
- Dental Hygiene
- Optometry
- Pharmacy
- Psychology
- Registered Nursing
- Speech-language Pathology
- Audiology Hearing Aid Dispensers
- Structural Pest Control
- Veterinary Medicine
- Vocational Nursing and Psychiatric Technicians

Bureaus

- Automotive Repair
- Cemetery and Funeral
- Household Goods and Services
- Professional Fiduciaries
- Security and Investigative Services

Committees

- Landscape Architects
- Naturopathic Medicine
- Registered Dental Assistants

External

- CA State Bar
- Nursing Home Administrators

Regulations, Standards, and Guidelines Followed

Business and Professions Code Section 139

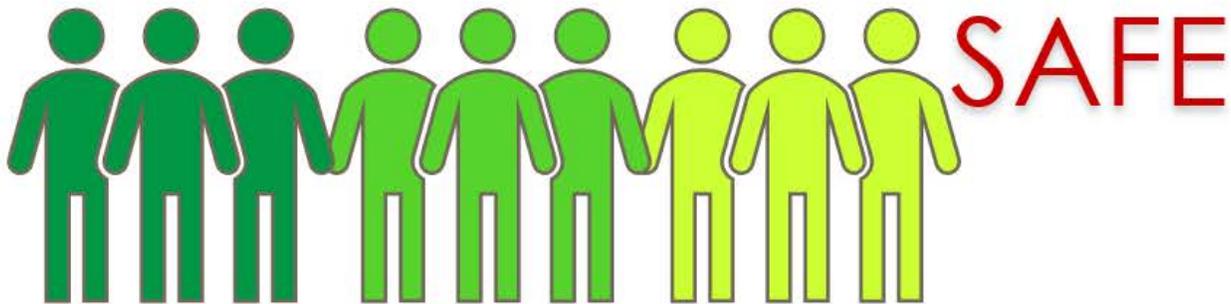
Principles for the Validation and Use of Personnel Selection Procedures (Society of Industrial and Organizational Psychology)

Standards for Educational and Psychological Testing (American Educational Research Association, American Psychological Association, National Council on Measurement in Education)

Licensure Examinations

Must provide a reliable method for identifying practitioners who are able to practice safely and competently

Focus on **entry-level** tasks and knowledge important for **public protection**



Examination Development Cycle

Occupational Analysis (OA) defines practice in terms of:

- Actual **tasks** that new licensees must be able to perform safely and competently at the time of licensure
- Essential **knowledge** required for safe and effective practice



OAs should be performed every 5-7 years

Occupational analyses capture significant changes in a profession's tasks and job demands, scope of practice, equipment, technology, required knowledge, skills and abilities, or laws and regulations governing the profession.



Provides a description of current practice

Provides basis for legislation and policy

Occupational Analysis

Provides the basis of job-related, fair, and legally defensible examinations

Establishes examination validity by linking examination content to critical job competencies

Occupational Analysis Process



- Research the profession and conduct SME telephone interviews



- Develop task and knowledge statements with SMEs



- Develop and administer OA survey



- Analyze survey data and demographics



- Review survey results with SMEs
- Develop examination content outline with SMEs

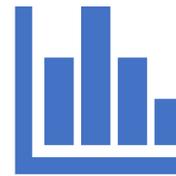
2019 California Psychologist Occupational Analysis Results



