

The Board is currently processing applications received on the following dates as of January 20, 2023.

Type of Application/Request	Date Received*
<b>Psychologist</b>	
Application EPPP Eligibility/Out-of-State Applicants	November 17, 2022
CPLEE Request	December 12, 2022
Request for Initial Licensure	December 13, 2022
Supporting Documents/Correspondence	December 12, 2022
<b>Psychological Associate</b>	
Application	January 19, 2023
Notification to Add/Change Primary Supervisor(s)	December 18, 2022
Supporting Documents/Correspondence	January 19, 2023

*\*All applicants are notified when the Board receives their application. CPLEE Request, Request for Initial Licensure, Notification, and any subsequent documents/information received will be added to the processing queue automatically – Applicants will be notified regarding the status of their application when the review is complete.*

## MEMORANDUM

<b>DATE</b>	01/23/2023
<b>TO</b>	Board Meeting
<b>FROM</b>	Lavinia Snyder Examination Coordinator
<b>SUBJECT</b>	Agenda Item 12(c): Examination Report

### 2022 Examination Statistics

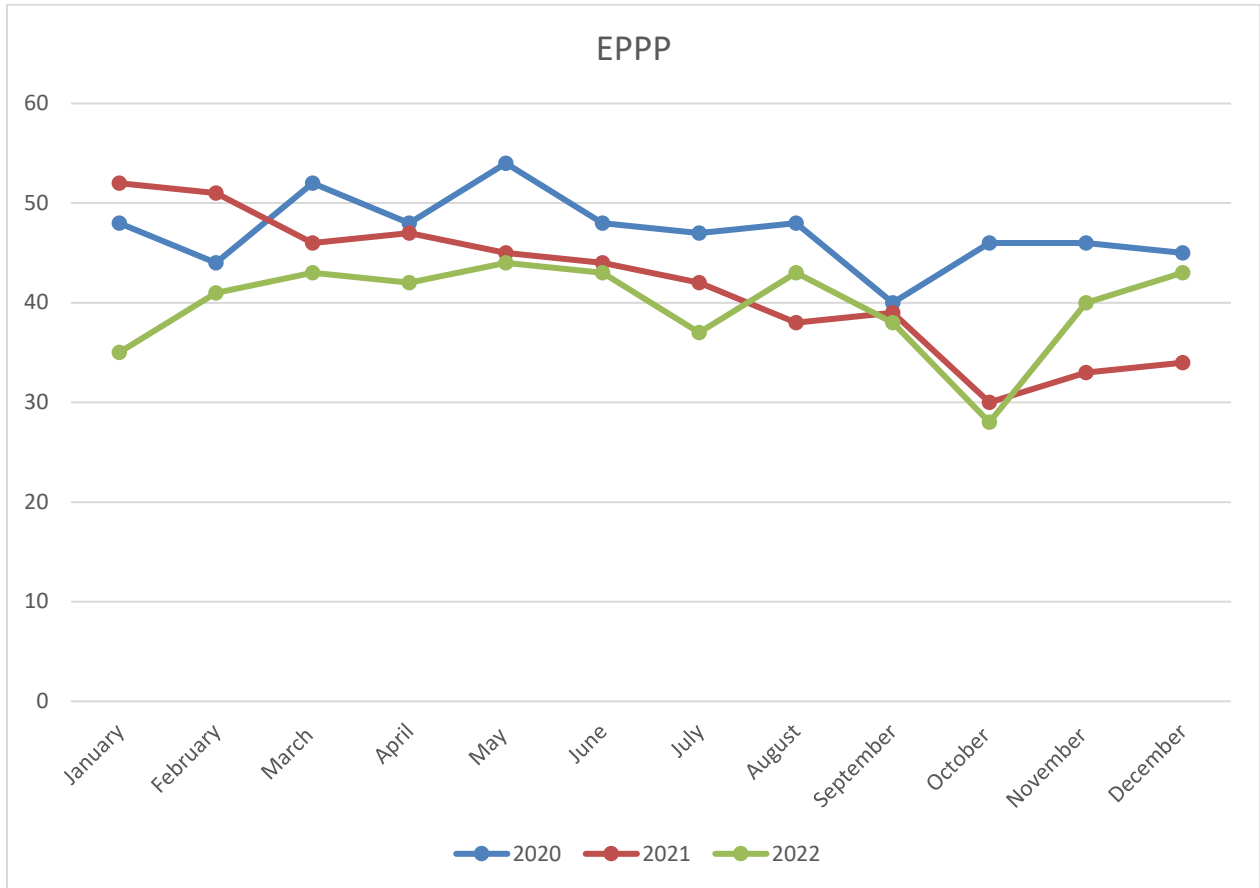
#### EPPP Monthly Examination Statistics for January to December 2022

The Examination from Professional Practice in Psychology (EPPP) is the national exam developed by the Association for Provincial and Psychology Boards (ASPPB) and administered by Pearson Vue. The exam tests candidates' general knowledge in psychology. EPPP is one of the required exams for licensure in CA. Below are the monthly statistics for the EPPP. The overall pass rate is 39% and the overall first-time pass rate is 61%. First time pass rates tend to be higher than overall pass rates.

#### Monthly EPPP Examination Statistics

Month	# of Candidates	# Passed	% Passed	Total First Timers	First Time Passed	% First Time Passed
January	100	35	35.00%	49	28	57.14%
February	131	54	41.22%	57	41	71.93%
March	146	63	43.15%	83	49	59.04%
April	133	56	42.11%	59	40	67.80%
May	128	56	43.75%	58	38	65.52%
June	128	55	42.97%	63	45	71.43%
July	146	55	37.67%	66	37	56.06%
August	138	59	42.75%	66	41	62.12%
September	121	46	38.02%	52	31	59.62%
October	127	36	28.35%	58	27	46.55%
November	130	51	39.23%	55	38	69.09%
December	138	43	31.16%	58	29	50.00%
<b>EPPP - Total</b>	<b>1,566</b>	<b>609</b>	<b>38.89%</b>	<b>724</b>	<b>444</b>	<b>61.33%</b>

The chart depicts pass rate statistics of the EPPP for the past three years (2020, 2021 and 2022). At the beginning of 2022, we show a downward trend of pass rates compared to the past years. Candidates did slightly better in August, November and December of 2022 compared to 2021 months.



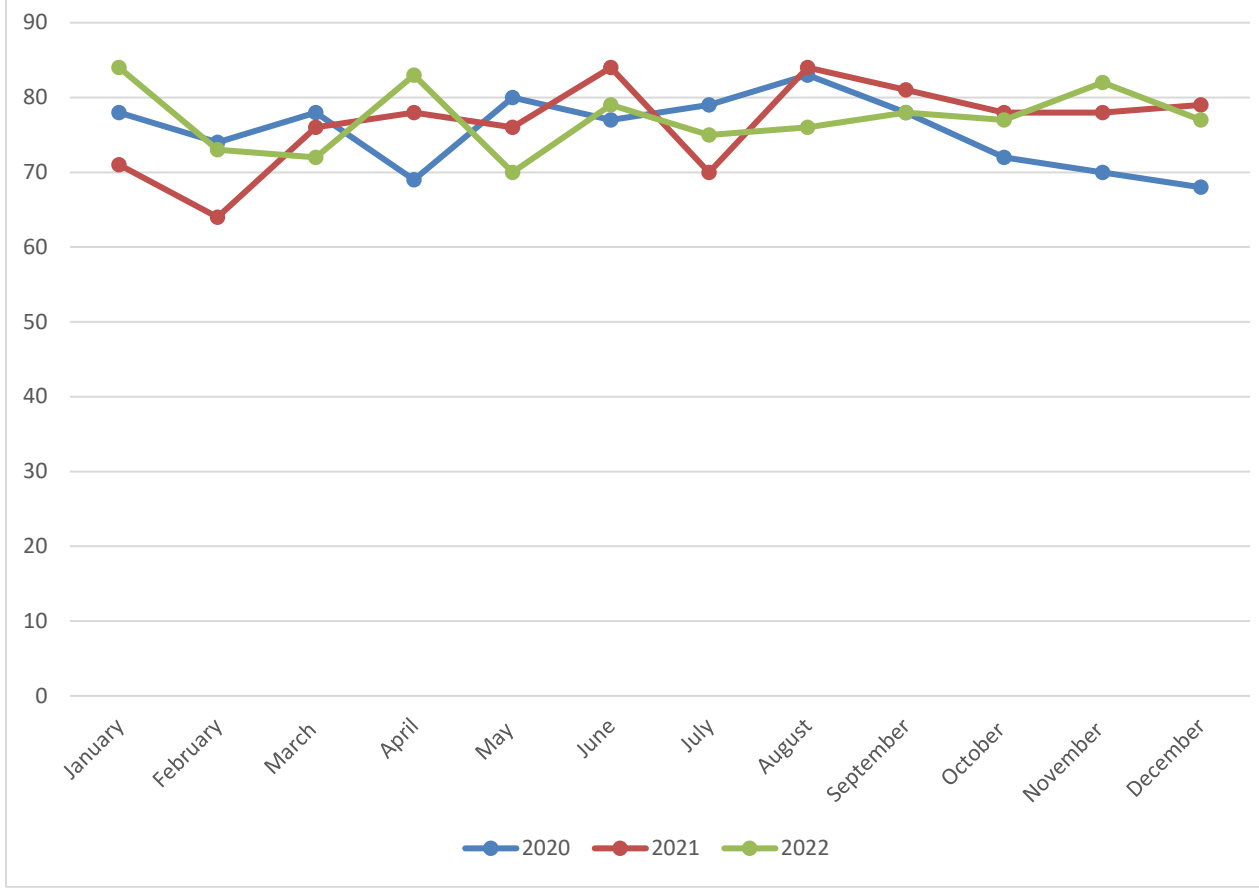
The California Psychology Laws and Ethics Exam (CPLEE) is a state-owned exam developed by the Department of Consumer Affairs, Office of Professional Examination Services (OPES) and administered by PSI, Inc. The exam tests candidates on their knowledge of APA Code of Conduct and the Board's laws and regulations. Below are the monthly pass rates and first-time pass rates for the year 2022. The overall pass rate is 77% and the overall first-time pass rate is at 78%.

### Monthly CPLEE Examination Statistics

Month	# of Candidates	# Passed	% Passed	Total First Timers	First Time Passed	% First Time Passed
January	55	46	83.64%	43	37	86.05%
February	62	45	72.58%	39	29	74.36%
March	90	65	72.22%	68	51	75.00%
April	58	48	82.76%	38	33	86.84%
May	63	44	69.84%	44	33	75.00%
June	92	73	79.35%	81	64	79.01%
July	65	49	75.38%	46	36	78.26%
August	106	81	76.42%	88	66	75.00%
September	120	94	78.33%	104	81	77.88%
October	97	75	77.32%	77	60	77.92%
November	84	69	82.14%	63	52	82.54%
December	107	77	71.96%	89	65	73.03%
<b>CPLEE - Total</b>	<b>999</b>	<b>766</b>	<b>76.68%</b>	<b>780</b>	<b>607</b>	<b>77.82%</b>

The chart provides the monthly pass rate statistics of the CPLEE for the past three years (2020, 2021 and 2022). CPLEE pass rate seem to be consistent over the past three years with no noticeable deviation.

### CPLEE



# Behavioral Health Workforce Challenges and Recommendations

**Sergio Aguilar-Gaxiola, MD, PhD**

Professor of Clinical Internal Medicine

Director, Center for Reducing Health Disparities

UC Davis School of Medicine

*February 3, 2023*

Board of Psychology

# Today's Topics

- Who constitutes the behavioral health workforce?
- California's behavioral health workforce challenges
- California's workforce in behavioral health occupations
- Regional, age, and racial and ethnic distribution of behavioral health providers
- Supply and demand for Psychiatrists, Clinical Psychologists, LMFTs, LPCCs, and LCSW's
- California's behavioral health workforce pipeline
- Conclusions and recommendations



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CALIFORNIA  
**FUTURE HEALTH**  
WORKFORCE  
COMMISSION



# California Future Health Workforce Commission



<https://futurehealthworkforce.org>

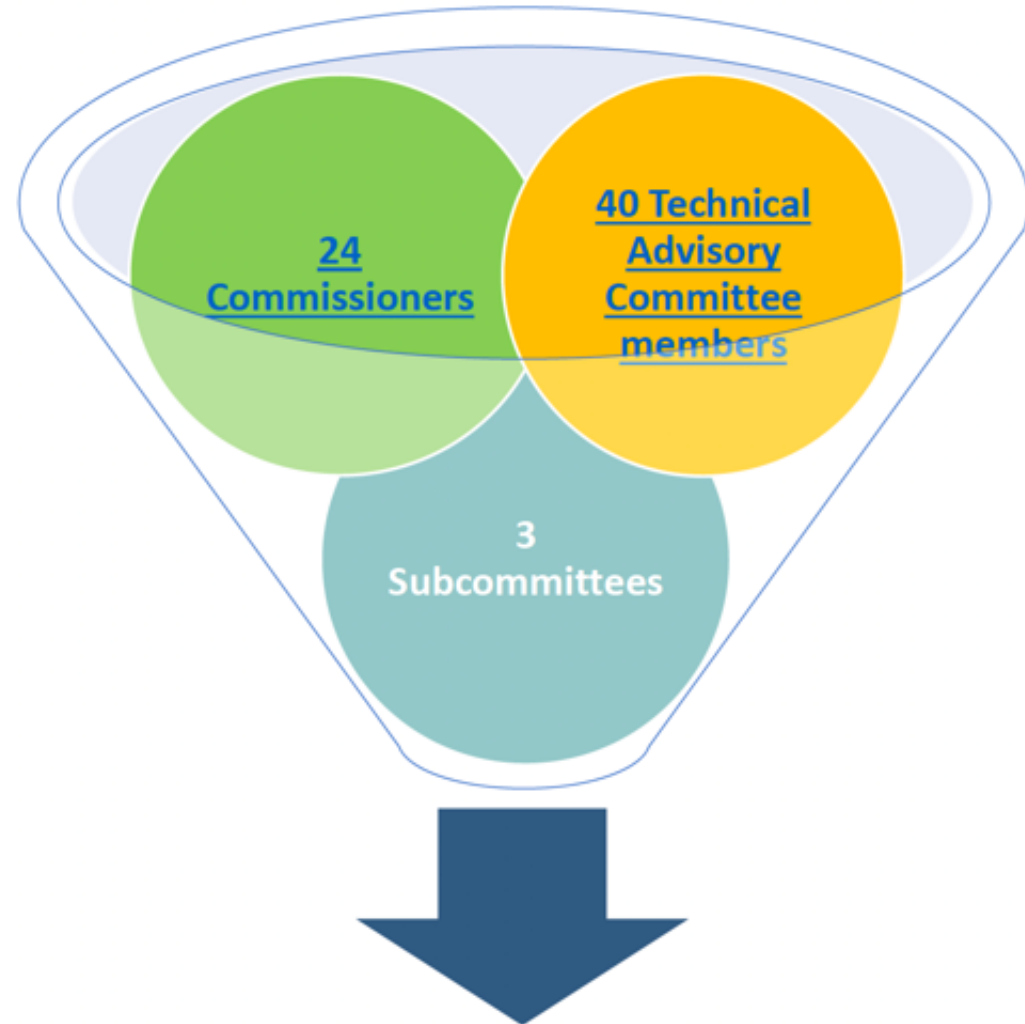




- Commission's Charge:
  - Develop a strategic plan for building the future health workforce (2030)
  - Practical short, medium, and long-term solutions for California, education, and employers to address both immediate and longer-term workforce gaps
- Key participants:
  - Janet Napolitano, President, University of California, Co-chair
  - Lloyd Dean, CEO, Dignity Health, Co-chair
- 24 senior-level leaders in education, labor, industry, & government
- Three focus areas: Primary Care and Prevention, **Behavioral Health** and Aging

## Identifying Solutions

- **Three subcommittees generated ideas**
- Grantee developed and **refined 27 recommendations** based on commissioner and stakeholder feedback and public input
- Health Management Associates and Healthforce **assessed the impact of each recommendation**
- **Commissioners prioritized 10 recommendations** based on urgency and potential for impact
- Resulting **“Top 10” recommendations require an investment of \$3 billion over 10 years**; full package would cost \$6 billion over 10 years



**In sum, more than 115 individuals from 80 organizations generated solutions**

# Who Constitutes the Behavioral Health Workforce?

- Behavior Health Clinicians
- Psychiatrists
- Clinical Psychologists
- Licensed Clinical Social Workers
- Licensed Professional Counselors
- Marriage and Family Therapists
- Psychiatric Nurse Practitioners (NPs)
- Psychiatric RNs (Clinical Nurse Specialists)
- Psychiatric Technicians
- Substance Use Disorder Counselors
- Peer Providers

# Mental Health Professions

## Mental Health

### Care Providers

PROFESSION	CREDENTIALS, QUALIFICATIONS, AND CUSTOMARY PRACTICE	PSYCHOTROPIC MEDICATIONS	PSYCHOLOGICAL TESTING	TREATMENT PLANNING	THERAPY	CASE MANAGEMENT	REHABILITATION AND SUPPORT
Physicians	MD/DO with general licensure as physician and surgeon	✓		✓			
Psychiatrists	MD/DO with a specialty in psychiatry, some with a second specialty in child and adolescent psychiatry	✓		✓	✓		
Psychiatric Clinical Nurse Specialists (CNS)	Advanced practice nurses, with a master's or doctoral degree, who specialize in psychiatry	✓		✓	✓		
Nurses	RNs and LVNs with and without specialty psychiatric training, plus licensed psychiatric technicians			✓		✓	✓
Psychologists	Clinical psychologists licensed at the doctoral level, perhaps specializing in psychological or neuropsychological assessment, including diagnostic test administration, assessment, and treatment recommendations		✓	✓	✓		
Licensed Independent Clinical Social Workers (LICSW), Mental Health Counselors (LMHC), and Marriage and Family Therapists (MFT)	Master's level clinicians licensed by the state LICSWs and LMFTs are eligible for reimbursement under Medi-Cal and Medicare as independent practitioners outside of a clinic.			✓	✓	✓	✓
Occupational Therapists (OT)	Licensed OT			✓		✓	✓
Unlicensed Mental Health Workers Qualified Under the California Medi-Cal Rehabilitation Option	Mental health workers with high school, associate's, or bachelor's degrees providing (under supervision) care management, rehabilitation, behavior management, mentoring, milieu support, respite, and other supportive roles			✓		✓	✓

All licensed mental health practitioners are qualified to conduct assessments, determine diagnoses, develop treatment plans, and provide therapies. Unlicensed mental health staff, including peer providers, offer important case management, rehabilitation, and support services.

# Behavioral Health Occupations

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Licensed Professions	Certified Professions	Unlicensed Occupations
Psychiatrists	Substance Use Disorder Counselors	Community mental health workers
Psychiatric Mental Health Nurse Practitioners	Peer Providers (Medi-Cal, county-based)	Case managers
Psychologists		Service coordinators
Marriage and Family Therapists		Social services/social work assistants
Professional Clinical Counselors		
Social Workers		
Psychiatric Technicians		

# California's Health Workforce Challenges

- **Significant shortage of behavioral health providers**
- **Behavioral health workforces are poorly distributed** across the state
- **Behavioral health providers are not as racially/ethnically and linguistically diverse** as California's population
- Forecasts suggest that **insufficient numbers of behavioral health professionals will enter the workforce** to replace those who retire
- **Many behavioral health professionals are at or near retirement age**

# Why Behavioral Health Workforce Development Matters

- Demand for behavioral health services grew during the 2010s and accelerated during the COVID-19 pandemic.
- Many people have unmet need for behavioral health services.
- There are racial/ethnic and socio-economic differences in unmet need for behavioral health services.

## Mental Health

Care Providers

California had 98,941 licensed mental health professionals in 2020. Marriage and family therapists composed the greatest share, more than double the number of licensed psychologists.