Survey invitation to access web-based survey was mailed to **15,286** licensees



Overall response rate was **2,991** or **19%**

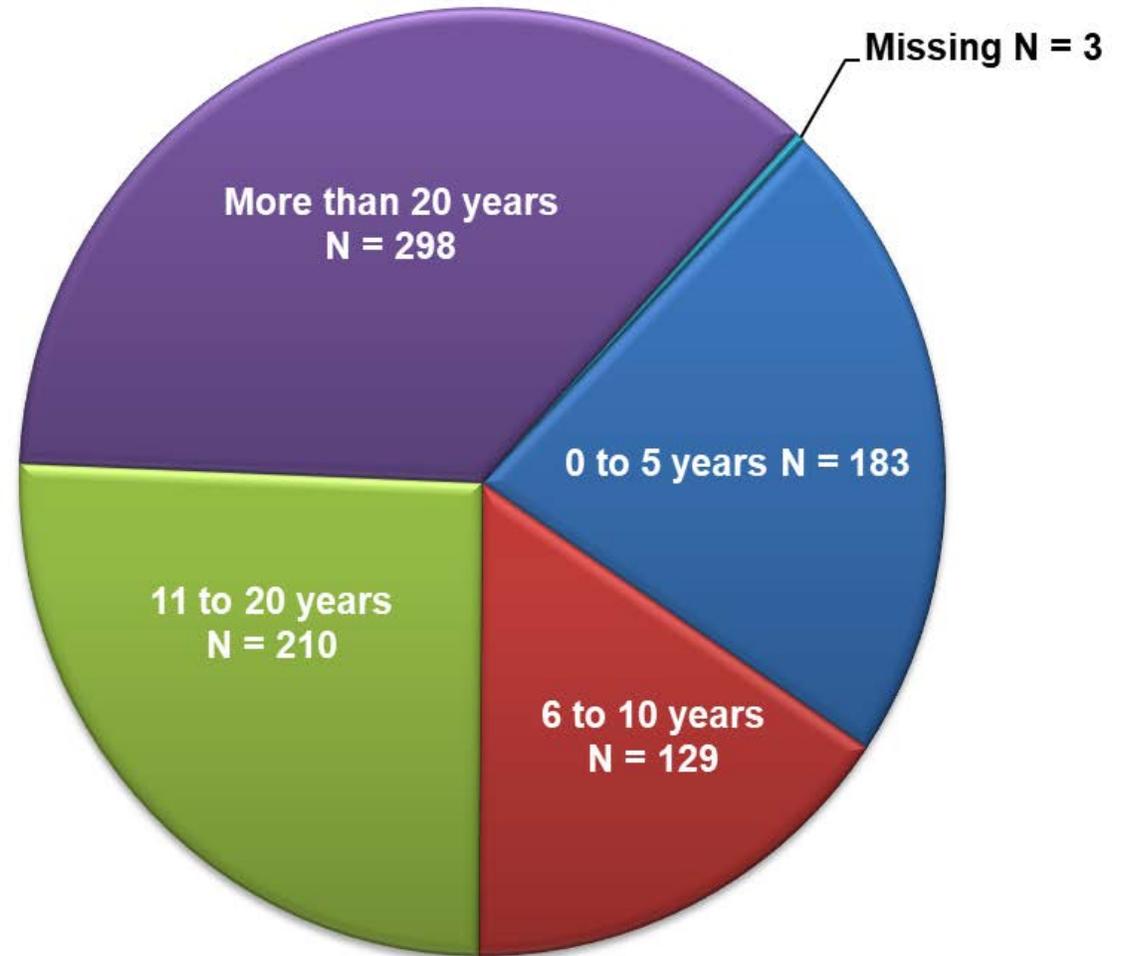


Final sample size for data analysis was **823** or **5%**

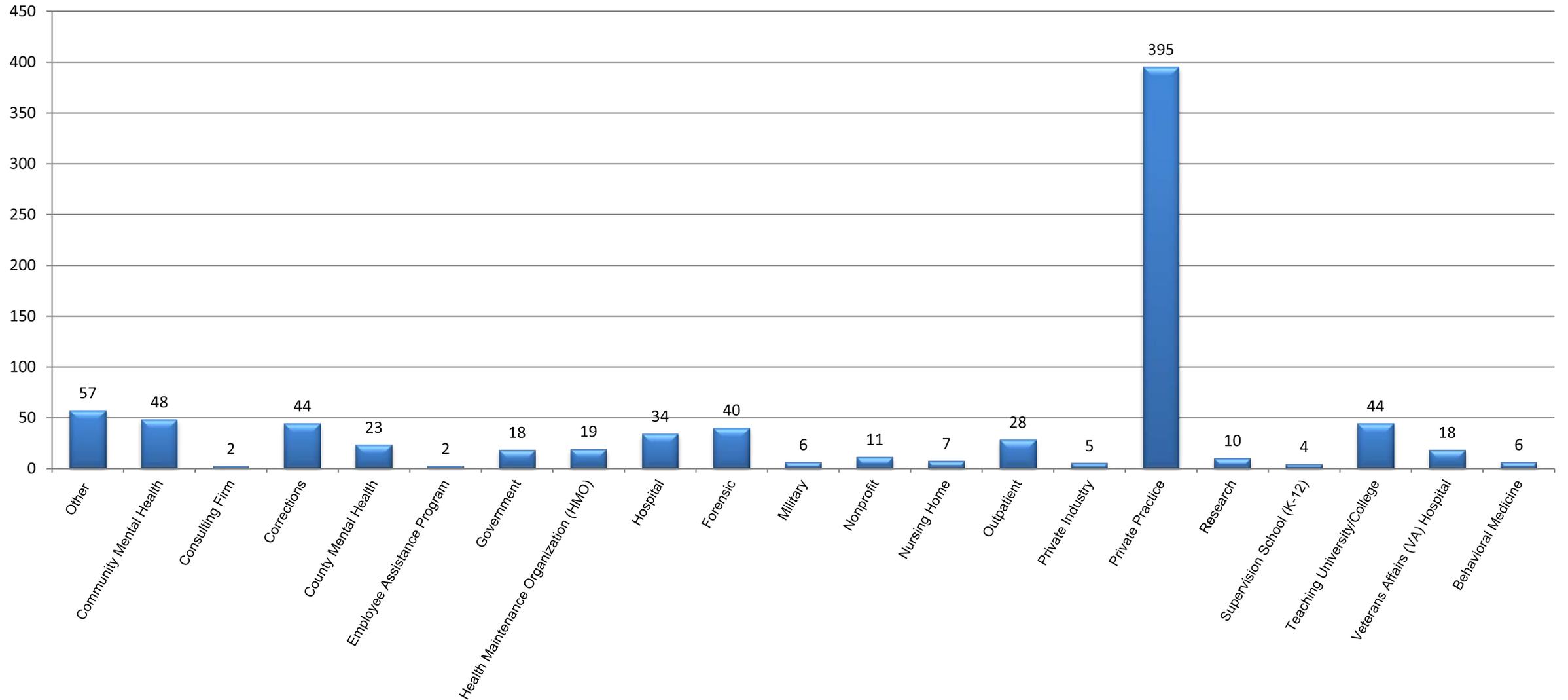


Demographic questions included in survey to provide context for interpreting results

Years Licensed as a Psychologist



Primary Practice Setting



Top 10 Activities Performed as a Psychologist

ACTIVITY	NUMBER (N)
Clinical psychology	755
Cognitive psychology	235
Health psychology	210
Counseling psychology	193
Forensic psychology	186
General psychology	177
Consulting psychology	145
Personality psychology	129
Developmental psychology	127
Clinical neuropsychology	110

Respondents by Region

REGION NAME	NUMBER (N)	PERCENT
Los Angeles County and Vicinity	289	35.1
North Coast	24	2.9
Riverside and Vicinity	47	5.7
Sacramento Valley	49	6.0
San Diego County and Vicinity	94	11.4
San Francisco Bay Area	204	24.8
San Joaquin Valley	43	5.2
Shasta Cascade	3	0.4
Sierra Mountain Valley	16	1.9
South Coast and Central Coast	51	6.2
Missing	3	0.4
Total	823	100.0



Board recruits
sufficient number
of representative
SMEs



OPES facilitates
process and
ensures
psychometric
standards are met



Business and Professions Code section 139 Requirements for National Examination Reviews

Must meet psychometric and legal standards

California practitioners must be represented

Must be reviewed for California content

Review of National Examinations (three parts)