# Mental Health Professionals

California, 2020

Marriage and Family Therapist



Clinical Social Worker



Psychologist



Psychiatric Technician



Psychiatrist\*



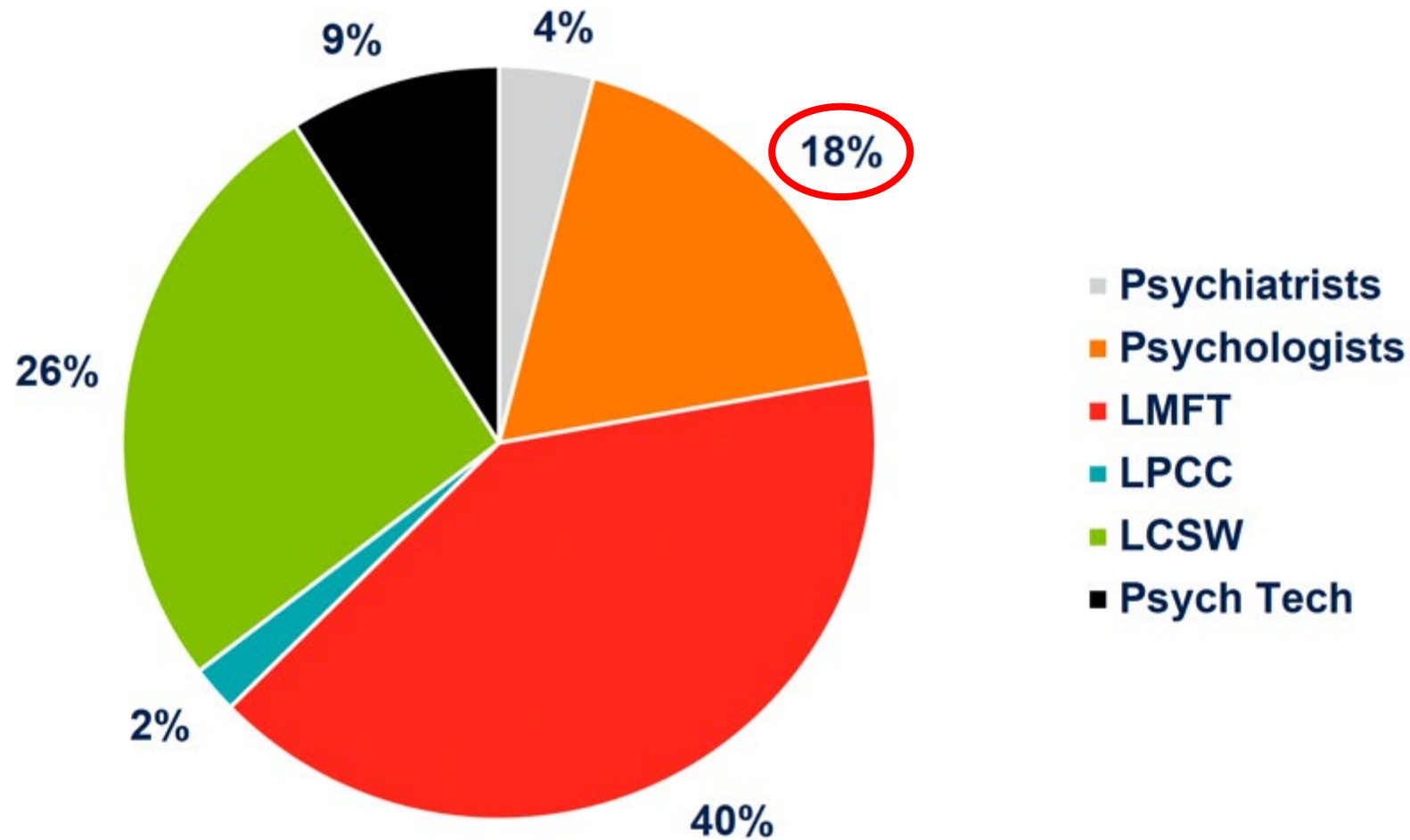
Professional Clinical Counselor



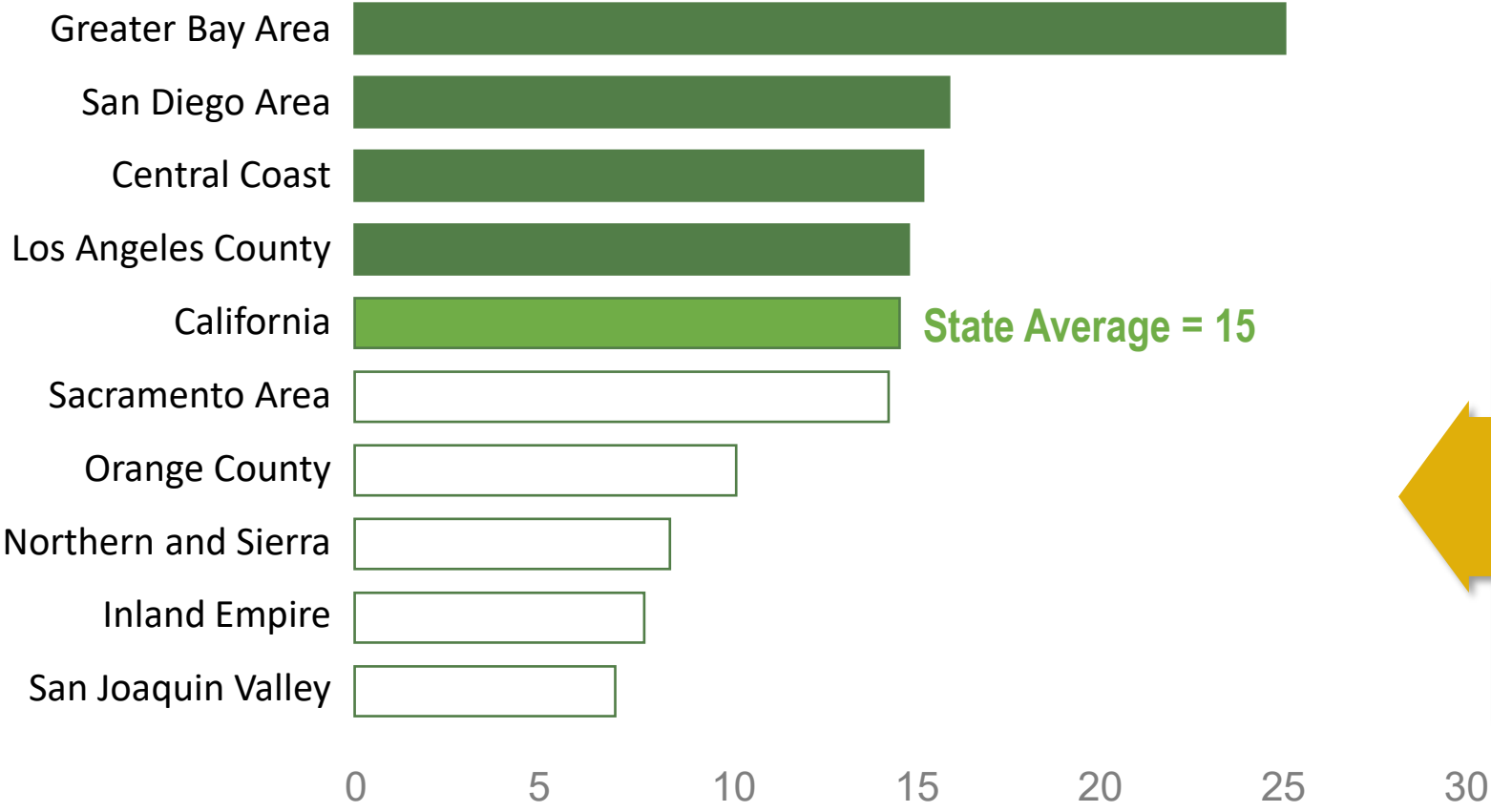


# Licensed Behavioral Health Professionals, California, 2020 (n = 98,485)

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# Active Patient Care Psychiatrist MDs per 100,000 Californians (2015) by Region



The Greater Bay Area has more than twice as many staff as Orange County, Northern and Sierra, Inland Empire, and San Joaquin Valley

# Licensed Mental Health Professionals, by Region

## California, 2020

PER 100,000 POPULATION

■ HIGHER THAN STATE AVERAGE

	LICENSED PSYCHIATRISTS*	LICENSED CLINICAL SOCIAL WORKERS	LICENSED MARRIAGE AND FAMILY THERAPISTS	LICENSED PROFESSIONAL CLINICAL COUNSELORS	LICENSED PSYCHOLOGISTS	PSYCHIATRIC TECHNICIANS
Central Coast	11.6	61.8	144.4	5.2	47.1	52.6
Greater Bay Area	18.7	82.8	135.3	6.8	72.6	17.9
Inland Empire	8.2	39.0	60.8	3.7	15.9	40.9
Los Angeles County	12.0	81.1	106.2	4.0	48.7	8.8
Northern and Sierra	5.8	65.4	100.3	5.5	21.8	12.8
Orange County	7.9	56.8	106.3	5.6	40.1	15.2
Sacramento Area	12.3	72.6	98.4	5.7	37.6	12.4
San Diego Area	13.3	64.8	94.1	7.3	55.0	3.1
San Joaquin Valley	6.2	35.5	48.2	2.5	16.2	58.3
<b>California</b>	<b>11.8</b>	<b>65.9</b>	<b>100.8</b>	<b>5.0</b>	<b>44.2</b>	<b>22.7</b>

### Mental Health

#### Care Providers

The number of mental health professionals per population varied considerably by region in California. The Greater Bay Area's rates were higher than the state average for almost all of the professions shown, while the Inland Empire and San Joaquin Valley regions had rates that were lower than average for almost all of the professions shown.

## Appendix: California Counties Included in Regions



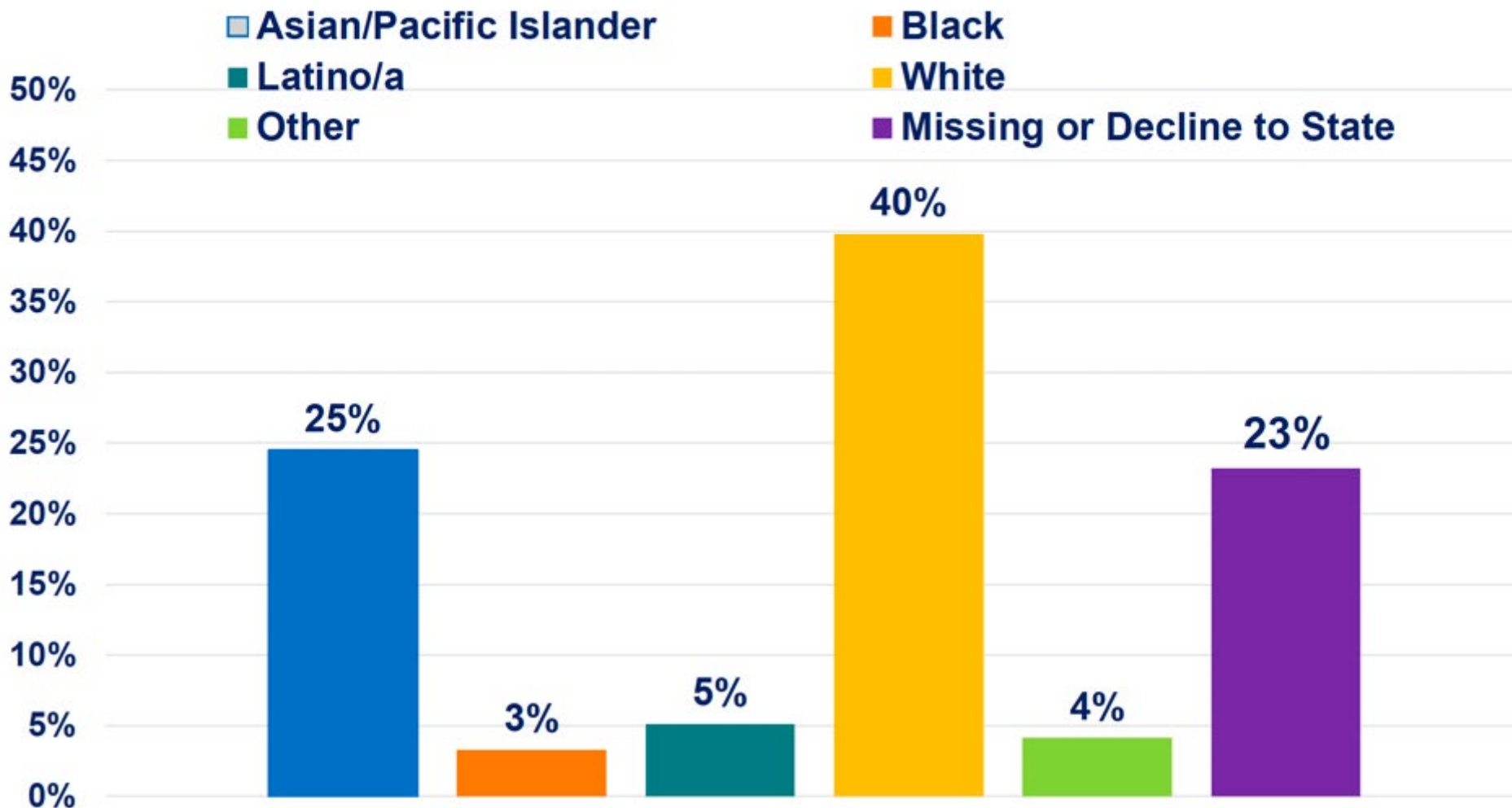
REGION	COUNTIES
Central Coast	Monterey, San Benito, San Luis Obispo, Santa Barbara, Santa Cruz, Ventura
Greater Bay Area	Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, Solano, Sonoma
Inland Empire	Riverside, San Bernardino
Los Angeles County	Los Angeles
Northern and Sierra	Alpine, Amador, Butte, Calaveras, Colusa, Del Norte, Glenn, Humboldt, Inyo, Lake, Lassen, Mariposa, Mendocino, Modoc, Mono, Nevada, Plumas, Shasta, Sierra, Siskiyou, Sutter, Tehama, Trinity, Tuolumne, Yuba
Orange County	Orange
Sacramento Area	El Dorado, Placer, Sacramento, Yolo
San Diego Area	Imperial, San Diego
San Joaquin Valley	Fresno, Kern, Kings, Madera, Merced, San Joaquin, Stanislaus, Tulare

# Age Distribution of Behavioral Health Professionals, 2105-2020

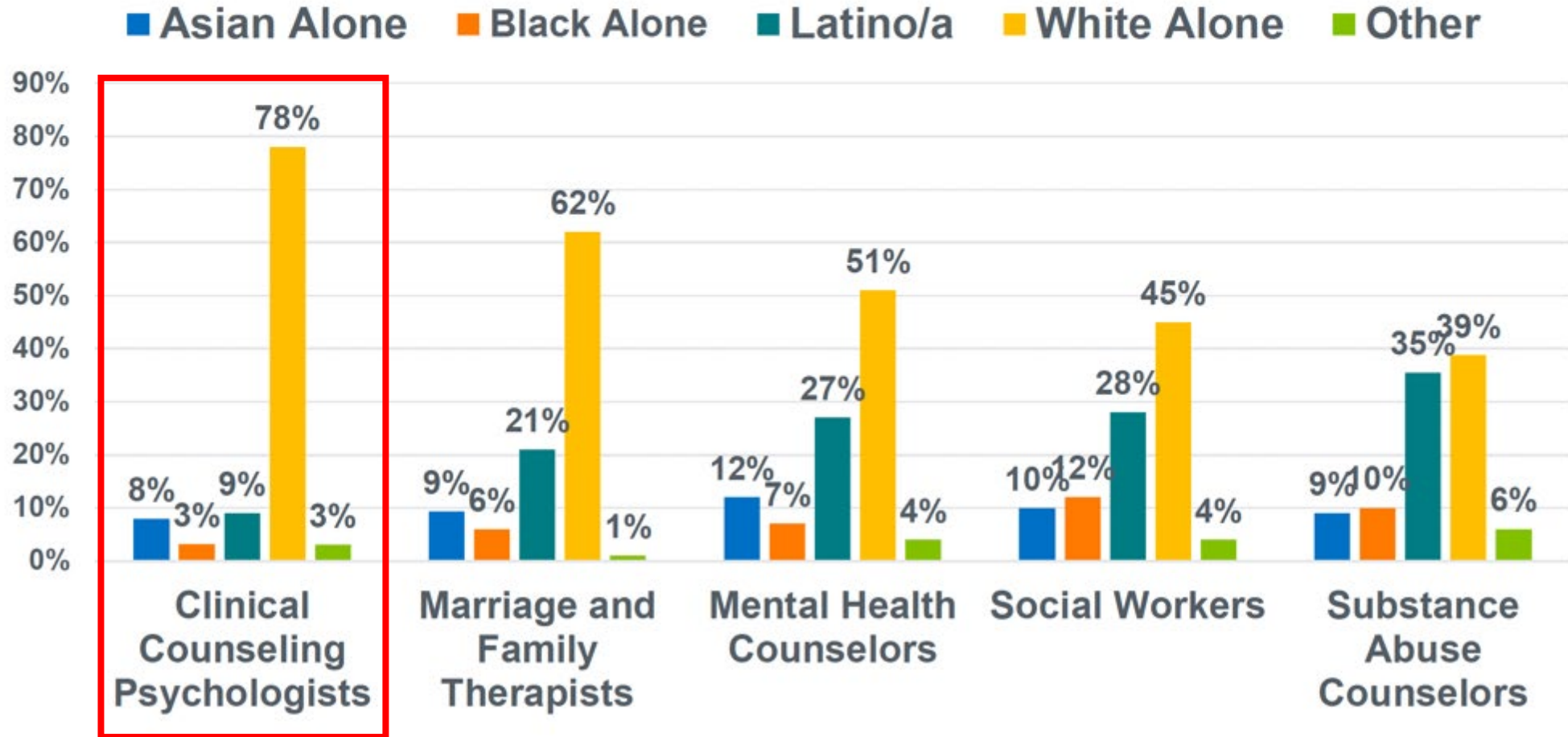
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- In three behavioral health professions, over 20% of the workforce is 60 years old or older
  - Psychiatrists
  - Clinical and Counseling Psychologists
  - Marriage and Family Therapists
- In one profession, 35% of the workforce is under age 30 years
  - Substance Use Disorder Counselors

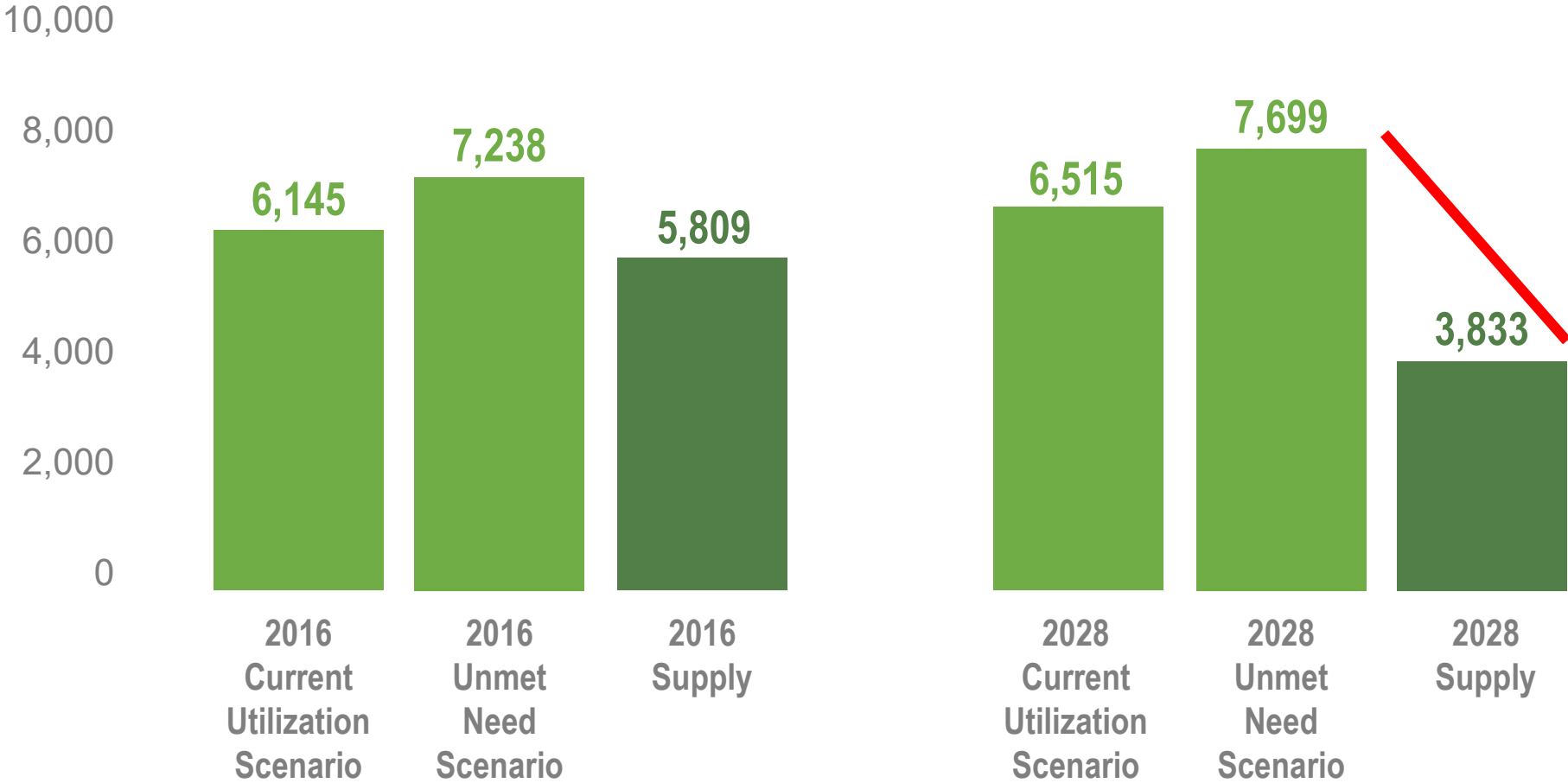
# Race/Ethnicity of Active Patient Care Psychiatrists, 2020



# Race/Ethnicity, Non-Prescribing Behavioral Health Professionals, California, 2015-2019

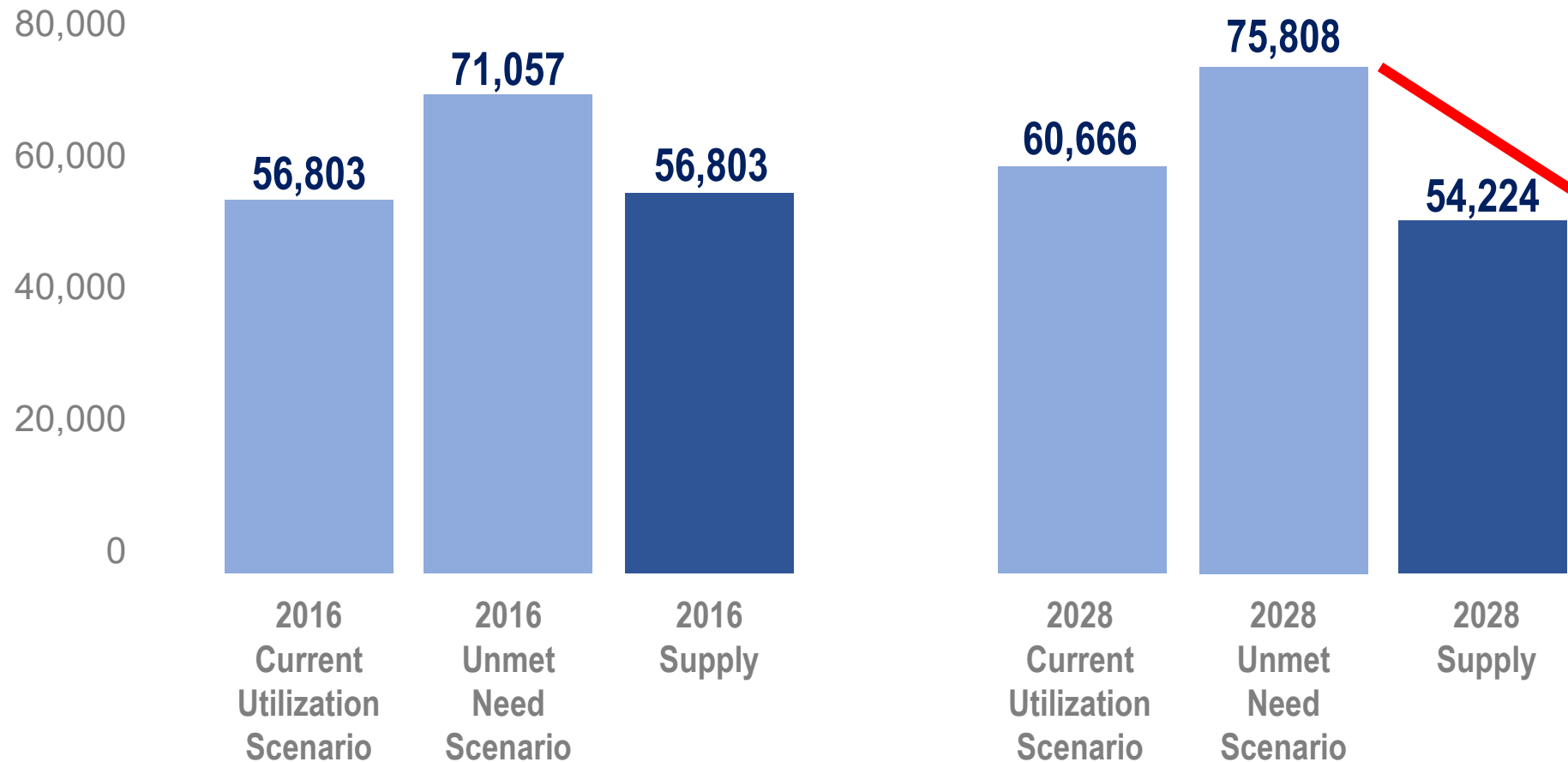


# Projected Demand and Supply for Psychiatrists for 2016 and 2028

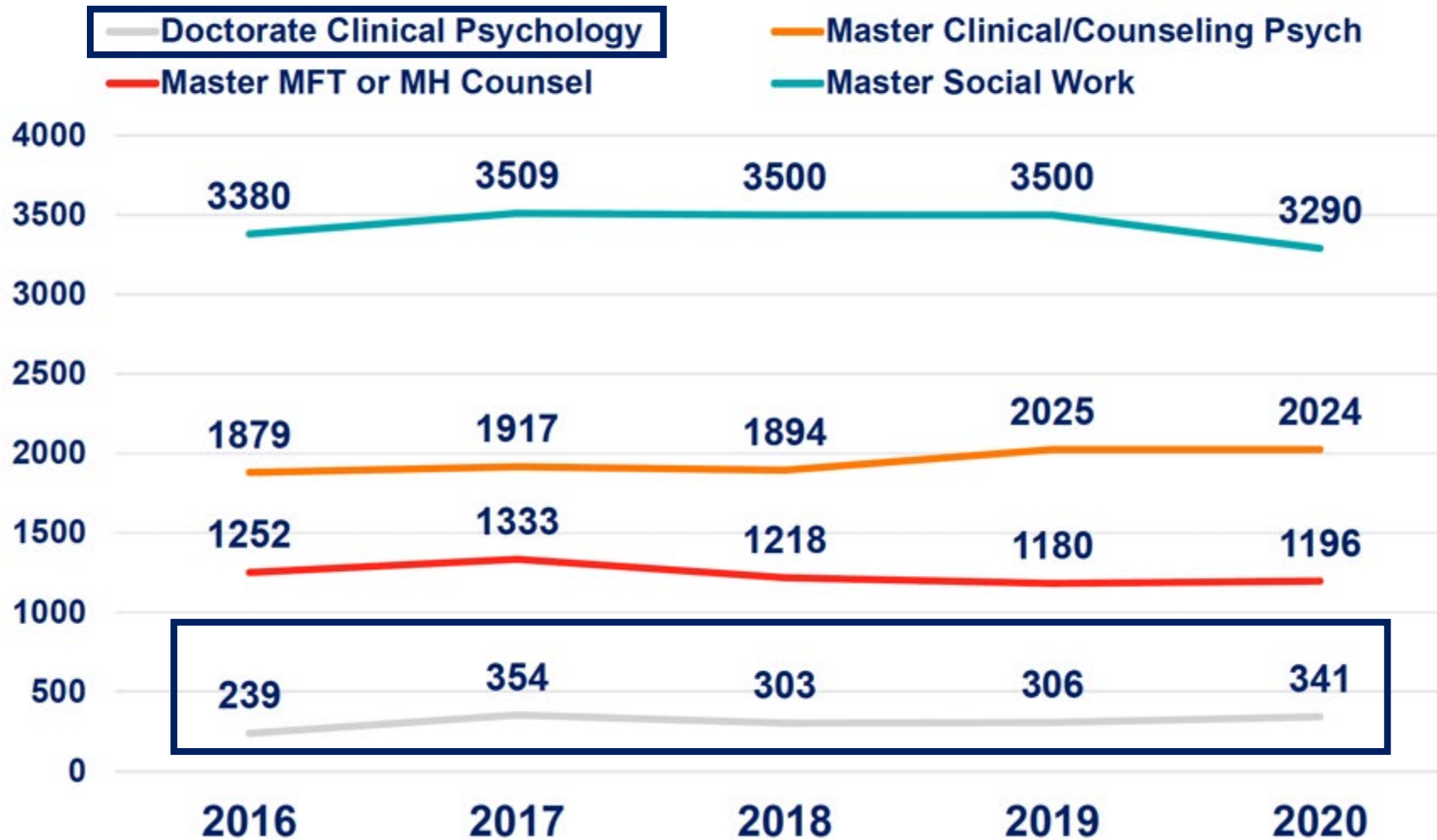




# Projected Demand and Supply for Clinical Psychologists, LMFTs, LPCCs, and LCSW's for 2016 and 2028



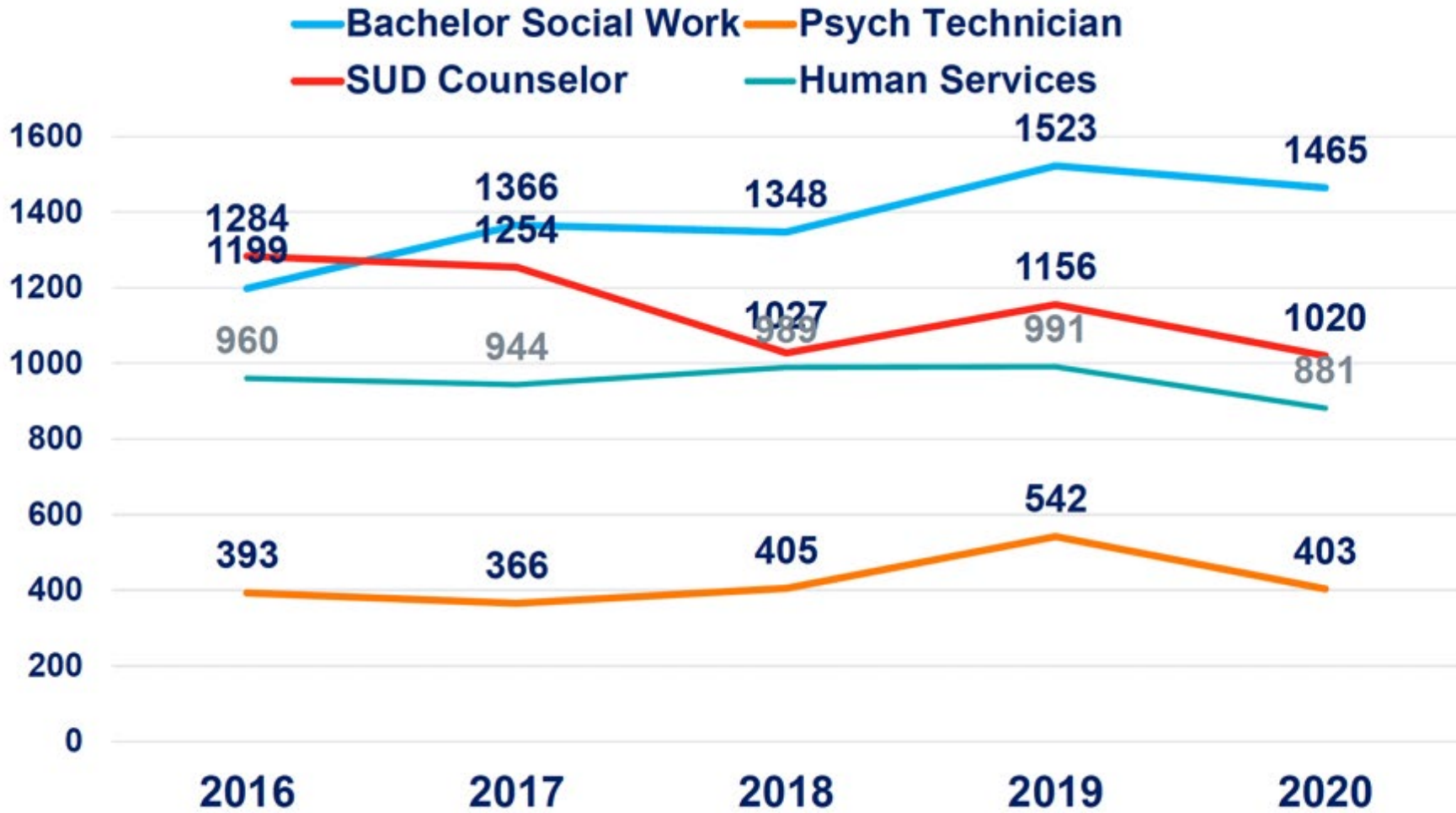
# Graduates of Educational Programs for Licensed Behavioral Health Occupations, 2016 to 2020



# Graduates of Behavioral Health Professions Educational Programs by Race/Ethnicity, 2020

	Asian	Black	Latino/a	Native Am/Hawaii	White	Two or More	Unknown
<b>Doctorate – Psych</b>	10%	9%	13%	0%	54%	7%	6%
<b>Master – Psych</b>	8%	8%	23%	1%	47%	5%	8%
<b>Master – MFT/Couns</b>	7%	12%	24%	1%	42%	5%	9%
<b>Master – Social Work</b>	7%	13%	45%	1%	26%	3%	6%
<b>Bach – Social Work</b>	11%	8%	55%	2%	19%	3%	3%
<b>Psych Tech</b>	15%	22%	45%	1%	14%	2%	1%
<b>SUD Counselor</b>	2%	13%	38%	2%	38%	4%	3%

# Graduates of Educational Programs for Unlicensed Behavioral Health Occupations, 2016 to 2020



## California community college enrollment plummets to 30-year low



## California community college enrollment plummets to 30-year low

### The enrollment crash

Unlike during the Great Recession, community college enrollment dropped sharply during the COVID-19 pandemic.

Enrollment in millions

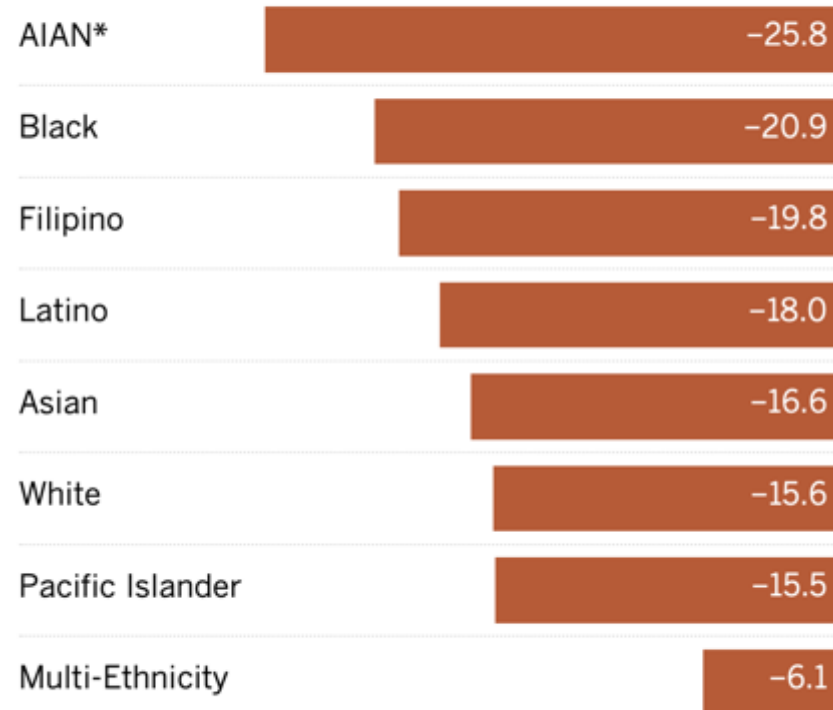


Yuxuan Xie / EdSource and Katie Licari LOS ANGELES TIMES

## California community college enrollment plummets to 30-year low

### AIAN and Black students faced the steepest declines in enrollment

Percent change



\*AIAN stands for American Indian and Alaska Native

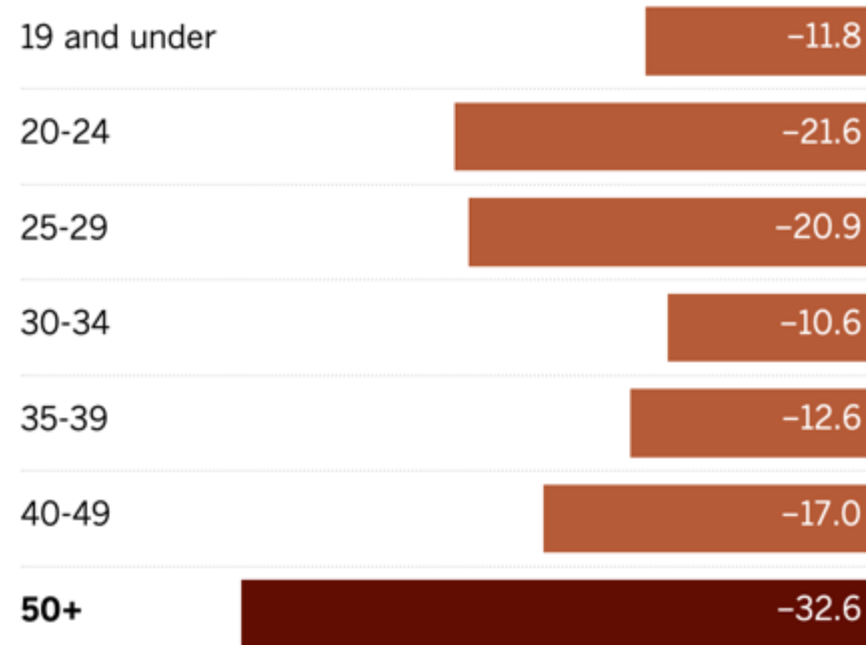
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## California community college enrollment plummets to 30-year low

### Older adults left the system at higher rates

The largest drops in enrollment were among adults 50 and older.

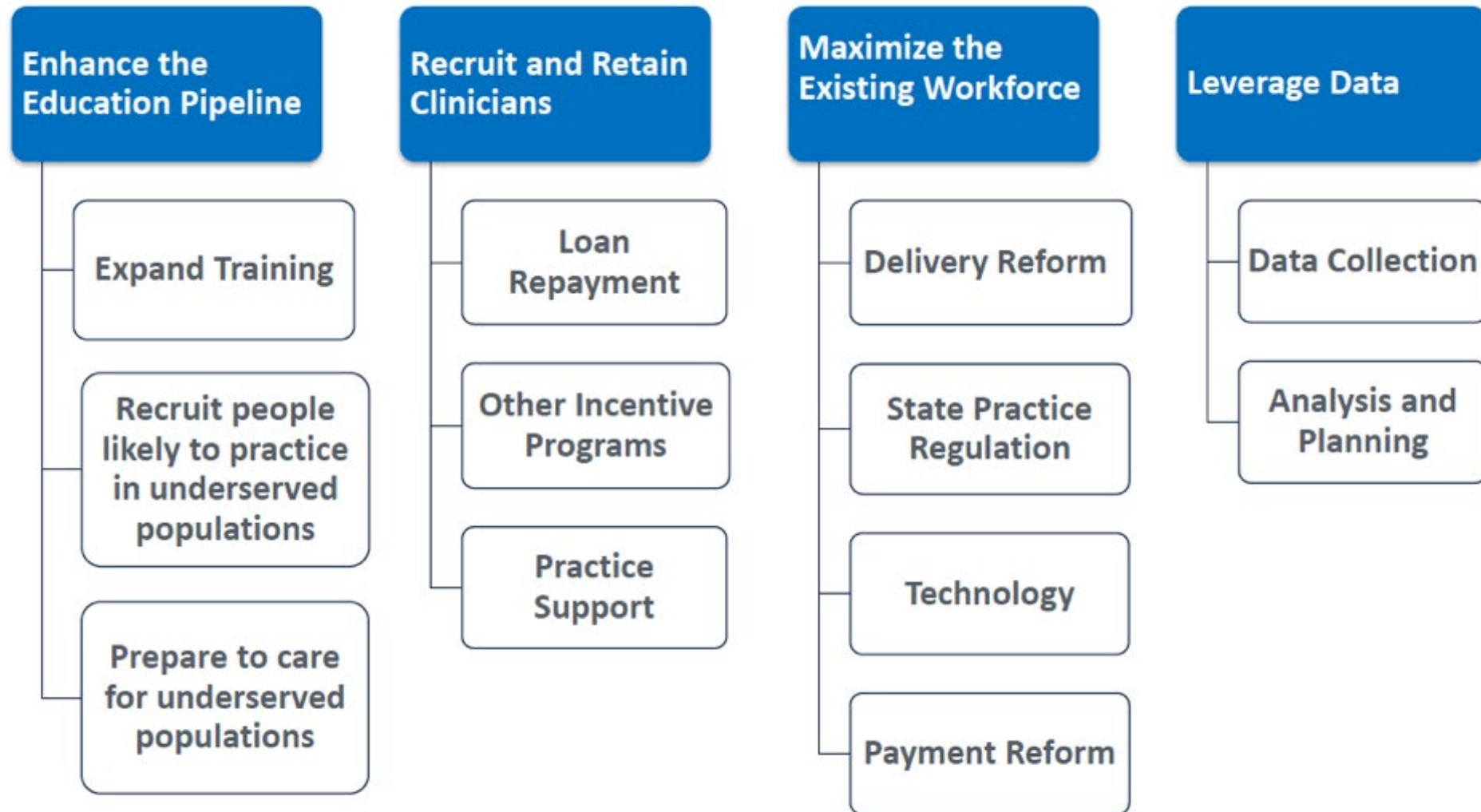
#### Percent change



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# Strategies for Expanding Health Workforce Capacity



# Conclusions

- Some regions of California have small numbers of behavioral health professionals per capita relative to the state overall.
- Many behavioral health professionals are at or near retirement age.
- The behavioral workforce does not reflect the racial/ethnic and linguistic diversity of the state's population, especially in professions that require a doctoral degree.
- Numbers of graduates of educational programs will not be sufficient to replace retirees or meet growing demand for behavioral health services.
- Existing sources of data are not sufficient to fully assess California's behavioral health workforce needs.

# Recommendations

- **Invest in behavioral health professions education pipeline programs which focus on underrepresented and low-income persons, especially at college and post-baccalaureate levels**
- **Increase funding for psychiatry residency programs and psychiatric nurse practitioner education programs**
- **Provide funds for targeted increases in enrollment at Community Colleges and California medical and nursing schools**

## Recommendations specific to behavioral health

- Pilot the Cal-HOSA Prevention and Early Intervention Mental Health and Workforce Development Model in middle and high schools
- Promote careers in behavioral health among college students
- Increase funding for stipends and scholarships for behavioral health professions students
- Increase psychiatry residency positions
- Establish a new psychiatric mental health nurse practitioner education program
- Expand train-the-trainer model for increase primary care providers' ability to meet behavioral health workforce needs
- Scale engagement of peer providers through certification, training, and reimbursement

## Other recommendations pertinent to the behavioral health workforce

- Expand pipeline programs for low-income and underrepresented students
- Increase funding for post-bac programs for medical school reapplicants from underserved communities
- Recruit and train students from underserved areas to practice in community health centers in their home regions
- Expand the PRIME program at UC medical schools

CHAPTER 6.6. Psychologists [2900 - 2999]

*(Chapter 6.6 repealed and added by Stats. 1967, Ch. 1677.)*

ARTICLE 7. Revenue [2980 - 2989]

*( Article 7 added by Stats. 1967, Ch. 1677. )*

2987.

The amount of the fees prescribed by this chapter shall be determined by the board, and shall be as follows:

(a) The application fee for a psychologist shall ~~be not be more than fifty dollars (\$50)~~ two hundred and thirty-six dollars (\$236).

(b) The examination and reexamination fees for the examinations shall be the actual cost to the board of developing, purchasing, and grading of each examination, plus the actual cost to the board of administering each examination.

(c) The application fee for the California Psychology Law and Ethics Examination (CPLEE) shall be one hundred and twenty-seven dollars (\$127).

~~(d)(c) The initial license fee is an amount equal to the renewal fee in effect on the last regular renewal date before the date on which the license is issued. The initial license fee for a psychologist shall be two hundred and thirty-one dollars (\$231).~~

~~(e)(d) The biennial renewal fee for a psychologist shall be four hundred dollars (\$400)~~ seven hundred and ninety-five dollars (\$795). ~~The board may increase the renewal fee to an amount not to exceed five hundred dollars (\$500).~~ The board may adopt regulations to set the fee at a higher amount, up to a maximum of one thousand one hundred dollars (\$1,100).