Psychometric
Evaluation

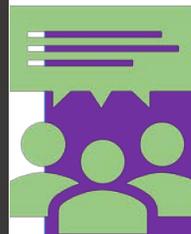


SMEs compare
national OA
to California
OA

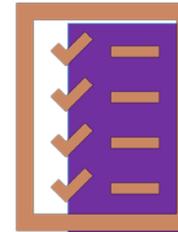


Identification
of any critical
entry level
content that is
not assessed

Psychometric Evaluation



Evaluate occupational
analysis



Review procedures for
developing examination



Review procedures for
establishing passing
scores



Review examination
scoring and passing
rates



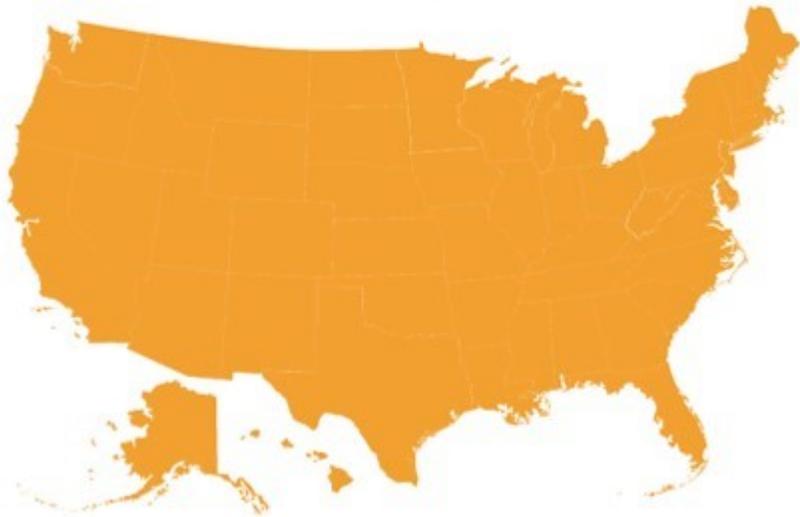
Review administration
and security
procedures



Review information
available to candidates

SMEs Compare National OA to CA OA

National examinations test core, mainstream practice.



FULL PRACTICE

California examinations test what is unique about practice in the state.

- **Geology**
- **Weather**
- **California health and safety laws**
- **California-specific practice areas**



Recommendations Based on Results of OA and National Review



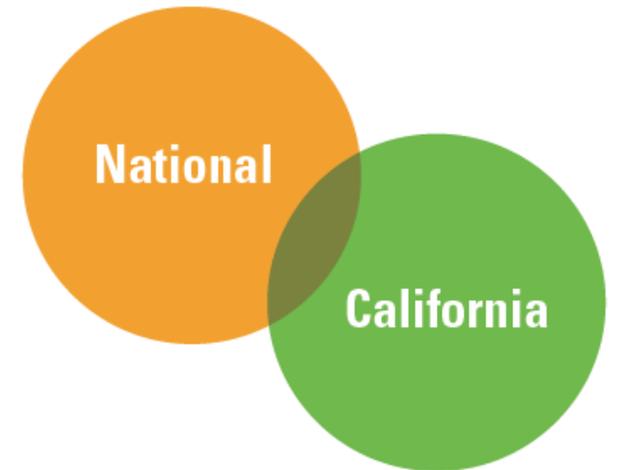
OPES recommendation:

- National examination
- California law examination



OPES recommendation:

- National examination
- California-specific law and practice examination



OPES recommendation:

- California examination

OPES Services Provided to the CA Board of Psychology

Occupational Analysis

Examination development and statistical analysis of the California Psychology Law and Ethics Examination (CPLEE)

National examination audit

Oversight of the DCA's master contract for computer-based testing, including a quality assurance program

Thank you!

Any
questions?

MEMORANDUM

DATE	January 28, 2021
TO	Psychology Board Members
FROM	Sandra Monterrubio, Enforcement Program Manager
SUBJECT	Agenda Item 19(a)(1) Statutory Discussion Regarding Proposed Exception to Psychotherapist-Patient Privilege for Board Investigations

Background

As part of the Child Custody Implementation Plan, the Enforcement Committee presented recommended changes to Section 2918 of the Business and Professions Code to the Board at the November 2020 Board Meeting. Based on the ensuing discussion, the Board deferred the item to the Enforcement Committee for further consideration. The Committee did not complete their discussion on this item but will make a recommendation out to the Board at the May Board Meeting.