~~(f)(e) The application fee for registration as a registered psychological associate under Section 2913 shall not be more than seventy-five dollars (\$75).~~ be four hundred and twenty-four dollars (\$424).

~~(g)(f) The annual renewal fee for registration of a psychological assistant shall be not be more than seventy-five dollars (\$75).~~ two hundred and twenty four dollars (\$224). The board may adopt regulations to set the fee at a higher amount, up to a maximum of four hundred dollars (\$400).

~~(h)(g) The duplicate license or registration fee is five dollars (\$5).~~

~~(i)(h) The delinquency fee is 50 percent of the renewal fee for each license type, not to exceed one hundred fifty dollars (\$150).~~

~~(j)(i) The endorsement fee is five dollars (\$5).~~

~~(k)(j) The file transfer fee is ten dollars (\$10).~~

(l) The fee for Fingerprint Hard Card Processing for Out of State Applicants shall be one hundred and eighty-four dollars (\$184). Applicants shall also pay the actual cost to the

board of processing the fingerprint hard card with the Department of Justice and Federal Bureau of Investigation.

(m) The fee for a psychological associate to add or change their supervisor shall be two hundred and ten dollars (\$210). The fee shall be the actual cost to the board of processing the addition or change.

Notwithstanding any other provision of law, the board may reduce any fee prescribed by this section, when, in its discretion, the board deems it administratively appropriate.

*(Amended by Stats. 2021, Ch. 647, Sec. 19. (SB 801) Effective January 1, 2022.)*

2988.

A licensed psychologist who for reasons, including, but not limited to, retirement, ill health, or absence from the state, is not engaged in the practice of psychology, may apply to the board to request that his or her license be placed on an inactive status. A licensed psychologist who holds an inactive license shall pay a biennial renewal fee, fixed by the board, ~~of no more than forty dollars (\$40)~~ of two hundred and twenty one dollars (\$221). The board may adopt regulations to set the fee at a higher amount, up to a maximum of four hundred dollars (\$400). A psychologist holding an inactive license shall be exempt from continuing education requirements specified in Section 2915, but shall otherwise be subject to this chapter and shall not engage in the practice of psychology in this state. Licensees on inactive status who have not committed any acts or crimes constituting grounds for denial of licensure and have completed the continuing education requirements specified in Section 2915 may, upon their request have their license to practice psychology placed on active status.

**ASSEMBLY BILL**

**No. 282**

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**Introduced by Assembly Member Aguiar-Curry**

January 24, 2023

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An act to amend Section 2914 of the Business and Professions Code, relating to healing arts.

LEGISLATIVE COUNSEL'S DIGEST

AB 282, as introduced, Aguiar-Curry. Psychologists: licensure.

Existing law, the Psychology Licensing Law, establishes the Board of Psychology to license and regulate the practice of psychology. Existing law requires each applicant for licensure as a psychologist to take and pass any examination required by the board, except as exempted by the board under existing law. Existing law prescribes additional requirements for licensure, including a requirement that an applicant for licensure have earned a doctoral degree in any of specified fields of study.

This bill would make an applicant for licensure who has completed all coursework required for such a doctoral degree, as documented by a written certification from the registrar of the applicant's educational institution or program, eligible to take any and all examinations required for licensure.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 2914 of the Business and Professions
- 2 Code is amended to read:



1 2914. (a) An applicant for licensure shall not be subject to  
2 denial of licensure under Division 1.5 (commencing with Section  
3 475).

4 (b) (1) On and after January 1, 2020, an applicant for licensure  
5 shall possess an earned doctoral degree in any of the following:

6 (A) Psychology with the field of specialization in clinical,  
7 counseling, school, consulting, forensic, industrial, or  
8 organizational psychology.

9 (B) Education with the field of specialization in counseling  
10 psychology, educational psychology, or school psychology.

11 (C) A field of specialization designed to prepare graduates for  
12 the professional practice of psychology.

13 (2) (A) Except as provided in subparagraph (B), the degree or  
14 training obtained pursuant to paragraph (1) shall be obtained from  
15 a college or institution of higher education that is accredited by a  
16 regional accrediting agency recognized by the United States  
17 Department of Education.

18 (B) Subparagraph (A) does not apply to any student who was  
19 enrolled in a doctoral program in psychology with the field of  
20 specialization in clinical, counseling, school, consulting, forensic,  
21 industrial, or organizational psychology or in education with the  
22 field of specialization in counseling psychology, educational  
23 psychology, or school psychology at a nationally accredited or  
24 approved institution as of December 31, 2016.

25 (3) The board shall make the final determination as to whether  
26 a degree meets the requirements of this subdivision.

27 (4) Until January 1, 2020, the board may accept an applicant  
28 who possesses a doctoral degree in psychology, educational  
29 psychology, or in education with the field of specialization in  
30 counseling psychology or educational psychology from an  
31 institution that is not accredited by an accrediting agency  
32 recognized by the United States Department of Education, but is  
33 approved to operate in this state by the Bureau for Private  
34 Postsecondary Education on or before July 1, 1999, and has not,  
35 since July 1, 1999, had a new location, as described in Section  
36 94823.5 of the Education Code.

37 (5) An applicant for licensure trained in an educational  
38 institution outside the United States or Canada shall demonstrate  
39 to the satisfaction of the board that the applicant possesses a  
40 doctoral degree in psychology or education as specified in

1 paragraphs (1) and (2) that is equivalent to a degree earned from  
2 a regionally accredited academic institution in the United States  
3 or Canada by providing the board with an evaluation of the degree  
4 by a foreign credential evaluation service that is a member of the  
5 National Association of Credential Evaluation Services (NACES),  
6 or by the National Register of Health Services Psychologists  
7 (NRHSP), and any other documentation the board deems necessary.  
8 The member of the NACES or the NRHSP shall submit the  
9 evaluation to the board directly and shall include in the evaluation  
10 all of the following:

11 (A) A transcript in English, or translated into English by the  
12 credential evaluation service, of the degree used to qualify for  
13 licensure.

14 (B) An indication that the degree used to qualify for licensure  
15 is verified using primary sources.

16 (C) A determination that the degree is equivalent to a degree  
17 that qualifies for licensure pursuant to paragraphs (1) and (2).

18 (c) (1) An applicant for licensure shall have engaged for at least  
19 two years in supervised professional experience under the direction  
20 of a licensed psychologist, the specific requirements of which shall  
21 be defined by the board in its regulations, or under suitable  
22 alternative supervision as determined by the board in regulations  
23 duly adopted under this chapter, at least one year of which shall  
24 have occurred after the applicant was awarded the qualifying  
25 doctoral degree. Any supervision may be provided in real time,  
26 which is defined as through in-person or synchronous audiovisual  
27 means, in compliance with federal and state laws related to patient  
28 health confidentiality. The supervisor shall submit verification of  
29 the experience to the trainee as prescribed by the board. If the  
30 supervising licensed psychologist fails to provide verification to  
31 the trainee in a timely manner, the board may establish alternative  
32 procedures for obtaining the necessary documentation. Absent  
33 good cause, the failure of a supervising licensed psychologist to  
34 provide the verification to the board upon request shall constitute  
35 unprofessional conduct.

36 (2) The board shall establish qualifications by regulation for  
37 supervising psychologists.

38 (d) An applicant for licensure shall take and pass the  
39 examination required by Section 2941 unless otherwise exempted  
40 by the board under this chapter. *An applicant for licensure who*

1 *has completed all coursework required for a doctoral degree as*  
2 *required by subdivision (b), as documented by a written*  
3 *certification from the registrar of the applicant's educational*  
4 *institution or program, shall be eligible to take any and all*  
5 *examinations required for licensure.*

6 (e) An applicant for licensure shall complete coursework or  
7 provide evidence of training in the detection and treatment of  
8 alcohol and other chemical substance dependency.

9 (f) An applicant for licensure shall complete coursework or  
10 provide evidence of training in spousal or partner abuse assessment,  
11 detection, and intervention.



January 10, 2023

Lea Tate, PsyD  
President, Board of Psychology  
C/o Board of Psychology  
1625 North Market Blvd. Ste N-215  
Sacramento CA 95834

**RE: Licensing Process Improvement Legislation**

Dear Dr. Tate,

CPA is sponsoring legislation intended to modify the licensure process at the Board of Psychology (BOP) in order to promote efficiency in the overall process for becoming licensed as a psychologist.

A member survey conducted by CPA in 2022 found significant wait times at each step in the licensing process at the BOP, resulting in delays to consumers accessing treatment and creating a financial burden for applicants due to lost opportunities for income. Survey results indicated that each sequential step in the licensure process typically took 2-4 months to process, for a total wait time often lasting about one year. In addition, almost 60% reported that the delays created financial hardship and over 30% reported the delays caused interruptions in patient care.

To reduce delays, CPA will propose amending B & P § 2914 to allow applicants for psychology licensure to take the required examinations (CPLEE and EPPP) at any time after completing all coursework for a qualifying doctoral degree, rather than in a set sequence with each step requiring review and approval by BOP staff.

The intent of this legislation is to streamline the licensure process to reduce burdensome wait times for applicants and to improve access to care. It could also reduce the workload for licensing staff at the BOP.

In addition, the bill would require the Board of Psychology to revise CCR § 1388 (Examinations), consistent with our bill, to clarify that licensure examinations can be taken at any time after completing the required coursework for a qualifying doctoral degree.

We look forward to discussing this legislative proposal and request that this be placed on the agenda for the next Board of Psychology meeting.

Cordially,

A handwritten signature in black ink that reads "Jo Linder-Crow, PhD".

Jo Linder-Crow, PhD  
CEO  
California Psychological Association

Attch: Proposed Language

## Proposed CPA Language

### 2914

(a) An applicant for licensure shall not be subject to denial of licensure under Division 1.5 (commencing with Section 475).

(b) (1) On and after January 1, 2020, an applicant for licensure shall possess an earned doctoral degree in any of the following:

(A) Psychology with the field of specialization in clinical, counseling, school, consulting, forensic, industrial, or organizational psychology.

(B) Education with the field of specialization in counseling psychology, educational psychology, or school psychology.

(C) A field of specialization designed to prepare graduates for the professional practice of psychology.

(2) (A) Except as provided in subparagraph (B), the degree or training obtained pursuant to paragraph (1) shall be obtained from a college or institution of higher education that is accredited by a regional accrediting agency recognized by the United States Department of Education.

(B) Subparagraph (A) does not apply to any student who was enrolled in a doctoral program in psychology with the field of specialization in clinical, counseling, school, consulting, forensic, industrial, or organizational psychology or in education with the field of specialization in counseling psychology, educational psychology, or school psychology at a nationally accredited or approved institution as of December 31, 2016.

(3) The board shall make the final determination as to whether a degree meets the requirements of this subdivision.

(4) Until January 1, 2020, the board may accept an applicant who possesses a doctoral degree in psychology, educational psychology, or in education with the field of specialization in counseling psychology or educational psychology from an institution that is not accredited by an accrediting agency recognized by the United States Department of Education, but is approved to operate in this state by the Bureau for Private Postsecondary Education on or before July 1, 1999, and has not, since July 1, 1999, had a new location, as described in Section 94823.5 of the Education Code.

(5) An applicant for licensure trained in an educational institution outside the United States or Canada shall demonstrate to the satisfaction of the board that the applicant possesses a doctoral degree in psychology or education as specified in paragraphs (1) and (2) that is equivalent to a degree earned from a regionally accredited academic institution in the United States or Canada by providing the board with an evaluation of the degree by a foreign credential evaluation service that is a member of the National Association of Credential Evaluation Services (NACES), or by the National Register of Health Services Psychologists (NRHSP), and any other documentation the board deems necessary. The member of the NACES or the NRHSP shall submit the evaluation to the board directly and shall include in the evaluation all of the following:

(A) A transcript in English, or translated into English by the credential evaluation service, of the degree used to qualify for licensure.

(B) An indication that the degree used to qualify for licensure is verified using primary sources.

(C) A determination that the degree is equivalent to a degree that qualifies for licensure pursuant to paragraphs (1) and (2).

(c) (1) An applicant for licensure shall have engaged for at least two years in supervised professional experience under the direction of a licensed psychologist, the specific requirements of which shall be defined by the board in its regulations, or under suitable alternative supervision as determined by the board in regulations duly adopted under this chapter, at least one year of which shall have occurred after the applicant was awarded the qualifying doctoral degree. Any supervision may be provided in real time, which is defined as through in-person or synchronous audiovisual means, in compliance with federal and state laws related to patient health confidentiality. The supervisor shall submit verification of the experience to the trainee as prescribed by the board. If the supervising licensed psychologist fails to provide verification to the trainee in a timely manner, the board may establish alternative procedures for obtaining the necessary documentation. Absent good cause, the failure of a supervising licensed psychologist to provide the verification to the board upon request shall constitute unprofessional conduct.

(2) The board shall establish qualifications by regulation for supervising psychologists.

(d) An applicant for licensure shall take and pass the examination required by Section 2941 unless otherwise exempted by the board under this chapter. An applicant for licensure who has completed all coursework required for a doctoral degree as required by paragraph (b), as documented by a written certification from the registrar of their educational institution or program, shall be eligible to take any and all examinations required for licensure.

(e) An applicant for licensure shall complete coursework or provide evidence of training in the detection and treatment of alcohol and other chemical substance dependency.

(f) An applicant for licensure shall complete coursework or provide evidence of training in spousal or partner abuse assessment, detection, and intervention.

## MEMORANDUM

<b>DATE</b>	January 27, 2023
<b>TO</b>	Board of Psychology
<b>FROM</b>	Jonathan Burke Assistant Executive Officer
<b>SUBJECT</b>	<b>Agenda Item</b> Possible Action on Rulemaking regarding 16 CCR sections 1391.1, 1391.2, 1391.5, 1391.6, 1391.8, 1391.10, 1391.11, 1391.12, 1392.1 – Psychological Associates

### **Background**

This package was introduced based upon Senate Bill 1193 (SB 1193) (Hill, Chapter 484, Statutes of 2016) and Senate Bill 547 (SB 547) (Hill, Chapter 429, Statutes of 2017), and was originally approved by the Board November 16, 2018. Two forms were incorporated by this regulatory proposal, although not separately displayed in the meeting materials or minutes:

- Application for Registration as a Psychological Assistant (PSB 100 (Rev. 7/17))
- Notification to Add or Change a Supervisor or Service Location for a Psychological Assistant (PSB 101 (Rev. 7/17))

At the time of original adoption, the fee for the “Application for Registration as a Psychological Assistant” was \$40.

Work was postponed on this package while Senate Bill 801 (SB 801) (Archuleta, Chapter 647, Statutes of 2021) was drafted, pursued, signed, and implemented, and some non-substantive changes to the regulatory text occurred based on the statutory revisions (such as revising references from *Assistant* to *Associate*) in the Fall of 2021. The two forms were re-titled / re-dated:

- Application for Registration as a Psychological Associate (PSB 100 (New 2021))
- Notification to Add or Change a Supervisor or Service Location for a Psychological Associate (PSB 101 (New 2021))

With those changes made to the regulatory text, the regulatory package was forwarded to the Director of the Department of Consumer Affairs on April 26, 2022, and, after her approval, to the Secretary of the Business, Consumer Services, and Housing Agency on May 6, 2022, who approved the package to go to Office of Administrative Law (OAL) for publication on Jun 6, 2022.

The Board has successfully pursued a separate regulatory fee change to 16 CCR 1392.1 in 2021-2022 (notice to the public for comment on December 7, 2021, submitted to OAL March 28, 2022, approved May 5, 2022, and effective July 1, 2022), which updated the \$40 application fee to \$75.00. An additional change, mirrored in the main Psychological Associate package, was also made via a “change without regulatory effect” to section 1391.5(c) (deleting a reference to organizations specified in section 2913 of the Code), which was submitted to OAL on July 20, 2022, and approved and effective August 30, 2022.

This package was submitted to OAL in December (OAL file #2022-1212-03S) and, based upon conversations with them, is being brought back to the Board for some clarifying changes, which will require a 15-day public comment period.

### **The modified text:**

#### **On form PSB 100, *Application for Registration as a Psychological Associate*,**

- Instructions: The fee has been updated to \$75 in conformity with revised regulation 1392.1.
- Section 1, Personal Information: The email address, phone number, date of birth, and social security number requirements have been moved up before “Aliases” instead of after “Address of Record” to visually ensure that there is no confusion that those items are not public. This is a non-substantive change in formatting only.
- Section V and VI: Psychological Associate Questionnaire: For those questions where it said “If yes, please explain” it will be changed to say “If yes, see page 6” and the web link for the courtesy License Disciplinary Action Form will be moved to page 6. On page 6, a new section is added to clarify what information is requested:

#### **Conviction and License Discipline Disclosure**

If you answered “YES” to any of the Conviction and License Disclosure questions under Section V or VI, please provide the following information:

**For Convictions or registration as a sex offender:** Date, letter explaining underlying circumstances, outcome, jurisdiction, and court case number.

**For License review, discipline, or surrender:** Date, letter explaining underlying circumstances, disposition, and licensing agency.



**For License denial:** Date, letter explaining underlying circumstances, supporting documents, and licensing agency.

*For your convenience, you may use the License Disciplinary Action Form ([www.psychology.ca.gov/forms\\_pubs/disciplinary.pdf](http://www.psychology.ca.gov/forms_pubs/disciplinary.pdf)).*

- Section VII: Acknowledgements: The last question, which was noticed as “I understand that annual reporting is required for purposes of renewal for this registration.16 CCR 1391.10.” is deleted to conform with the regulatory proposal to delete regulation 1391.10.

**On form PSB 101, Notification to Add or Change a Supervisor or Service Location for a Psychological Associate,**

- Instructions: The qualifications of a primary supervisor are clarified by a reference to Business and Professions Code 2913 and regulation 1387.1.
- Section IV: Supervisor Questionnaire: For those questions where it said “If yes, please explain” it will be changed to say “If yes, see page 4” and the web link for the courtesy License Disciplinary Action Form will be moved to page 4. On page 4, a new section is added to clarify what information is requested:

**Conviction and License Discipline Disclosure**

If you answered “YES” to any of the Conviction and License Disclosure questions under Section V or VI, please provide the following information:

**For Convictions or registration as a sex offender:** Date, letter explaining underlying circumstances, outcome, jurisdiction, and court case number.

**For License review, discipline, or surrender:** Date, letter explaining underlying circumstances, disposition, and licensing agency.

**For License denial:** Date, letter explaining underlying circumstances, supporting documents, and licensing agency.

*For your convenience, you may use the License Disciplinary Action Form ([www.psychology.ca.gov/forms\\_pubs/disciplinary.pdf](http://www.psychology.ca.gov/forms_pubs/disciplinary.pdf)).*

- Section V: Acknowledgements: The last question, which was noticed as “I understand that annual reporting is required for purposes of renewal for this registration.16 CCR 1391.10.” is deleted to conform with the regulatory proposal to delete regulation 1391.10.

**On both forms,** the Acknowledgements regarding non-delegable supervision were non-substantively clarified to specify “face-to-face,” pursuant to 1387(c)(2). Incorrect references to 1387(c)(1) were corrected to 1387(c)(2).

**On the regulatory text,** The change without regulatory effect to subdivision (c) of section 1391.5 (referenced above) obviated the need to delete “employed by one of the

organizations specified in section 2913 of the Code” and that text has been deleted from the modified text as a technical update.

**Action Requested:**

Notice modified text, including incorporated forms PSB 100, *Application for Registration as a Psychological Associate*, and PSB 101, *Notification to Add or Change a Supervisor or Service Location for a Psychological Associate*, for a 15-day public comment period. If, after the 15-day public comment period, no relevant timely adverse comments are received, adopt the amendments to Sections 1391.1, 1391.2, 1391.5, 1391.6, 1391.8, 1391.10, 1391.11, 1391.12, and 1392.1, including the incorporated forms, as modified, and authorize the Executive Officer to take all steps necessary to resubmit the rulemaking package to the Office of Administrative Law to complete the rulemaking process, including making any technical or non-substantive changes to the proposed regulations as necessary.

## TITLE 16. BOARD OF PSYCHOLOGY

### EXPLANATION OF CHANGES

The Board provides this explanation for the modified text.

#### Changes to the regulatory text

- A change without regulatory effect to subdivision (c) of section 1391.5 (deleting a reference to organizations specified in section 2913 of the Code) was submitted to the Office of Administrative Law (OAL) on July 20, 2022, and approved and effective August 30, 2022. This obviated the need to delete “employed by one of the organizations specified in section 2913 of the Code” in this rulemaking and that text has been deleted from the modified text as a technical update.
- A minor technical edit was made to section 1391.11(a) and (b), to correct a comma placement after the quoted incorporated form name and to add the word “section” before referenced 1391.1, to conform with the otherwise referenced regulatory sections.
- A separate regulatory package which updated the fee amounts and the authority and reference citations in 1392.1. was noticed to the public for comment on December 7, 2021, submitted to OAL March 28, 2022, approved May 5, 2022, and effective July 1, 2022. The current regulatory text has been updated to the current law.

As part of the modified text, the Board is proposing to change Forms PSB 100 (New 2021) and PSB 101 (New 2021). Because of formatting issues, the two documents are being replaced and added, rather than amended, as described below.

#### Changes to Form PSB 100, *Application for Registration as a Psychological Associate*

- Instructions: The fee has been updated to \$75 in conformity with revised regulation 1392.1. As noted above, this change went into effect July 1, 2022, after this package was prepared for Notice.
- Section 1, Personal Information: The email address, phone number, date of birth, and social security number requirements have been moved up before “Aliases” instead of after “Address of Record” to visually ensure that there is no confusion that those items are not public. This is a non-substantive change in formatting only.
- Section V, Psychological Associate Questionnaire: For those questions on the bottom of page three that inquire into mental condition, chemical dependency, or use of illegal or controlled substances, the prior “If yes, please explain on a separate sheet of paper” has been replaced with “If yes, please describe the situation and the impact on your abilities to function.” This change is made for clarity and to assist the applicant understand what information the Board needs

to review the application appropriately. The Board requires such information because the Board needs to ensure that the public is adequately protected and patient harm is avoided.