Action Requested

This item is for informational purposes only. No action is required at this time.

MEMORANDUM

DATE	January 25, 2021
TO	Psychology Board Members
FROM	Sandra Monterrubio, Enforcement Program Manager Board of Psychology
SUBJECT	Agenda Item 19 (d) Failed Continuing Education Audits Referred to Enforcement Unit for Discipline

Background

At the November 2020 Board Meeting, the Board asked the Enforcement Committee to discuss additional disciplinary action for licensees who failed their Continuing Education (CE) Audit because they did not complete any of their 36 hours of continuing education. Currently, the Board refers these matters to the Office of the Attorney General (OAG) for Public Letters of Reproval (PLR). However, the Board wanted the Committee to discuss whether the licensee should be placed on probation instead of being issued a PLR because the licensee certified under penalty of perjury on their renewal that they had completed their 36 hours of continuing education.

The Committee discussed this matter at their January meeting. During the discussion, staff opined that a PLR is appropriate discipline for having no CE hours because a PLR is formal discipline and remains on the licensee's enforcement history indefinitely. Further, a suspension with probation is not a likely outcome on a first offense of this nature. If a licensee is issued a PLR, they are usually required to complete 36 hours of CE within a 12-month period, enroll in an ethics course, and pay cost recovery. The Committee discussed what would happen if a licensee failed another audit and had already been issued a PLR for a prior failure. In that circumstance, the Board could seek probation. The Committee agreed that a PLR, which is formal discipline, seemed appropriate for licensees who fail their first audit by not submitting any of the required 36 hours of continuing education.

Action Requested:

The Enforcement Committee recommends the Board support the Committee's recommendation to continue to issue a PLR to those licensees failing to complete the 36 hours of CE required for license renewal and for staff to seek probation for licensees who have already been issued a PLR and fail another audit.

MEMORANDUM

DATE	January 25, 2021
TO	Enforcement Committee
FROM	Sandra Monterrubio, Enforcement Program Manager
SUBJECT	Agenda Item 19(e) Hold Policy Discussion

Background

In November 2018, when the Board had only five Board Members, it was decided to change from a two-vote hold to a one-vote hold policy on any proposed, stipulated, or default decision to be voted upon by the Board by mail ballot. However, now that there is a full complement of nine Board Members, the Enforcement Committee believes the Board should revisit our Hold Policy, which allows a decision to be held based on a single hold vote.

Our current Hold Policy states, “A vote to reject or not adopt the proposed action or hold a decision for discussion means that you either 1) disagree with one or more portions of the proposed action and do not want it adopted as the board’s decision or 2) you have a question or concern about the decision and would like to discuss the matter with fellow board members. This category should be used if you believe an additional or a different term or condition of probation should be added (or deleted), or that the penalty should be modified in any way.

If a majority of votes are received in this category, the decision will be rejected if the board will otherwise lose jurisdiction. If the case is a **proposed decision**, the transcript will be ordered, and the case scheduled for argument according to board policy. After reviewing the record, the board will be able to adopt the decision as originally presented or modify the decision as it deems appropriate, except that a cost recovery order may not be increased. If a **stipulated decision** is rejected, the case will be set for hearing unless a counter offer is made during a closed session. If a **default decision** is rejected, the case will be set for hearing.

If at least one vote in this category is received (but less than a majority), the case will be held for the board to consider and discuss in closed session.”

Before a case is held, a Board Member can call the Enforcement Program Manager or the assigned analyst for technical questions and staff counsel is available for legal

questions. Cases that are held allows the licensee to continue to practice with an unrestricted license until the Board meets to discuss and eventually decide the matter.

Action Requested

The Enforcement Committee recommends that the Board approve the Committee's recommendation to change the Hold Policy to be a two-vote hold because we now have a full complement of appointed Board members. If the Board returns to a group of six or less members, the recommendation is to return to the one-vote hold policy.