- Section V and VI, Psychological Associate Questionnaire: For those questions where it said “If yes, please explain” it will be changed to say “If yes, see page 6” and the web link for the courtesy License Disciplinary Action Form will be moved to page 6. On page 6, a new section is added to clarify what information is requested:

### **Conviction and License Discipline Disclosure**

If you answered “YES” to any of the Conviction and License Disclosure questions under Section V or VI, please provide the following information:

**For Convictions or registration as a sex offender:** Date, letter explaining underlying circumstances, outcome, jurisdiction, and court case number.

**For License review, discipline, or surrender:** Date, letter explaining underlying circumstances, disposition, and licensing agency.

**For License denial:** Date, letter explaining underlying circumstances, supporting documents, and licensing agency.

*For your convenience, you may use the License Disciplinary Action Form ([www.psychology.ca.gov/forms\\_pubs/disciplinary.pdf](http://www.psychology.ca.gov/forms_pubs/disciplinary.pdf)).*

- Section VII, Acknowledgements: In the first acknowledgement, an incorrect reference to 1387(c)(1) was corrected to 1387(c)(2). The last acknowledgement, which was noticed as

“I understand that annual reporting is required for purposes of renewal for this registration.16 CCR 1391.10.”

is deleted to conform with the regulatory proposal to delete regulation 1391.10.

### Changes to Form PSB 101, Notification to Add or Change a Supervisor or Service Location for a Psychological Associate

- Instructions: The qualifications of a primary supervisor are clarified by a reference to Business and Professions Code 2913 and regulation 1387.1.
- Section IV, Supervisor Questionnaire: For those questions where it said “If yes, please explain” it will be changed to say “If yes, see page 4” and the web link for the courtesy License Disciplinary Action Form will be moved to page 4. On page 4, a new section is added to clarify what information is requested:

### **Conviction and License Discipline Disclosure**

If you answered “YES” to any of the Conviction and License Disclosure

questions under Section V or VI, please provide the following information:

**For Convictions or registration as a sex offender:** Date, letter explaining underlying circumstances, outcome, jurisdiction, and court case number.

**For License review, discipline, or surrender:** Date, letter explaining underlying circumstances, disposition, and licensing agency.

**For License denial:** Date, letter explaining underlying circumstances, supporting documents, and licensing agency.

*For your convenience, you may use the License Disciplinary Action Form ([www.psychology.ca.gov/forms\\_pubs/disciplinary.pdf](http://www.psychology.ca.gov/forms_pubs/disciplinary.pdf)).*

- Section V, Acknowledgements: In the first acknowledgement, an incorrect reference to 1387(c)(1) was corrected to 1387(c)(2). The last acknowledgement, which was noticed as

“I understand that annual reporting is required for purposes of renewal for this registration.16 CCR 1391.10.”

is deleted to conform with the regulatory proposal to delete regulation 1391.10.

On both forms (100 and 101), the Acknowledgements regarding non-delegable supervision were non-substantively clarified to specify “face-to-face,” pursuant to 1387(c)(2). Incorrect references to 1387(c)(1) were corrected to 1387(c)(2).

**Title 16. California Board of Psychology  
Department of Consumer Affairs**

**Modified Text**

Original proposed language is shown as underlined.

Modified proposed additions are shown as **double underlined**.

Original proposed deletions are shown as ~~stricken~~.

Modified proposed deletions are shown as ~~double-stricken~~.

Changes from the originally proposed language due to other regulatory changes are **highlighted** and changes noted by footnote.

**1. Amend Section 1391.1, Article 5.1, Division 13.1, Title 16, of the California Code of Regulations to read:**

**§1391.1. Registration; Limitation of Registration Period.**

- (a) Any person who meets the requirements of section 2913 of the Code desiring to supervise may apply for registration as a registered psychological associate by submitting to the Board shall submit an application, on a form PSB 100, entitled "Application For Registration As A Psychological Associate" (New 2021), which is hereby incorporated by reference provided by the Board. If applying for a registration with more than one supervisor, the applicant shall also submit form PSB 101, entitled "Notification To Add Or Change Supervisor Or Service Location For A Psychological Associate" (New 2021), which is hereby incorporated by reference, for each additional supervisor.
- (b) Registration as a registered psychological associate shall be limited to a cumulative total of six years (72 months). ~~Each~~ A registration shall be subject to annual renewal pursuant to section 1391.12.
- (c) For any registered psychological associate registered prior to ~~the effective date of this subdivision~~ October 23, 2011, subsequent renewals or registrations shall be limited to a cumulative total of six years (72 months) from the date of the registered psychological associate's next registration or renewal, whichever occurs first.
- (d) Upon showing of good cause as determined by the Board, these specified time limitations may be reasonably ~~modified~~ extended.

**NOTE: Authority cited:** Sections 2913 and 2930, Business and Professions Code.

**Reference:** Sections 27, 30, 114.5, 115.4, 144, 651, 2913, and 17500, Business and Professions Code.

**2. Amend Section 1391.2, of Article 5.1, Division 13.1, Title 16 of the California Code of Regulations to read:**

**§ 1391.2. Withdrawal of Applications.**

An ~~a~~Applications for registration ~~which that~~ has not been completed within ninety (90) days after additional information has been requested by the Board shall be deemed to be withdrawn.

**NOTE: Authority cited: Sections 2913 and 2930, Business and Professions Code.**  
**Reference: Section 2913, Business and Professions Code.**

**3. Amend Section 1391.5, Article 5.1, Division 13.1, of Title 16 of the California Code of Regulations to read:**

**§ 1391.5. Statement of Purpose; Supervision Required.**

- (a) A registered psychological associate shall be under the direction and supervision of a licensed psychologist pursuant to section 1387.1, who is employed-licensed to practice pursuant to Division 2 of the Code, and who works in the same setting in which the registered psychological associate is employed performs psychological functions. A licensed psychologist who is supervising registered psychological associates must comply with the supervision course requirements set forth in section 1387.1.
- (b) The supervisor shall provide a minimum of one (1) hour per week of individual face-to-face supervision to the registered psychological associate, unless more such supervision is required under Section 1387 or by the nature of the psychological functions performed by the registered psychological associate.
- (c) **1** A registered psychological associate may receive delegated supervision pursuant to section 1387(c) from a qualified psychologist other than a the primary supervisor to whom they are registered only if the delegated supervisor is also employed works within the same organization setting as the primary supervisor and registered psychological associate. ~~Otherwise, supervision may not be delegated under a registered psychological associate registration.~~

**Note: Authority cited: Sections 2913 and 2930, Business and Professions Code.**  
**Reference: Section 2913, Business and Professions Code.**

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<sup>1</sup> Deletion of prior language which included “employed by one of the organizations specified in section 2913 of the Code” to match current law, effective August 30, 2022.

**4. Amend Section 1391.6, Article 5.1, Division 13.1, of Title 16 of the California Code of Regulations to read:**

**§1391.6. Supervisor's Responsibility.**

- (a) Every supervisor of a registered psychological associate shall ~~have~~ be responsible for supervising the psychological functions performed by the registered psychological associate and ensuring that the education, training, and experience in the areas of psychological practice for which they will supervise, and shall be responsible for supervising the psychological functions performed by the psychological associate ~~extent, kind and quality of the psychological functions performed by the associate are consistent with the supervisor's training and experience,~~ and ensure that the associate complies with the provisions of the Code, the Board's regulations, and the ethical standards established by the American Psychological Association.
- (b) The supervisor shall ~~inform~~ ensure that each client or patient is informed, prior to the rendering of services ~~by the registered psychological associate,~~ that the associate is unlicensed and is under the direction and supervision of the supervisor, ~~as an employee~~ Each client or patient shall also be informed and that the supervisor shall have access to the client's or patient's chart in fulfilling their supervisory ~~or~~ duties.
- (c) The supervisor shall be available to the registered psychological associate 100% of the time the associate is performing psychological functions. The availability can be in-person, by telephone, by pager or by other appropriate technology.
- (d) The supervisor shall ensure that a plan is in place to protect the client or patient ~~or client~~ in the event a client or patient ~~client~~ crisis or emergency occurs during any time the supervisor is not physically present at the established site at which the supervisee is working. The supervisor shall ensure that the supervisee thoroughly understands the plan in the event a client or patient crisis or emergency occurs.

**Note: Authority cited:** Sections 2913 and 2930, Business and Professions Code.

**Reference:** Section 2913, Business and Professions Code.



**5. Amend Section 1391.8, Article 5.1, Division 13.1, Title 16 of the California Code of Regulations to read:**

**§ 1391.8. Employer Supervisor-Employee Registered Psychological Associate Business Relationship.**

- (a) No supervisor or employer of a registered psychological associate may charge pay a fee, monetary or otherwise, require monetary payment in consideration for the employment or supervision provided of a registered psychological associate. The supervisor or employer shall supply all provisions necessary to function as a registered psychological associate.
- (b) The registered psychological associate shall have no proprietary interest in the business of the supervisor or the employer.
- (c) The registered psychological associate shall not rent, lease, sublease, or lease-purchase office space from any entity for purposes of functioning as a registered psychological associate.

**Note: Authority cited:** Sections 2913 and 2930, Business and Professions Code.  
**Reference:** Section 2913, Business and Professions Code.

**6. Repeal Section 1391.10, Article 5.1, Division 13.1, Title 16 of the California Code of Regulations to read:**

**§ 1391.10. Annual Reports.**

~~On or before the expiration of a registration, every supervisor of a registered psychological associate shall submit to the Board on a form provided by the Board a report for the registration period showing:~~

- ~~(a) The nature of the psychological functions performed by the registered psychological associate being supervised.~~
- ~~(b) Certification of employment.~~
- ~~(c) The locations at which the registered psychological associate provided the psychological functions and the type, extent and amount of supervision.~~
- ~~(d) A certification that the psychological functions performed by the registered psychological associate were performed at a level satisfactory to ensure safety to the public.~~

~~**Note: Authority cited:** Section 2930, Business and Professions Code. **Reference:** Section 2913, Business and Professions Code.~~

**7. Amend Section 1391.11, Article 5.1, Division 13.1, Title 16 of the California Code of Regulations to read:**

**§ 1391.11. Notification of ~~Termination~~ Change of Primary Supervisor or Location**

- (a) A registered psychological associate shall submit to the Board, in writing, a request for any change of or addition of a primary supervisor, on form PSB 101 (New 2021), entitled "Notification To Add Or Change Supervisor Or Service Location For A Psychological Associate", incorporated by reference in section 1391.1. Board approval of the request is required prior to rendering psychological services under the supervision of the new primary supervisor. A new supervision agreement is required, pursuant to section 1387, if there has been a change of supervisor and the registered psychological associate is accruing supervised professional experience.
- (b) Within thirty (30) days after the termination of the supervision between a primary supervisor and the employment of a registered psychological associate, or any change or addition of the location where services are being rendered by a registered psychological associate with the same primary supervisor, the employer-registered psychological associate shall notify the Board in writing of such termination or change, on form PSB 101, as described in subsection (a) and incorporated by reference in section 1391.1 setting forth the date thereof.

**NOTE: Authority cited:** Sections 2913 and 2930, Business and Professions Code.  
**Reference:** Sections 27, 30, 144, 651, 2913, and 17500, Business and Professions Code.

**8. Amend Section 1391.12, Article 5.1, Division 13.1, Title 16 of the California Code of Regulations to read:**

**§ 1391.12. Registered Psychological Associate Renewals.**

- (a) A new registration shall expire annually, beginning one year after issuance. The registration of a registered psychological associate shall be renewed by the employer annually, on or before its expiration, and the following information shall be provided:
- (1) Name and registration number of the registered psychological associate, registration expiration date;
  - (2) Disclosure of whether the registered psychological associate has been convicted or has had a license or registration disciplined since the last renewal;
  - (3) Telephone number and email (if any) of the registered psychological associate; and

- (4) A signed declaration under penalty of perjury that the information provided is true and correct;
- (b) The annual renewal fee required in section 1392.1 must be submitted to renew the registration. A registration renewed 30 days after its expiration must be accompanied by the delinquency fee required in section 1392.1 in order to be renewed;
- (c) A registered psychological associate who has been registered with the Board but whose registration has expired and has not been renewed ~~by the employer~~ shall not function as a registered psychological associate;
- ~~(d) A registered psychological associate employed and registered by more than one employer shall have their registration renewed by each employer.~~
- ~~(de) A registration not renewed by the registered psychological associate within 60 days after its expiration shall become void be cancelled and shall not be reinstated and a new application for registration shall be submitted by the employer. A new registration must be obtained to perform psychological functions as a registered psychological associate.~~

**NOTE: Authority cited:** Sections 2913 and 2930, Business and Professions Code.  
**Reference:** Section 2913, Business and Professions Code.

**9. Amend Section 1392.1, Article 6, Division 13.1, Title 16 of the California Code of Regulations to read:**

**§ 1392.1. Registered Psychological Associate Fees.<sup>2</sup>**

- (a) The application fee for registration ~~as of a registered psychological associate which is payable by the supervisor~~ is **\$75.00.**
- (b) The annual renewal fee for registration of a registered psychological associate is **\$75.00.**
- (c) The delinquency fee for a registered psychological associate is **\$37.50.**

**Note: Authority cited:** Sections **2913, 2930, 2940, 2987, and 2989**, Business and Professions Code.  
**Reference:** **Sections 2948 and 2987**, Business and Professions Code.

<sup>2</sup> Fee amounts and authority and reference citations updated to match current law, effective July 1, 2022.

**APPLICATION FOR REGISTRATION AS  
A PSYCHOLOGICAL ASSOCIATE**

*References to psychological associates refer to registered psychological associates, formerly called psychological assistants.*

**INSTRUCTIONS FOR COMPLETING THE APPLICATION:**

- Answer each question fully and truthfully.
- Attach sheets of paper to this application when instructed or when space provided is not sufficient.
- Submit a check with this application for \$75 payable to the Board of Psychology.
- Mail completed ORIGINAL application and payment to: 1625 N. Market Blvd., Suite N-215, Sacramento, CA 95834.
- Submit fingerprints via Live Scan at time of application.  
Please visit [www.psychology.ca.gov/applicants/fingerprint.shtml](http://www.psychology.ca.gov/applicants/fingerprint.shtml) for detailed instructions.
- Complete and submit Notification to Add or Change Supervisor or Service Location for a Psychological Associate form from Board of Psychology website ([www.psychology.ca.gov](http://www.psychology.ca.gov)) along with this application if registering with more than one primary supervisor.

**SECTION I: PERSONAL INFORMATION**

- Is it your intention to count this experience toward licensure? Yes  No
- If you answered "yes," refer to Title 16 California Code of Regulations (CCR) section 1387. You may download the Supervision Agreement for Supervised Professional Experience form from our website ([www.psychology.ca.gov/forms\\_pubs/sup\\_agreement.pdf](http://www.psychology.ca.gov/forms_pubs/sup_agreement.pdf)), and complete, sign, and date the form, and attach it to the application.
- Are you currently serving in, or have you previously served in, the military? Yes  No

**LEGAL NAME AND INFORMATION OF PSYCHOLOGICAL ASSOCIATE:**

\_\_\_\_\_  
Last First M.I. Jr., Sr., I, II

\_\_\_\_\_  
Email Address

\_\_\_\_\_  
Contact Phone Number

\_\_\_\_\_  
Social Security Number (SSN) or Individual Taxpayer Identification Number (ITIN)<sup>1</sup> Date of Birth

**ALIASES** List all other names by which the psychological associate has been known. (If more than two, use additional paper.):

\_\_\_\_\_  
Last First M.I. Jr., Sr., I, II

\_\_\_\_\_  
Last First M.I. Jr., Sr., I, II

**ADDRESS OF RECORD (AOR)** (This is public information and will be used for all correspondence.):

\_\_\_\_\_  
Number and Street

\_\_\_\_\_  
City State Zip Code

**PSB 100 (NEW 2023)**  
[Internal Control Number PDE\_23-043 (Revised 02/23)]

**CONFIDENTIAL ADDRESS** (If AOR is a post office box or mail drop location, you must also provide a confidential address. The confidential address can be your business or residential address.):

\_\_\_\_\_  
Number and Street

\_\_\_\_\_  
City

\_\_\_\_\_  
State

\_\_\_\_\_  
Zip Code

1 Disclosure of your SSN or ITIN is mandatory. Section 30 of the Business and Professions Code and Public Law 94-455 [42 USCA 405(c)(2)(C)] authorize collection of your SSN or ITIN. Your SSN or ITIN will be used exclusively for tax enforcement purposes, for purposes of compliance with any judgment or order for family support in accordance with Section 11350.6 of the Welfare and Institutions Code, or for verification of licensure or examination status by a licensing or examination entity that utilizes a national examination and where licensure is reciprocal with the requesting state. If you fail to disclose your SSN or ITIN, you will be reported to the Franchise Tax Board, which may assess a \$100 penalty against you, and the registration will not be issued.

## SECTION II: EDUCATION QUALIFICATION

**This Psychological Associate application is based upon** (Check education qualification at time of application.):

- Master's Degree School: \_\_\_\_\_
- Admission to Candidacy for Doctoral Degree Description of Degree: \_\_\_\_\_  
(Registrar's letter required with the transcript.)
- Doctoral Degree Date Awarded/Admitted: \_\_\_\_\_

***An official qualifying transcript must be mailed from the graduate institution directly to the Board of Psychology (Board). If using your master's/doctoral degree to qualify for registration, the transcript must show the degree-awarded date.***

## SECTION III: SUPERVISOR

**LEGAL NAME OF PRIMARY SUPERVISOR:**

\_\_\_\_\_  
Last First M.I. Jr., Sr., I, II

\_\_\_\_\_  
License Number Email Phone Number

## SECTION IV: LOCATION OF SERVICES

**Location where the psychological associate will be providing psychological services:**

\_\_\_\_\_  
Name of Services Location

\_\_\_\_\_  
Number and Street

\_\_\_\_\_  
City State Zip Code

**Additional location of services, if applicable, where the psychological associate will be providing psychological services** (If more than two locations, please use an additional sheet of paper.):

Name of Primary Supervisor	License Number	
Primary Supervisor's Phone Number	Primary Supervisor's Email Address	
Name of Services Location		
Number and Street		
City	State	Zip Code

**Note: You must notify the Board of any change or addition of a primary supervisor or location where services are being rendered on form Notification to Add or Change Supervisor or Service Location for a Psychological Associate. Form can be found on Board's website at [www.psychology.ca.gov](http://www.psychology.ca.gov).**

**SECTION V: PSYCHOLOGICAL ASSOCIATE QUESTIONNAIRE**

**Section V to be completed by the prospective psychological associate.**

Clearly mark the appropriate column ("yes" or "no") for each item below.

	YES	NO	
			Are you presently registered, or have you ever been registered or filed an application to be registered, as a psychological assistant or psychological associate? <b><i>If yes, list name(s) of supervisor(s):</i></b>
			Are you currently registered, were you previously registered, or have you ever filed an application to register to engage in psychological services under section 2909(d) of the Business and Professions Code (registered psychologist)? <b><i>If yes, when?</i></b>
			Have you ever filed an application for a license as a psychologist with the Board? <b><i>If yes, when?</i></b>
			Do you have any proprietary interest in the business of the employer and/or supervisor?
			Do you rent, lease, sublease, or lease-purchase office space from the employer, supervisor, or any entity for purposes of functioning as a psychological associate?
			Do you have a familial and/or interpersonal relationship with the employer and/or supervisor?
			Have you ever had any license disciplined by a government agency, the United States or its territories, military court, a foreign government, or other disciplinary body? <b><i>If yes, see page 6.</i></b>
			Have you ever been denied a license, registration, certificate, or credential to practice psychology or any other profession in any state or country? <b><i>If yes, see page 6.</i></b>
			Have you ever voluntarily surrendered a license, registration, or credential to practice psychology or any other profession or occupation in any state or country? <b><i>If yes, see page 6.</i></b>
			Have you ever been subject to review and/or action by the ethics committee of any professional organization in any state or country? <b><i>If yes, see page 6.</i></b>
			Are you required to register as a sex offender pursuant to Section 290 of the Penal Code? <b><i>If yes, see page 6.</i></b>
			Do you currently have any mental condition or chemical dependency that in any way impairs or limits your ability to practice psychology with safety to the public? <b><i>If yes, please describe the situation and the impact on your abilities to function.</i></b>
			Are you currently engaged in the illegal use of controlled dangerous substances, or were you so engaged recently enough so that the use of drugs may have an ongoing impact on your ability to function as a psychological associate (use of any controlled substance as defined in Division 10 (commencing with Section 11000) of the Health and Safety Code, or dangerous drug, or any alcoholic beverage to an extent or in a manner dangerous to yourself, any other person, or the public, or to an extent that this use impairs your ability to perform the work of a psychologist with safety to the public)? <b><i>If yes, please describe the situation and the impact on your abilities to function.</i></b>

## SECTION VI: SUPERVISOR QUESTIONNAIRE

### Section VI to be completed by the prospective supervisor.

Clearly mark the appropriate column ("yes" or "no") for each item below.

YES	NO	
		Have you ever been denied a license, registration, certificate, or credential to practice psychology or any other profession in any state or country? <i>If yes, see page 6.</i>
		Have you had a license, registration, certificate, or credential to practice psychology or any other profession or occupation subjected to discipline by any state or country? <i>If yes, see page 6.</i>
		Have you voluntarily surrendered a license, registration, certificate, or credential to practice psychology or any other profession or occupation in any state or country? <i>If yes, see page 6.</i>
		Have you ever been subject to review and/or action by the ethics committee of any professional organization in any state or country? <i>If yes, see page 6.</i>
		Have you completed the required six-hour course in supervision within the last two years as required by 16 CCR 1387.1(b)?
		Do you rent, lease, sublease, or lease-purchase office space to the psychological associate?
		Do you have a familial and/or interpersonal relationship with the psychological associate?
		Will you provide a minimum of one hour per week of individual face-to-face supervision to the psychological associate?
		Will you inform clients that the psychological associate is unlicensed, and is under the direction and supervision of the supervisor as an employee, in person or in writing, prior to the rendering of services pursuant to sections 16 CCR 1387.1(g) and 1391.6?
		Will you be employed by the same work setting as the psychological associate and be available to the psychological associate 100 percent of the time the psychological associate is providing psychological services?

## SECTION VII: ACKNOWLEDGEMENTS

### Section VII to be completed by both the prospective psychological associate and supervisor.

Supervisor's Initials	Psychological Associate's Initials	PLEASE READ EACH STATEMENT BELOW AND INDICATE THAT YOU UNDERSTAND BY PLACING YOUR INITIALS IN THE CORRESPONDING BOX. Both supervisor and psychological associate must initial each statement.
		I understand that supervisors of psychological associates may not delegate any portion of individual face-to-face supervision to anyone else. <i>16 CCR 1387(c)(2).</i>
		I understand that no psychological associate may bill clients directly for any services rendered, or receive payments, monetary or otherwise, directly from clients. <i>Business and Professions Code section 2913 and 16 CCR 1387.1(g).</i>
		I understand that the psychological associate shall at all times and under all circumstances identify themselves to clients as a psychological associate of his or her employer or responsible supervisor when engaged in any psychological activity in connection with that employment. <i>16 CCR 1396.4(b).</i>
		I understand that every supervisor of a psychological associate shall have the education training and experience in the areas of psychological practice for which they will supervise, and shall be responsible for supervising the psychological functions performed by the psychological associate and ensuring the psychological associate complies with the provisions of the Business and Professions Code, the Board's regulations, and the ethical standards established by the American Psychological Association. <i>16 CCR 1391.6(a).</i>
		I understand that a psychological associate shall be under the direction and supervision of a licensed psychologist who is employed in the same setting in which the psychological associate is employed. <i>16 CCR 1391.5(a).</i>
		I understand that no psychological associate may pay a fee, monetary or otherwise, in consideration for supervision provided. <i>16 CCR 1391.8(a).</i>

		I understand that within 30 days after the termination of the employment of a psychological associate, the psychological associate shall notify the Board in writing of such termination. <i>16 CCR 1391.11.</i>
		I understand that within 30 days after any change or addition of a primary supervisor or in the location where services are being rendered by a psychological associate, the psychological associate shall notify the Board in writing, indicating the effective date of the change or addition. Failure to comply could result in an enforcement action. <i>16 CCR 1391.11.</i>
		I understand that upon a change or addition of primary supervisor, a new supervision agreement is required to be completed with the primary supervisor if I intend to accrue the hours for supervised professional experience toward licensure. <i>16 CCR 1391.11.</i>
		I understand that a psychological associate shall not advertise for their services, including on any websites. Any business card of a psychological associate must include their name, the fact that they are a psychological associate, and include the name and license number of the supervisor and the location where services are provided. <i>16 CCR 1396.4(b) and 1397.</i>
		I understand that no psychological services may be provided by the psychological associate prior to the approval of this application by the Board. <i>Business and Professions Code section 2913.</i>
		I understand that registration as a psychological associate shall be limited to a cumulative total of six years as either a psychological assistant or associate. <i>16 CCR 1391.1(b).</i>
		I understand that the registration of a psychological associate expires one year after date of issuance and that the registration shall be renewed by that date. A psychological associate whose registration has not been renewed shall not function as a psychological associate. Registrations not renewed within 60 days of the expiration date become canceled and a new application must be submitted. I also understand that psychological associates may not practice or accrue hours of supervised professional experience during any period of registration delinquency or supervisor's license delinquency. <i>16 CCR 1391.12.</i>
		I understand that annual reporting is required for purposes of renewal for this registration. <i>16 CCR 1391.10.</i>

## NOTICE TO APPLICANT

Effective July 1, 2012, the State Board of Equalization and the Franchise Tax Board may share your taxpayer information with the Board. You are obligated to pay your State tax obligation, and your license may be suspended if the state tax obligation is not paid.

### SECTION VIII: SIGNATURES

*I/We declare, under penalty of perjury, under the laws of the State of California, that the foregoing is true and correct.*

\_\_\_\_\_  
Signature of Psychological Associate

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Primary Supervisor

\_\_\_\_\_  
Date



## **Conviction and License Discipline Disclosure**

If you answered "YES" to any of the Conviction and License Disclosure questions under Section V or VI, please provide the following information:

**For convictions or registration as a sex offender:** Date, letter explaining underlying circumstances, outcome, jurisdiction, and court case number.

**For license review, discipline, or surrender:** Date, letter explaining underlying circumstances, disposition, and licensing agency.

**For license denial:** Date, letter explaining underlying circumstances, supporting documents, and licensing agency.

For your convenience, you may use the License Disciplinary Action form:

[https://www.psychology.ca.gov/forms\\_pubs/disciplinary.pdf](https://www.psychology.ca.gov/forms_pubs/disciplinary.pdf).

## **Collection and Use of Personal Information**

The Department of Consumer Affairs and the California Board of Psychology collect the information requested on this form as authorized by Business and Professions Code Sections 325 and 326 and the Information Practices Act.

## **Mandatory Submission**

Submission of the requested information is mandatory. The Board cannot consider your application for licensure or renewal unless you provide all of the requested information.

## **Access to Your Information**

You may review the records maintained by the California Board of Psychology that contain your personal information, as permitted by the Information Practices Act. See contact information below.

## **Possible Disclosure of Personal Information**

We make every effort to protect the personal information you provide us. However, we may need to share the information you give us with other government agencies. This may include sharing any personal information you gave us.

The information you provide may also be disclosed in the following circumstances:

- In response to a Public Records Act request, as allowed by the Information Practices Act;
- To another government agency as required by state or federal law; or
- In response to a court or administrative order, a subpoena, or a search warrant.

## **Contact Information**

For questions about this notice or access to your records, you may contact the Executive Officer of the Board of Psychology at 1625 North Market Boulevard, Suite N-215, Sacramento, CA 95834; by phone at (866) 503-3221; or by email at [boplicensing@dca.ca.gov](mailto:boplicensing@dca.ca.gov). For questions about the Department of Consumer Affairs' (Department's) Privacy Policy, you may contact the Department at 1625 North Market Boulevard, Sacramento, CA 95834; by phone at (800) 952-5210; or by email at [dca@dca.ca.gov](mailto:dca@dca.ca.gov).

**NOTIFICATION TO ADD OR CHANGE SUPERVISOR OR SERVICE LOCATION FOR A PSYCHOLOGICAL ASSOCIATE**

**DRAFT**

*References to psychological associates refer to registered psychological associates, formerly called psychological assistants.*

**INSTRUCTIONS FOR COMPLETING THE APPLICATION:**

- Complete this form with your primary supervisor. The primary supervisor must be qualified (pursuant to Business and Professions Code 2913 and Title 16 California Code of Regulations (16 CCR) section 1387.1) and the application must be fully complete before the Board can review and approve this application.
- Submit separate notification to add or change for EACH supervisor and location where psychological services are being provided.
  - To add a supervisor, complete Sections I, III, IV, V, and VI.
  - To change a supervisor, complete all Sections.
  - To remove a supervisor, complete Sections I, II, and VI.
  - To add a service location with the same primary supervisor, complete Sections I, III, and VI.
  - To change a service location with the same primary supervisor, complete Sections I, II, III, and VI.
  - To remove a service location with the same primary supervisor, complete Sections I, II, and VI.
- Mail the ORIGINAL with signatures to: California Board of Psychology, 1625 N. Market Blvd., Suite N-215, Sacramento, CA 95834.
- Note: If you intend to accrue hours for supervised professional experience toward licensure, you must comply with 16 CCR Section 1387 prior to the start of the experience. You may use the Supervision Agreement for Supervised Professional Experience form from the Board of Psychology (Board) website ([www.psychology.ca.gov/forms\\_pubs/sup\\_agreement.pdf](http://www.psychology.ca.gov/forms_pubs/sup_agreement.pdf)).

**SECTION I: PERSONAL INFORMATION**

\_\_\_\_\_  
Name of Psychological Associate

\_\_\_\_\_  
Registration Number

\_\_\_\_\_  
Phone Number

**SECTION II: FORMER PRIMARY SUPERVISOR OR SERVICE LOCATION INFORMATION**

Check one, if applicable:  Remove Supervisor

Remove Service Location

\_\_\_\_\_  
Name of Primary Supervisor

\_\_\_\_\_  
License Number

\_\_\_\_\_  
Primary Supervisor's Phone Number

\_\_\_\_\_  
Email

\_\_\_\_\_  
Name of Service Location

\_\_\_\_\_  
Street Address

\_\_\_\_\_  
City

\_\_\_\_\_  
State

\_\_\_\_\_  
Zip Code

Supervision Period: From \_\_\_\_\_

To \_\_\_\_\_

**PSB 101 (NEW 2023)**

[Internal Control Number PDE\_23-043 (Revised 02/23)]

## SECTION III: NEW PRIMARY SUPERVISOR OR SERVICE LOCATION INFORMATION

\_\_\_\_\_  
Name of Primary Supervisor

\_\_\_\_\_  
License Number

\_\_\_\_\_  
Primary Supervisor's Phone Number

\_\_\_\_\_  
Email

\_\_\_\_\_  
Name of Service Location

\_\_\_\_\_  
Street Address

\_\_\_\_\_  
City

\_\_\_\_\_  
State

\_\_\_\_\_  
Zip Code

## SECTION IV: SUPERVISOR QUESTIONNAIRE

**Section IV to be completed by the prospective supervisor.**

Clearly mark the appropriate column ("yes" or "no") for each item below.

YES	NO	
<input type="checkbox"/>	<input type="checkbox"/>	Have you ever been denied a license, registration, certificate, or credential to practice psychology or any other profession in any state or country? <i>If yes, see page 4.</i>
<input type="checkbox"/>	<input type="checkbox"/>	Have you had a license, registration, certificate, or credential to practice psychology or any other profession or occupation subjected to discipline by any state or country? <i>If yes, see page 4.</i>
<input type="checkbox"/>	<input type="checkbox"/>	Have you voluntarily surrendered a license, registration, certificate, or credential to practice psychology or any other profession or occupation in any state or country? <i>If yes, see page 4.</i>
<input type="checkbox"/>	<input type="checkbox"/>	Have you ever been subject to review and/or action by the ethics committee of any professional organization in any state or country? <i>If yes, see page 4.</i>
<input type="checkbox"/>	<input type="checkbox"/>	Have you completed the required six-hour course in supervision within the last two years as required by 16 CCR 1387.1(b)?
<input type="checkbox"/>	<input type="checkbox"/>	Do you rent, lease, sublease, or lease-purchase office space to the psychological associate?
<input type="checkbox"/>	<input type="checkbox"/>	Do you have a familial and/or interpersonal relationship with the psychological associate?
<input type="checkbox"/>	<input type="checkbox"/>	Will you provide a minimum of one hour per week of individual face-to-face supervision to the psychological associate?
<input type="checkbox"/>	<input type="checkbox"/>	Will you inform clients that the psychological associate is unlicensed, and is under the direction and supervision of the supervisor as an employee, in person or in writing, prior to the rendering of services pursuant to 16 CCR 1387.1(g) and 1391.6?
<input type="checkbox"/>	<input type="checkbox"/>	Will you be employed by the same work setting as the psychological associate and be available to the psychological associate 100 percent of the time the psychological associate is providing psychological services?

## SECTION V: ACKNOWLEDGEMENTS

**Section V to be completed by both the prospective psychological associate and supervisor.**

Supervisor's Initials	Psychological Associate's Initials	Please read each statement below and indicate that you understand by placing your initials in the corresponding box. Both supervisor and psychological associate must initial each statement.
<input type="checkbox"/>	<input type="checkbox"/>	I understand that supervisors of psychological associates may not delegate any portion of individual face-to-face supervision to anyone else. <i>16 CCR 1387(c)(2).</i>
<input type="checkbox"/>	<input type="checkbox"/>	I understand that no psychological associate may bill clients directly for any services rendered, or receive payments, monetary or otherwise, directly from clients. <i>Business and Professions Code section 2913 and 16 CCR 1387.1(g).</i>

		I understand that the psychological associate shall at all times and under all circumstances identify themselves to clients as a psychological associate of his or her employer or responsible supervisor when engaged in any psychological activity in connection with that employment. <i>16 CCR 1396.4(b).</i>
		I understand that every supervisor of a psychological associate shall have the education training and experience in the areas of psychological practice for which they will supervise, and shall be responsible for supervising the psychological functions performed by the psychological associate and ensuring the psychological associate complies with the provisions of the Business and Professions Code, the Board's regulations, and the ethical standards established by the American Psychological Association. <i>16 CCR 1391.6(a).</i>
		I understand that a psychological associate shall be under the direction and supervision of a licensed psychologist or licensed psychologist who is employed in the same setting in which the psychological associate is employed. <i>16 CCR 1391.5(a).</i>
		I understand that no psychological associate may pay a fee, monetary or otherwise, in consideration for supervision provided. <i>16 CCR 1391.8(a).</i>
		I understand that within 30 days after the termination of the employment of a psychological associate, the psychological associate shall notify the Board in writing of such termination. <i>16 CCR 1391.11.</i>
		I understand that within 30 days after any change or addition of a primary supervisor or in the location where services are being rendered by a psychological associate, the psychological associate shall notify the Board in writing, indicating the effective date of the change or addition. Failure to comply could result in an enforcement action. <i>16 CCR 1391.11.</i>
		I understand that upon a change or addition of primary supervisor, a new supervision agreement is required to be completed with the primary supervisor if I intend to accrue the hours for supervised professional experience toward licensure. <i>16 CCR 1391.11.</i>
		I understand that a psychological associate shall not advertise for their services, including on any websites. Any business card of a psychological associate must include their name, the fact that they are a psychological associate, and include the name and license number of the supervisor and the location where services are provided. <i>16 CCR 1396.4(b) and 1397.</i>
		I understand that no psychological services may be provided by the psychological associate prior to the approval of this application by the Board. <i>Business and Professions Code section 2913.</i>
		I understand that registration as a psychological associate shall be limited to a cumulative total of six years. <i>16 CCR 1391.1(b).</i>
		I understand that the registration of a psychological associate expires one year after date of issuance and that the registration shall be renewed by that date. A psychological associate whose registration has not been renewed shall not function as a psychological associate. Registrations not renewed within 60 days of the expiration date become canceled and a new application must be submitted. I also understand that psychological associates may not practice or accrue hours of supervised professional experience during any period of registration delinquency or supervisor's license delinquency. <i>16 CCR 1391.12.</i>

**SECTION VI: SIGNATURES**

*We hereby certify that this relationship is that of supervisor/psychological associate as required by the Laws and Regulations Relating to the Practice of Psychology. We declare under penalty of perjury under the laws of the state of California that the information provided on this form is true and correct. We further declare that the supervisor of the psychological associate whose signature appears below is employed by the same work setting as the psychological associate and available to the psychological associate 100 percent of the time the psychological associate is providing psychological services. We further declare that the limited psychological functions performed by the psychological associate were performed at a level satisfactory to ensure safety to the public.*

\_\_\_\_\_  
Signature of Primary Supervisor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Psychological Associate

\_\_\_\_\_  
Date

## **Conviction and License Discipline Disclosure**

If you answered "YES" to any of the Conviction and License Disclosure questions under Section IV, please provide the following information:

**For convictions or registration as a sex offender:** Date, letter explaining underlying circumstances, outcome, jurisdiction, and court case number.

**For license review, discipline, or surrender:** Date, letter explaining underlying circumstances, disposition, and licensing agency.

**For license denial:** Date, letter explaining underlying circumstances, supporting documents, and licensing agency.

For your convenience, you may use the License Disciplinary Action form:

[https://www.psychology.ca.gov/forms\\_pubs/disciplinary.pdf](https://www.psychology.ca.gov/forms_pubs/disciplinary.pdf).

## **Collection and Use of Personal Information**

The Department of Consumer Affairs and the California Board of Psychology collect the information requested on this form as authorized by Business and Professions Code Sections 325 and 326 and the Information Practices Act.

## **Mandatory Submission**

Submission of the requested information is mandatory. The Board cannot consider your application for licensure or renewal unless you provide all of the requested information.

## **Access to Your Information**

You may review the records maintained by the California Board of Psychology that contain your personal information, as permitted by the Information Practices Act. See contact information below.

## **Possible Disclosure of Personal Information**

We make every effort to protect the personal information you provide us. However, we may need to share the information you give us with other government agencies. This may include sharing any personal information you gave us.

The information you provide may also be disclosed in the following circumstances:

- In response to a Public Records Act request, as allowed by the Information Practices Act;
- To another government agency as required by state or federal law; or
- In response to a court or administrative order, a subpoena, or a search warrant.

## **Contact Information**

For questions about this notice or access to your records, you may contact the Executive Officer of the Board of Psychology at 1625 North Market Boulevard, Suite N-215, Sacramento, CA 95834; by phone at (866) 503-3221; or by email at [boplicensing@dca.ca.gov](mailto:boplicensing@dca.ca.gov). For questions about the Department of Consumer Affairs' (Department's) Privacy Policy, you may contact the Department at 1625 North Market Boulevard, Sacramento, CA 95834; by phone at (800) 952-5210; or by email at [dca@dca.ca.gov](mailto:dca@dca.ca.gov).



# APPLICATION FOR REGISTRATION AS A PSYCHOLOGICAL ASSOCIATE

References to psychological associate refers to registered psychological associates, formerly called psychological assistants

## INSTRUCTIONS FOR COMPLETING THE APPLICATION:

- Answer each question fully and truthfully.
- Attach sheets of paper to this application when instructed or when space provided is not sufficient.
- Submit a check with this application for \$50 payable to the Board of Psychology.
- Mail completed ORIGINAL application and payment to: 1625 N. Market Blvd., Suite N-215, Sacramento, CA 95834.
- Submit fingerprints via Live Scan at time of application.
- Visit [www.psychology.ca.gov/applicants/fingerprint.shtml](http://www.psychology.ca.gov/applicants/fingerprint.shtml) for detailed instructions.
- If you are currently serving or have previously served in a supervisory role, you must submit Notification to Add or Change Supervisor or Service Location for a Psychological Associate to the Board of Psychology website ([www.psychology.ca.gov](http://www.psychology.ca.gov)) along with this application and with the signature of your primary supervisor.

## SECTION I: PERSONAL INFORMATION

- Is it your intent to use this experience toward licensure? Yes  No
- If you answered "Yes" to the question above, please provide 16 California Code of Regulations (CCR) Title 17, Division 17.000, Section 17000.001, Supervised Professional Experience form from the Board of Psychology website ([www.psychology.ca.gov/forms\\_pubs/spe\\_form.pdf](http://www.psychology.ca.gov/forms_pubs/spe_form.pdf)), and complete, sign, and attach it to the application.
- Are you currently serving in, or have you previously served in, a supervisory role? Yes  No

### LEGAL NAME OF PSYCHOLOGICAL ASSOCIATE

Last \_\_\_\_\_ M.I. \_\_\_\_\_ Jr., Sr., I, II \_\_\_\_\_

### ALIASES List all other names by which the psychological associate is known. (If more than two, use additional paper.):

Last \_\_\_\_\_ M.I. \_\_\_\_\_ Jr., Sr., I, II \_\_\_\_\_

Last \_\_\_\_\_ First \_\_\_\_\_ M.I. \_\_\_\_\_ Jr., Sr., I, II \_\_\_\_\_

### ADDRESS OF RECORD (ADDRESS INFORMATION AND WILL BE USED FOR CORRESPONDENCE):

Number and Street \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_

Email Address \_\_\_\_\_

Contact Number \_\_\_\_\_

Social Security Number (SSN) or Individual Taxpayer Identification Number (ITIN)<sup>1</sup> \_\_\_\_\_ Date of Birth \_\_\_\_\_

PSB 100 (NEW 2021)  
[Internal Control Number PDE\_21-223 (Revised 10/21)]

**CONFIDENTIAL ADDRESS** (If AOR is a post office box or mail drop location, you must also provide a confidential address. The confidential address can be your business or residential address.):

Number and Street

City

State

Zip Code

1 Disclosure of SSN is mandatory. Section 30 of the Business and Professions Code and Public Law 94-455 [42 USCA 405(c)] require the disclosure of your SSN. Your SSN will be used exclusively for tax enforcement purposes, for purposes of compliance with any judgment or court order in accordance with Section 50.6 of the Welfare and Institutions Code, or for verification of licensure or examination status by the requesting entity that utilizes the SSN, and where licensure is reciprocal with the requesting state. If you fail to disclose your SSN, you may be reported to the Franchise Tax Board, which may impose a \$100 penalty against you, and the registration will not be issued.

## SECTION II: EDUCATION QUALIFICATION

**This Psychological Associate Registration is based upon** (Check education qualification type of application.):

Master's Degree

School: \_\_\_\_\_

Admission to Candidacy for Doctoral Degree  
(Registrar's letter required with this application.)

Description of \_\_\_\_\_

Doctoral Degree

State License Number: \_\_\_\_\_

**An official qualifying transcript must be mailed to the Board of Psychology directly to the Board of Psychology (Board). If using your master's/doctoral degree for admission, the transcript must show the degree-awarded date.**

## LEGAL NAME OF PRIMARY SUPERVISOR

Last

First

M.I.

Jr., Sr., I, II

License Number

Email

## SECTION IV: LOCATION OF SERVICES

**Location where psychological associate will be providing psychological services:**

Name of location

Number and Street

City

State

Zip Code

**Additional location of services, if applicable, where the psychological associate will be providing psychological services** (If more than two locations, please use an additional sheet of paper.):

Name of Primary Supervisor \_\_\_\_\_ License Number \_\_\_\_\_

Primary Supervisor's Phone Number \_\_\_\_\_ Primary Supervisor's Email Address \_\_\_\_\_

Name of Services Location \_\_\_\_\_

Number and Street \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

**Note: You must notify the Board of any change or addition of a primary supervisor or location where services are being rendered on form Notification to Add or Change Supervisor or Service Location for a Psychological Associate. Form can be found on Board's website at [www.psychology.ca.gov](http://www.psychology.ca.gov).**

**SECTION V: PSYCHOLOGICAL ASSOCIATE QUESTIONNAIRE**

**Section V to be completed by the prospective psychological associate.**

Clearly mark the appropriate column ("yes" or "no") for each item below.

YES	NO	
		Are you presently registered, or have you ever been registered or filed an application to be registered, as a psychological assistant or psychological associate? <b>If yes, list name(s) of supervisor(s):</b>
		Are you currently registered, were you previously registered, or have you ever filed an application to register to engage in psychological services under section 2909(d) of the Business and Professions Code (registered psychologist)? <b>If yes, when?</b>
		Have you ever filed an application for a license as a psychologist with the Board? <b>If yes, when?</b>
		Do you have any proprietary interest in the business of the employer and/or supervisor?
		Do you rent, lease, sublease, or lease-purchase office space from the employer, supervisor, or any entity for purposes of functioning as a psychological associate?
		Do you have a familial and/or interpersonal relationship with the employer and/or supervisor?
		Have you ever had any license disciplined by a government agency, the United States or its territories, military court, a foreign government, or other disciplinary body? <b>If yes, please explain. For your convenience, you may use the License Disciplinary Action Form (<a href="http://www.psychology.ca.gov/forms_pubs/disciplinary.pdf">www.psychology.ca.gov/forms_pubs/disciplinary.pdf</a>).</b>
		Have you ever been denied a license, registration, certificate, or credential to practice psychology or any other profession in any state or country? <b>If yes, please explain. For your convenience, you may use the License Disciplinary Action Form (<a href="http://www.psychology.ca.gov/forms_pubs/disciplinary.pdf">www.psychology.ca.gov/forms_pubs/disciplinary.pdf</a>).</b>
		Have you ever voluntarily surrendered a license, registration, or credential to practice psychology or any other profession or occupation in any state or country? <b>If yes, please explain. For your convenience, you may use the License Disciplinary Action Form (<a href="http://www.psychology.ca.gov/forms_pubs/disciplinary.pdf">www.psychology.ca.gov/forms_pubs/disciplinary.pdf</a>).</b>
		Have you ever been subject to review and/or action by the ethics committee of any professional organization in any state or country? <b>If yes, please explain. For your convenience, you may use the License Disciplinary Action Form (<a href="http://www.psychology.ca.gov/forms_pubs/disciplinary.pdf">www.psychology.ca.gov/forms_pubs/disciplinary.pdf</a>).</b>
		Are you required to register as a sex offender pursuant to Section 290 of the Penal Code? <b>If yes, please explain. For your convenience, you may use the License Disciplinary Action Form (<a href="http://www.psychology.ca.gov/forms_pubs/disciplinary.pdf">www.psychology.ca.gov/forms_pubs/disciplinary.pdf</a>).</b>
		Do you currently have any mental condition or chemical dependency that in any way impairs or limits your ability to practice psychology with safety to the public? <b>If yes, please explain on a separate sheet of paper.</b>



Are you currently engaged in the illegal use of controlled dangerous substances, or were you so engaged recently enough so that the use of drugs may have an ongoing impact on your ability to function as a psychological associate (use of any controlled substance as defined in Division 10 (commencing with Section 11000) of the Health and Safety Code, or dangerous drug, or any alcoholic beverage to an extent or in a manner dangerous to yourself, any other person, or the public, or to an extent that this use impairs your ability to perform the work of a psychologist with safety to the public)? *If yes, please explain on a separate sheet of paper.*

## SECTION VI: SUPERVISOR QUESTIONNAIRE

**Section VI to be completed by the prospective supervisor.**

Clearly mark the appropriate column ("yes" or "no") for each item below.

YES	NO	
		Have you ever been denied a license, registration, certificate, or credential to practice psychology or any other profession in any state or country? <i>If yes, please explain. For your convenience, you may use the License Disciplinary Action Form (<a href="http://www.psychology.ca.gov/forms_pubs/disciplinary.pdf">www.psychology.ca.gov/forms_pubs/disciplinary.pdf</a>).</i>
		Have you had a license, registration, certificate, or credential to practice psychology or any other profession or occupation subjected to discipline by any state or country? <i>If yes, please explain. For your convenience, you may use the License Disciplinary Action Form (<a href="http://www.psychology.ca.gov/forms_pubs/disciplinary.pdf">www.psychology.ca.gov/forms_pubs/disciplinary.pdf</a>).</i>
		Have you voluntarily surrendered a license, registration, certificate, or credential to practice psychology or any other profession or occupation in any state or country? <i>If yes, please explain. For your convenience, you may use the License Disciplinary Action Form (<a href="http://www.psychology.ca.gov/forms_pubs/disciplinary.pdf">www.psychology.ca.gov/forms_pubs/disciplinary.pdf</a>).</i>
		Have you ever been subject to review and/or action by the ethics committee of any professional organization in any state or country? <i>If yes, please explain. For your convenience, you may use the License Disciplinary Action Form (<a href="http://www.psychology.ca.gov/forms_pubs/disciplinary.pdf">www.psychology.ca.gov/forms_pubs/disciplinary.pdf</a>).</i>
		Have you completed the required six-hour course in supervision within the last two years as required by 16 CCR 1387.1(b)?
		Do you rent, lease, sublease, or lease-purchase office space to the psychological associate?
		Do you have a familial and/or interpersonal relationship with the psychological associate?
		Will you provide a minimum of one hour per week of individual face-to-face supervision to the psychological associate?
		Will you inform clients that the psychological associate is unlicensed, and is under the direction and supervision of the supervisor as an employee, in person or in writing, prior to the rendering of services pursuant to sections 16 CCR 1387.1(g) and 1391.6?
		Will you be employed by the same work setting as the psychological associate and be available to the psychological associate 100 percent of the time the psychological associate is providing psychological services?

## SECTION VII: ACKNOWLEDGEMENTS

**Section VII to be completed by both the prospective psychological associate and supervisor.**

Supervisor's Initials	Psychological Associate's Initials	PLEASE READ EACH STATEMENT BELOW AND INDICATE THAT YOU UNDERSTAND BY PLACING YOUR INITIALS IN THE CORRESPONDING BOX. Both supervisor and psychological associate must initial each statement.
		I understand that supervisors of psychological associates may not delegate any portion of individual supervision to anyone else. <i>16 CCR 1387(c)(1).</i>
		I understand that no psychological associate may bill clients directly for any services rendered, or receive payments, monetary or otherwise, directly from clients. <i>Business and Professions Code section 2913 and 16 CCR 1387.1(g).</i>
		I understand that the psychological associate shall at all times and under all circumstances identify themselves to clients as a psychological associate of his or her employer or responsible supervisor when engaged in any psychological activity in connection with that employment. <i>16 CCR 1396.4(b).</i>

		I understand that every supervisor of a psychological associate shall have the education training and experience in the areas of psychological practice for which they will supervise, and shall be responsible for supervising the psychological functions performed by the psychological associate and ensuring the psychological associate complies with the provisions of the Business and Professions Code, the Board's regulations, and the ethical standards established by the American Psychological Association. 16 CCR 1391.6(a).
		I understand that a psychological associate shall be under the direction and supervision of a licensed psychologist who is employed in the same setting in which the psychological associate is employed. 16 CCR 1391.5(a).
		I understand that no psychological associate may pay a fee, monetary or otherwise, in consideration for supervision provided. 16 CCR 1391.8(a).
		I understand that within 30 days after the termination of the employment of a psychological associate, the psychological associate shall notify the Board in writing of such termination. 16 CCR 1391.11.
		I understand that within 30 days after any change or addition of a primary supervisor or in the location where services are being rendered by a psychological associate, the psychological associate shall notify the Board in writing, indicating the effective date of the change or addition. Failure to comply could result in an enforcement action. 16 CCR 1391.11.
		I understand that upon a change or addition of primary supervisor, a new supervision agreement is required to be completed with the primary supervisor if I intend to accrue the hours for supervised professional experience toward licensure. 16 CCR 1391.11.
		I understand that a psychological associate shall not advertise for their services, including on any websites. Any business card of a psychological associate must include their name, the fact that they are a psychological associate, and include the name and license number of the supervisor and the location where services are provided. 16 CCR 1396.4(b) and 1397.
		I understand that no psychological services may be provided by the psychological associate prior to the approval of this application by the Board. Business and Professions Code section 2913.
		I understand that registration as a psychological associate shall be limited to a cumulative total of six years as either a psychological assistant or associate. 16 CCR 1391.1(b).
		I understand that the registration of a psychological associate expires one year after date of issuance and that the registration shall be renewed by that date. A psychological associate whose registration has not been renewed shall not function as a psychological associate. Registrations not renewed within 60 days of the expiration date become canceled and a new application must be submitted. I also understand that psychological associates may not practice or accrue hours of supervised professional experience during any period of registration delinquency or supervisor's license delinquency. 16 CCR 1391.12.
		I understand that annual reporting is required for purposes of renewal for this registration. 16 CCR 1391.10.

## NOTICE TO APPLICANT

Effective July 1, 2012, the State Board of Equalization and the Franchise Tax Board may share your taxpayer information with the Board. You are obligated to pay your State tax obligation, and your license may be suspended if the state tax obligation is not paid.

### SECTION VIII: SIGNATURES

*I/We declare, under penalty of perjury, under the laws of the State of California, that the foregoing is true and correct.*

\_\_\_\_\_  
Signature of Psychological Associate

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Primary Supervisor

\_\_\_\_\_  
Date

### **Collection and Use of Personal Information**

The Department of Consumer Affairs and the California Board of Psychology collect the information requested on this form as authorized by the Civil Code and Professions Code Sections 325 and 326 and the Information Practices Act.

### **Mandatory Submission**

Submission of the requested information is mandatory. The Board cannot consider an application for licensure or renewal unless you provide all the requested information.

### **Access to Your Information**

You may review the records maintained by the California Board of Psychology that contain your personal information, as permitted by the Information Practices Act. To contact information, contact information.

### **Possible Disclosure of Personal Information**

We make every effort to protect the personal information you give us. However, we may need to share the information you give us with other government agencies. This may include sharing any personal information you gave us.

The information you provide may also be disclosed in the following instances:

- In response to a Public Records Act request allowed by the Information Practices Act;
- To another government agency, state or federal law enforcement agency;
- In response to a court or administrative order, a subpoena, or a search warrant.

### **Contact Information**

For questions about this form or access to your records, you may contact the Executive Director of the California Board of Psychology at 1625 North Market Boulevard, Suite N-215, Sacramento, CA 95834, phone at (866) 503-3221; or by email at [licensing@dca.ca.gov](mailto:licensing@dca.ca.gov). For questions about the Department of Consumer Affairs' (Department of Policy, you may contact the Department at 1625 North Market Boulevard, Sacramento, CA 95834, phone at (800) 952-5210; or by email at [dca@dca.ca.gov](mailto:dca@dca.ca.gov).

**NOTIFICATION TO ADD OR CHANGE SUPERVISOR OR SERVICE LOCATION FOR A PSYCHOLOGICAL ASSOCIATE**

*References to psychological associate refers to registered psychological associates, formerly called psychological assistants*

**INSTRUCTIONS FOR COMPLETING THE APPLICATION:**

- Complete this form with your primary supervisor. The primary supervisor must be qualified and the application must be fully complete before the Board can review and approve this application.
- Submit separate notification to add or change for EACH supervisor and location where psychological services are being provided.
  - To add a supervisor, complete Sections I, III, IV, V, and VI.
  - To change a supervisor, complete all Sections.
  - To remove a supervisor, complete Sections I, II, and VI.
  - To add a service location with the same primary supervisor, complete Sections I, III, and VI.
  - To change a service location with the same primary supervisor, complete Sections I, II, and VI.
  - To remove a service location with the same primary supervisor, complete Sections I, II, and VI.
- Mail the completed form with signatures to: California Board of Psychology, 1625 N. Market Blvd., Suite N-215, Sacramento, CA 95834.
- Note: If you intend to use your hours for supervised professional experience for licensure, you must comply with Title 16 California Code of Regulations (CCR) Section 1387 prior to using the supervised experience. You may use the Supervision Agreement for Supervised Professional Experience Form on the Board of Psychology (Board) website ([www.psychology.ca.gov/forms\\_pubs/sup\\_agreement](http://www.psychology.ca.gov/forms_pubs/sup_agreement)).

**SECTION I: ASSOCIATE INFORMATION**

Name of Psychological Associate \_\_\_\_\_ Supervisor \_\_\_\_\_ Phone Number \_\_\_\_\_

**SECTION II: FORMER PRIMARY SUPERVISOR AND SERVICE LOCATION INFORMATION**

Check one, if applicable:  Former Supervisor  New Service Location

Name of Primary Supervisor \_\_\_\_\_ License Number \_\_\_\_\_

Primary Supervisor's Email \_\_\_\_\_ Email \_\_\_\_\_

Name of Service Location \_\_\_\_\_

Street Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Supervision Period: From \_\_\_\_\_ To \_\_\_\_\_

### SECTION III: NEW PRIMARY SUPERVISOR OR SERVICE LOCATION INFORMATION

\_\_\_\_\_  
 Name of Primary Supervisor License Number  
 \_\_\_\_\_  
 Primary Supervisor's Phone Number Email  
 \_\_\_\_\_  
 Name of Service Location  
 \_\_\_\_\_  
 Street Address City State Zip Code

### SECTION IV: SUPERVISOR QUESTIONNAIRE

**Section IV to be completed by the prospective supervisor.**

Clearly mark the appropriate column ("yes" or "no") for each item below.

YES	NO	
		Have you ever been denied a license, registration, certificate, or credential to practice psychology or any other profession in any state or country? <i>If yes, please explain. You may use the License Disciplinary Action Form (www.psychology.ca.gov/forms_pubs/disciplinary.pdf).</i>
		Have you had a license, registration, certificate, or credential to practice psychology or any other profession or occupation subjected to discipline by any state or country? <i>If yes, please explain. You may use the License Disciplinary Action Form (www.psychology.ca.gov/forms_pubs/disciplinary.pdf).</i>
		Have you voluntarily surrendered a license, registration, certificate, or credential to practice psychology or any other profession or occupation in any state or country? <i>If yes, please explain. You may use the License Disciplinary Action Form (www.psychology.ca.gov/forms_pubs/disciplinary.pdf).</i>
		Have you ever been subject to review and/or action by the ethics committee of any professional organization in any state or country? <i>If yes, please explain. You may use the License Disciplinary Action Form (www.psychology.ca.gov/forms_pubs/disciplinary.pdf).</i>
		Have you completed the required six-hour course in supervision within the last two years as required by 16 CCR 1387.1(b)?
		Do you rent, lease, sublease, or lease-purchase office space to the psychological associate?
		Do you have a familial and/or interpersonal relationship with the psychological associate?
		Will you provide a minimum of one hour per week of individual face-to-face supervision to the psychological associate?
		Will you inform clients that the psychological associate is unlicensed, and is under the direction and supervision of the supervisor as an employee, in person or in writing, prior to the rendering of services pursuant to 16 CCR 1387.1(g) and 1391.6?
		Will you be employed by the same work setting as the psychological associate and be available to the psychological associate 100 percent of the time the psychological associate is providing psychological services?

## SECTION V: ACKNOWLEDGEMENTS

**Section V to be completed by both the prospective psychological associate and supervisor.**

Supervisor's Initials	Psychological Associate's Initials	Please read each statement below and indicate that you understand by placing your initials in the corresponding box. Both supervisor and psychological associate must initial each statement.
		I understand that supervisors of psychological associates may not delegate any portion of individual supervision to anyone else. <i>16 CCR 1387(c)(1).</i>
		I understand that no psychological associate may bill clients directly for any services rendered, or receive payments, monetary or otherwise, directly from clients. <i>Business and Professions Code section 2913 and 16 CCR 1387.1(g).</i>
		I understand that the psychological associate shall at all times and under all circumstances identify themselves to clients as a psychological associate of his or her employer or responsible supervisor when engaged in any psychological activity in connection with that employment. <i>16 CCR 1396.4(b).</i>
		I understand that every supervisor of a psychological associate shall have the education training and experience in the areas of psychological practice for which they will supervise, and shall be responsible for supervising the psychological functions performed by the psychological associate and ensuring the psychological associate complies with the provisions of the Business and Professions Code, the Board's regulations, and the ethical standards established by the American Psychological Association. <i>16 CCR 1391.6(a).</i>
		I understand that a psychological associate shall be under the direction and supervision of a licensed psychologist or licensed psychologist who is employed in the same setting in which the psychological associate is employed. <i>16 CCR 1391.5(a).</i>
		I understand that no psychological associate may pay a fee, monetary or otherwise, in consideration for supervision provided. <i>16 CCR 1391.8(a).</i>
		I understand that within 30 days after the termination of the employment of a psychological associate, the psychological associate shall notify the Board in writing of such termination. <i>16 CCR 1391.11.</i>
		I understand that within 30 days after any change or addition of a primary supervisor or in the location where services are being rendered by a psychological associate, the psychological associate shall notify the Board in writing, indicating the effective date of the change or addition. Failure to comply could result in an enforcement action. <i>16 CCR 1391.11.</i>
		I understand that upon a change or addition of primary supervisor, a new supervision agreement is required to be completed with the primary supervisor if I intend to accrue the hours for supervised professional experience toward licensure. <i>16 CCR 1391.11.</i>
		I understand that a psychological associate shall not advertise for their services, including on any websites. Any business card of a psychological associate must include their name, the fact that they are a psychological associate, and include the name and license number of the supervisor and the location where services are provided. <i>16 CCR 1396.4(b) and 1397.</i>
		I understand that no psychological services may be provided by the psychological associate prior to the approval of this application by the Board. <i>Business and Professions Code section 2913.</i>
		I understand that registration as a psychological associate shall be limited to a cumulative total of six years. <i>16 CCR 1391.1(b).</i>
		I understand that the registration of a psychological associate expires one year after date of issuance and that the registration shall be renewed by that date. A psychological associate whose registration has not been renewed shall not function as a psychological associate. Registrations not renewed within 60 days of the expiration date become canceled and a new application must be submitted. I also understand that psychological associates may not practice or accrue hours of supervised professional experience during any period of registration delinquency or supervisor's license delinquency. <i>16 CCR 1391.12.</i>
		I understand that annual reporting is required for purposes of renewal for this registration. <i>16 CCR 1391.10.</i>

## SECTION VI: SIGNATURES

We hereby certify that this relationship is that of supervisor/psychological associate as required by the Laws and Regulations Relating to the Practice of Psychology. We declare under penalty of perjury under the laws of the state of California that the information provided on this form is true and correct. We further declare that the supervisor of the psychological associate whose signature appears below is employed by the same work setting as the psychological associate and available to the psychological associate 100 percent of the time the psychological associate is providing psychological services. We further declare that the limited psychological functions performed by the psychological associate were performed at a level satisfactory to ensure safety to the public.

Signature of Primary Supervisor

Date

Signature of Psychological Associate

Date

### Collection and Use of Personal Information

The Department of Consumer Affairs and the California Board of Psychology collect the information requested on this form as authorized by Business and Professions Code Sections 325 and 326 and the Information Practices Act.

### Mandatory Submission

Submission of the requested information is mandatory. The Board cannot consider your application for licensure or renewal unless you provide all of the requested information.

### Access to Your Information

You may review the records maintained by the California Board of Psychology that contain your personal information, as permitted by the Information Practices Act. See contact information below.

### Possible Disclosure of Personal Information

We make every effort to protect the personal information you provide us. However, we may need to share the information you give us with other government agencies. This may include sharing any personal information you gave us.

The information you provide may also be disclosed in the following circumstances:

- In response to a Public Records Act request, as allowed by the Information Practices Act;
- To another government agency as required by state or federal law; or
- In response to a court or administrative order, a subpoena, or a search warrant.

### Contact Information

For questions about this notice or access to your records, you may contact the Executive Officer of the California Board of Psychology at 1625 North Market Boulevard, Suite N-215, Sacramento, CA 95834; by phone at (866) 503-3221; or by email at [bplicensing@dca.ca.gov](mailto:bplicensing@dca.ca.gov). For questions about the Department of Consumer Affairs' (Department's) Privacy Policy, you may contact the Department at 1625 North Market Boulevard, Sacramento, CA 95834; by phone at (800) 952-5210; or by email at [dca@dca.ca.gov](mailto:dca@dca.ca.gov).

## MEMORANDUM

<b>DATE</b>	January 17, 2023
<b>TO</b>	Psychology Board Members
<b>FROM</b>	Sandra Monterrubio, Enforcement Program Manager
<b>SUBJECT</b>	Agenda Item 17(b) Consideration of and Possible Action on Committee Recommendations Corporations Code sections 13401-13410

The Enforcement Committee and staff began a comprehensive review of the Corporations Code sections 13401-13410. The Committee does recommend minor changes to section 13401 and 13401.5(c)(9).

### **Attachments:**

- 1) Corporations Code section 13401 – Definitions
- 2) Corporations Code section 13401.3 – “Professional services”
- 3) Corporations Code section 13401.5 – Licensees as shareholders, officers, directors, or employees.
- 4) Corporations Code section 13402 – Corporation rendering services other than pursuant to this part; Conduct of business by corporation not professional corporation
- 5) Corporations Code section 13403 – General Corporation Law; Applicability
- 6) Corporations Code section 13404 – Formation; Certificate of registration
- 7) Corporations Code section 13404.5 – Certificate of registration to transact intrastate business; Liability of shareholders
- 8) Corporations Code section 13405 – License requirement for persons rendering professional services; Employment of nonlicensed personnel
- 9) Corporations Code section 13406 – Professional corporations; Stock; Financial statements; Voting; Nonprofit law corporations
- 10) Corporations Code section 13407 – Transfer of shares; Restriction; Purchase by corporation; Suspension or revocation of certificate
- 11) Corporations Code section 13408 – Specification of grounds for suspension or revocation of certificate



- 12)Corporations Code section 13408.5 – Fee splitting, kickbacks, or similar practices
- 13)Corporations Code section 13409 – Name of corporations; Provisions governing
- 14)Corporations Code section 13410 – Disciplinary rules and regulations

**Action Requested**

The Committee recommends the Board approve the Committee's recommended changes to Corporations Code sections 13401 and 13401.5(c)(9) and direct staff to seek an author for the proposed changes, for inclusion in singular or omnibus legislation.

1 CORPORATIONS CODE - CORP  
2 TITLE 1. CORPORATIONS [100 - 14631]  
3 ( Title 1 enacted by Stats. 1947, Ch. 1038. )

4 DIVISION 3. CORPORATIONS FOR SPECIFIC PURPOSES [12000 - 14631]  
5 ( Division 3 enacted by Stats. 1947, Ch. 1038. )

6  
7 PART 4. PROFESSIONAL CORPORATIONS [13400 - 13410]  
8 ( Part 4 added by Stats. 1968, Ch. 1375. )

9  
10 **13401.**

11 As used in this part:

12 (a) "Professional services" means any type of professional services that may be lawfully  
13 rendered only pursuant to a license, certification, or registration authorized by the  
14 Business and Professions Code, the Chiropractic Act, or the Osteopathic Act.

15 (b) "Professional corporation" means a corporation organized under the General  
16 Corporation Law or pursuant to subdivision (b) of Section 13406 that is engaged in  
17 rendering professional services in a single profession, except as otherwise authorized in  
18 Section 13401.5, pursuant to a certificate of registration issued by the governmental  
19 agency regulating the profession as herein provided and that in its practice or business  
20 designates itself as a professional or other corporation as may be required by statute.  
21 However, any professional corporation or foreign professional corporation rendering  
22 professional services by persons duly licensed by the Medical Board of California or any  
23 examining committee under the jurisdiction of the board, the California Board of  
24 Podiatric Medicine, the Osteopathic Medical Board of California, the Dental Board of  
25 California, the Dental Hygiene Board of California, the California State Board of  
26 Pharmacy, the California Board of Psychology, the Veterinary Medical Board, the  
27 California Architects Board, the Court Reporters Board of California, the Board of  
28 Behavioral Sciences, the Speech-Language Pathology and Audiology Board, the Board  
29 of Registered Nursing, or the State Board of Optometry shall not be required to obtain a  
30 certificate of registration in order to render those professional services.

31 (c) "Foreign professional corporation" means a corporation organized under the laws of  
32 a state of the United States other than this state that is engaged in a profession of a  
33 type for which there is authorization in the Business and Professions Code for the  
34 performance of professional services by a foreign professional corporation.

35 (d) "Licensed person" means any natural person who is duly licensed under the  
36 provisions of the Business and Professions Code, the Chiropractic Act, or the  
37 Osteopathic Act to render the same professional services as are or will be rendered by  
38 the professional corporation or foreign professional corporation of which he or she is, or  
39 intends to become, an officer, director, shareholder, or employee.

40 (e) "Disqualified person" means a licensed person who for any reason becomes legally  
41 disqualified (temporarily or permanently) to render the professional services that the  
42 particular professional corporation or foreign professional corporation of which he or she  
43 is an officer, director, shareholder, or employee is or was rendering.  
44

1 **13401.3.**

2 As used in this part, “professional services” also means any type of professional  
3 services that may be lawfully rendered only pursuant to a license, certification, or  
4 registration authorized by the Yacht and Ship Brokers Act (Article 2 (commencing with  
5 Section 700) of Chapter 5 of Division 3 of the Harbors and Navigation Code).

6  
7 **13401.5.**

8 Notwithstanding subdivision (d) of Section 13401 and any other provision of law, the  
9 following licensed persons may be shareholders, officers, directors, or professional  
10 employees of the professional corporations designated in this section so long as the  
11 sum of all shares owned by those licensed persons does not exceed 49 percent of the  
12 total number of shares of the professional corporation so designated herein, and so long  
13 as the number of those licensed persons owning shares in the professional corporation  
14 so designated herein does not exceed the number of persons licensed by the  
15 governmental agency regulating the designated professional corporation. This section  
16 does not limit employment by a professional corporation designated in this section to  
17 only those licensed professionals listed under each subdivision. Any person duly  
18 licensed under Division 2 (commencing with Section 500) of the Business and  
19 Professions Code, the Chiropractic Act, or the Osteopathic Act may be employed to  
20 render professional services by a professional corporation designated in this section.

21 (a) Medical corporation.

- 22 (1) Licensed doctors of podiatric medicine.  
23 (2) Licensed psychologists.  
24 (3) Registered nurses.  
25 (4) Licensed optometrists.  
26 (5) Licensed marriage and family therapists.  
27 (6) Licensed clinical social workers.  
28 (7) Licensed physician assistants.  
29 (8) Licensed chiropractors.  
30 (9) Licensed acupuncturists.  
31 (10) Naturopathic doctors.  
32 (11) Licensed professional clinical counselors.  
33 (12) Licensed physical therapists.  
34 (13) Licensed pharmacists.  
35 (14) Licensed midwives.

- 1 (b) Podiatric medical corporation.
- 2 (1) Licensed physicians and surgeons.
- 3 (2) Licensed psychologists.
- 4 (3) Registered nurses.
- 5 (4) Licensed optometrists.
- 6 (5) Licensed chiropractors.
- 7 (6) Licensed acupuncturists.
- 8 (7) Naturopathic doctors.
- 9 (8) Licensed physical therapists.
- 10 (c) Psychological corporation.
- 11 (1) Licensed physicians and surgeons.
- 12 (2) Licensed doctors of podiatric medicine.
- 13 (3) Registered nurses.
- 14 (4) Licensed optometrists.
- 15 (5) Licensed marriage and family therapists.
- 16 (6) Licensed clinical social workers.
- 17 (7) Licensed chiropractors.
- 18 (8) Licensed acupuncturists.
- 19 (9) Licensed nNaturopathic doctors.
- 20 (10) Licensed professional clinical counselors.
- 21 (11) Licensed midwives.
- 22 (d) Speech-language pathology corporation.
- 23 (1) Licensed audiologists.
- 24 (e) Audiology corporation.
- 25 (1) Licensed speech-language pathologists.
- 26 (f) Nursing corporation.
- 27 (1) Licensed physicians and surgeons.
- 28 (2) Licensed doctors of podiatric medicine.
- 29 (3) Licensed psychologists.
- 30 (4) Licensed optometrists.

- 1 (5) Licensed marriage and family therapists.
- 2 (6) Licensed clinical social workers.
- 3 (7) Licensed physician assistants.
- 4 (8) Licensed chiropractors.
- 5 (9) Licensed acupuncturists.
- 6 (10) Naturopathic doctors.
- 7 (11) Licensed professional clinical counselors.
- 8 (12) Licensed midwives.

9 (g) Marriage and family therapist corporation.

- 10 (1) Licensed physicians and surgeons.
- 11 (2) Licensed psychologists.
- 12 (3) Licensed clinical social workers.
- 13 (4) Registered nurses.
- 14 (5) Licensed chiropractors.
- 15 (6) Licensed acupuncturists.
- 16 (7) Naturopathic doctors.
- 17 (8) Licensed professional clinical counselors.
- 18 (9) Licensed midwives.

19 (h) Licensed clinical social worker corporation.

- 20 (1) Licensed physicians and surgeons.
- 21 (2) Licensed psychologists.
- 22 (3) Licensed marriage and family therapists.
- 23 (4) Registered nurses.
- 24 (5) Licensed chiropractors.
- 25 (6) Licensed acupuncturists.
- 26 (7) Naturopathic doctors.
- 27 (8) Licensed professional clinical counselors.

28 (i) Physician assistants corporation.

- 29 (1) Licensed physicians and surgeons.
- 30 (2) Registered nurses.

- 1 (3) Licensed acupuncturists.
- 2 (4) Naturopathic doctors.
- 3 (5) Licensed midwives.
- 4 (j) Optometric corporation.
- 5 (1) Licensed physicians and surgeons.
- 6 (2) Licensed doctors of podiatric medicine.
- 7 (3) Licensed psychologists.
- 8 (4) Registered nurses.
- 9 (5) Licensed chiropractors.
- 10 (6) Licensed acupuncturists.
- 11 (7) Naturopathic doctors.
- 12 (k) Chiropractic corporation.
- 13 (1) Licensed physicians and surgeons.
- 14 (2) Licensed doctors of podiatric medicine.
- 15 (3) Licensed psychologists.
- 16 (4) Registered nurses.
- 17 (5) Licensed optometrists.
- 18 (6) Licensed marriage and family therapists.
- 19 (7) Licensed clinical social workers.
- 20 (8) Licensed acupuncturists.
- 21 (9) Naturopathic doctors.
- 22 (10) Licensed professional clinical counselors.
- 23 (11) Licensed midwives.
- 24 (l) Acupuncture corporation.
- 25 (1) Licensed physicians and surgeons.
- 26 (2) Licensed doctors of podiatric medicine.
- 27 (3) Licensed psychologists.
- 28 (4) Registered nurses.
- 29 (5) Licensed optometrists.
- 30 (6) Licensed marriage and family therapists.

- 1 (7) Licensed clinical social workers.
- 2 (8) Licensed physician assistants.
- 3 (9) Licensed chiropractors.
- 4 (10) Naturopathic doctors.
- 5 (11) Licensed professional clinical counselors.
- 6 (12) Licensed midwives.
- 7 (m) Naturopathic doctor corporation.
- 8 (1) Licensed physicians and surgeons.
- 9 (2) Licensed psychologists.
- 10 (3) Registered nurses.
- 11 (4) Licensed physician assistants.
- 12 (5) Licensed chiropractors.
- 13 (6) Licensed acupuncturists.
- 14 (7) Licensed physical therapists.
- 15 (8) Licensed doctors of podiatric medicine.
- 16 (9) Licensed marriage and family therapists.
- 17 (10) Licensed clinical social workers.
- 18 (11) Licensed optometrists.
- 19 (12) Licensed professional clinical counselors.
- 20 (13) Licensed midwives.
- 21 (n) Dental corporation.
- 22 (1) Licensed physicians and surgeons.
- 23 (2) Dental assistants.
- 24 (3) Registered dental assistants.
- 25 (4) Registered dental assistants in extended functions.
- 26 (5) Registered dental hygienists.
- 27 (6) Registered dental hygienists in extended functions.
- 28 (7) Registered dental hygienists in alternative practice.
- 29 (o) Professional clinical counselor corporation.
- 30 (1) Licensed physicians and surgeons.

- 1 (2) Licensed psychologists.
- 2 (3) Licensed clinical social workers.
- 3 (4) Licensed marriage and family therapists.
- 4 (5) Registered nurses.
- 5 (6) Licensed chiropractors.
- 6 (7) Licensed acupuncturists.
- 7 (8) Naturopathic doctors.
- 8 (9) Licensed midwives.
- 9 (p) Physical therapy corporation.
- 10 (1) Licensed physicians and surgeons.
- 11 (2) Licensed doctors of podiatric medicine.
- 12 (3) Licensed acupuncturists.
- 13 (4) Naturopathic doctors.
- 14 (5) Licensed occupational therapists.
- 15 (6) Licensed speech-language therapists.
- 16 (7) Licensed audiologists.
- 17 (8) Registered nurses.
- 18 (9) Licensed psychologists.
- 19 (10) Licensed physician assistants.
- 20 (11) Licensed midwives.
- 21 (q) Registered dental hygienist in alternative practice corporation.
- 22 (1) Registered dental assistants.
- 23 (2) Licensed dentists.
- 24 (3) Registered dental hygienists.
- 25 (4) Registered dental hygienists in extended functions.
- 26 (r) Licensed midwifery corporation.
- 27 (1) Licensed physicians and surgeons.
- 28 (2) Licensed psychologists.
- 29 (3) Registered nurses.
- 30 (4) Licensed marriage and family therapists.



- 1 (5) Licensed clinical social workers.
- 2 (6) Licensed physician assistants.
- 3 (7) Licensed chiropractors.
- 4 (8) Licensed acupuncturists.
- 5 (9) Licensed naturopathic doctors.
- 6 (10) Licensed professional clinical counselors.
- 7 (11) Licensed physical therapists.

8

9 **13402.**

10 (a) This part shall not apply to any corporation now in existence or hereafter organized  
11 which may lawfully render professional services other than pursuant to this part, nor  
12 shall anything herein contained alter or affect any right or privilege, whether under any  
13 existing or future provision of the Business and Professions Code or otherwise, in terms  
14 permitting or not prohibiting performance of professional services through the use of any  
15 form of corporation permitted by the General Corporation Law.

16 (b) The conduct of a business in this state by a corporation pursuant to a license or  
17 registration issued under any state law, except laws relating to taxation, shall not be  
18 considered to be the conduct of a business as a professional corporation if the business  
19 is conducted by, and the license or registration is issued to, a corporation which is not a  
20 professional corporation within the meaning of this part, whether or not a professional  
21 corporation could conduct the same business, or portions of the same business, as a  
22 professional corporation.

23

24 **13403.**

25 The provisions of the General Corporation Law shall apply to professional corporations,  
26 except where such provisions are in conflict with or inconsistent with the provisions of  
27 this part. A professional corporation which has only one shareholder need have only  
28 one director who shall be such shareholder and who shall also serve as the president  
29 and treasurer of the corporation. The other officers of the corporation in such situation  
30 need not be licensed persons. A professional corporation which has only two  
31 shareholders need have only two directors who shall be such shareholders. The two  
32 shareholders between them shall fill the offices of president, vice president, secretary  
33 and treasurer.

34 A professional medical corporation may establish in its articles or bylaws the manner in  
35 which its directors are selected and removed, their powers, duties, and compensation.  
36 Each term of office may not exceed three years. Notwithstanding the foregoing, the  
37 articles or bylaws of a professional medical corporation with more than 200  
38 shareholders may provide that directors who are officers of the corporation or who are

1 responsible for the management of all medical services at one or more medical centers  
2 may have terms of office, as directors, of up to six years; however, no more than 50  
3 percent of the members of the board, plus one additional member of the board, may  
4 have six-year terms of office.

5

6 **13404.**

7 A corporation may be formed under the General Corporation Law or pursuant to  
8 subdivision (b) of Section 13406 for the purposes of qualifying as a professional  
9 corporation in the manner provided in this part and rendering professional services. The  
10 articles of incorporation of a professional corporation shall contain a specific statement  
11 that the corporation is a professional corporation within the meaning of this part. Except  
12 as provided in subdivision (b) of Section 13401, no professional corporation shall render  
13 professional services in this state without a currently effective certificate of registration  
14 Misc. issued by the governmental agency regulating the profession in which such  
15 corporation is or proposes to be engaged, pursuant to the applicable provisions of the  
16 Business and Professions Code or the Chiropractic Act expressly authorizing such  
17 professional services to be rendered by a professional corporation.

18

19 **13404.5.**

20 (a) A foreign professional corporation may qualify as a foreign corporation to transact  
21 intrastate business in this state in accordance with Chapter 21 (commencing with  
22 Section 2100) of Division 1. A foreign professional corporation shall be subject to the  
23 provisions of the General Corporation Law applicable to foreign corporations, except  
24 where those provisions are in conflict with or inconsistent with the provisions of this part.  
25 The statement and designation filed by the foreign professional corporation pursuant to  
26 Section 2105 shall contain a specific statement that the corporation is a foreign  
27 professional corporation within the meaning of this part.

28 (b) No foreign professional corporation shall render professional services in this state  
29 without a currently effective certificate of registration issued by the governmental  
30 agency regulating the profession in which that corporation proposes to be engaged,  
31 pursuant to the applicable provisions of the Business and Professions Code expressly  
32 authorizing those professional services to be rendered by a foreign professional  
33 corporation.

34 (c) If the California board, commission, or other agency that prescribes the rules or  
35 regulations governing a particular profession either now or hereafter requires that the  
36 shareholders of the professional corporation bear any degree of personal liability for the  
37 acts of the corporation, either by personal guarantee or in some other form that the  
38 governing agency prescribes, the shareholders of a foreign corporation that has been  
39 qualified to do business in this state in the same profession shall, as a condition of  
40 doing business in this state, be subject, with regard to the rendering of professional  
41 services by the professional corporation in California, or for California residents, to the  
42 same degree of personal liability, if any, as is prescribed by the governing agency for

1 shareholders of a California professional corporation rendering services in the same  
2 profession.

3 (d) Each application by a foreign professional corporation to qualify to do business in  
4 this state shall contain the following statement: "The shareholders of the undersigned  
5 foreign professional corporation shall be subject, with regard to the rendering of  
6 professional services by the professional corporation in California, or for California  
7 residents, to the same degree of personal liability, if any, in California as is from time to  
8 time prescribed by the agency governing the profession in this state for shareholders in  
9 a California professional corporation rendering services in the same profession. This  
10 application accordingly constitutes a submission to the juris- diction of the courts of  
11 California to the same extent, but only to the same extent, as applies to the  
12 shareholders of a California professional corporation in the same profession. The  
13 foregoing submission to jurisdiction is a condition of qualification to do business in this  
14 state."

15

16 **13405.**

17 (a) Subject to the provisions of Section 13404, a professional corporation may lawfully  
18 render professional services in this state, but only through employees who are licensed  
19 persons. The corporation may employ persons not so licensed, but such persons shall  
20 not render any professional services rendered or to be rendered by that corporation in  
21 this state. A professional corporation may render professional services outside of this  
22 state, but only through employees who are licensed to render the same professional  
23 services in the jurisdiction or jurisdictions in which the person practices. Nothing in this  
24 section is intended to prohibit the rendition of occasional professional services in  
25 another jurisdiction as an incident to the licensee's primary practice, so long as it is  
26 permitted by the governing agency that regulates the particular profession in the  
27 jurisdiction. Nothing in this section is intended to prohibit the rendition of occasional  
28 professional services in this state as an incident to a professional employee's primary  
29 practice for a foreign professional corporation qualified to render professional services  
30 in this state, so long as it is permitted by the governing agency that regulates the  
31 particular profession in this state.

32 (b) Subject to Section 13404.5, a foreign professional corporation qualified to render  
33 professional services in this state may lawfully render professional services in this state,  
34 but only through employees who are licensed persons, and shall render professional  
35 services outside of this state only through persons who are licensed to render the same  
36 professional services in the jurisdiction or jurisdictions in which the person practices.  
37 The foreign professional corporation may employ persons in this state who are not  
38 licensed in this state, but those persons shall not render any professional services  
39 rendered or to be rendered by the corporation in this state.

40 (c) Nothing in this section or in this part is intended to, or shall, augment, diminish or  
41 otherwise alter existing provisions of law, statutes or court rules relating to services by a  
42 California attorney in another jurisdiction, or services by an out-of-state attorney in  
43 California. These existing provisions, including, but not limited to, admission pro hac

1 vice and the taking of depositions in a jurisdiction other than the one in which the  
2 deposing attorney is admitted to practice, shall remain in full force and effect.

3

4 **13406.**

5 (a) Subject to the provisions of subdivision (b), shares of capital stock in a professional  
6 corporation may be issued only to a licensed person or to a person who is licensed to  
7 render the same professional services in the jurisdiction or jurisdictions in which the  
8 person practices, and any shares issued in violation of this restriction shall be void.  
9 Unless there is a public offering of securities by a professional corporation or by a  
10 foreign professional corporation in this state, its financial statements shall be treated by  
11 the Commissioner of Business Oversight as confidential, except to the extent that such  
12 statements shall be subject to subpoena in connection with any judicial or administrative  
13 proceeding, and may be admissible in evidence therein. A shareholder of a professional  
14 corporation or of a foreign professional corporation qualified to render professional  
15 services in this state shall not enter into a voting trust, proxy, or any other arrangement  
16 vesting another person (other than another person who is a shareholder of the same  
17 corporation) with the authority to exercise the voting power of any or all of the  
18 shareholder's shares, and any purported voting trust, proxy, or other arrangement shall  
19 be void.

20 (b) A professional law corporation may be incorporated as a nonprofit public benefit  
21 corporation under the Nonprofit Public Benefit Corporation Law under either of the  
22 following circumstances:

23 (1) The corporation is a qualified legal services project or a qualified support  
24 center within the meaning of subdivisions (a) and (b) of Section 6213 of the  
25 Business and Professions Code.

26 (2) The professional law corporation otherwise meets all of the requirements and  
27 complies with all of the provisions of the Nonprofit Public Benefit Corporation  
28 Law, as well as all of the following requirements:

29 (A) All of the members of the corporation, if it is a membership  
30 organization as described in the Nonprofit Corporation Law, are persons  
31 licensed to practice law in California.

32 (B) All of the members of the professional law corporation's board of  
33 directors are persons licensed to practice law in California.

34 (C) Seventy percent of the clients to whom the corporation provides legal  
35 services are lower income persons as defined in Section 50079.5 of the  
36 Health and Safety Code, and to other persons who would not otherwise  
37 have access to legal services.

38 (D) The corporation shall not enter into contingency fee contracts with  
39 clients.

1 (c) A professional law corporation incorporated as a nonprofit public benefit corporation  
2 that is a recipient in good standing as defined in subdivision (c) of Section 6213 of the  
3 Business and Professions Code shall be deemed to have satisfied all of the filing  
4 requirements of a professional law corporation under Sections 6161.1, 6162, and 6163  
5 of the Business and Professions Code.

6  
7 **13407.**

8 Shares in a professional corporation or a foreign professional corporation qualified to  
9 render professional services in this state may be transferred only to a licensed person,  
10 to a shareholder of the same corporation, to a person licensed to practice the same  
11 profession in the jurisdiction or jurisdictions in which the person practices, or to a  
12 professional corporation, and any transfer in violation of this restriction shall be void,  
13 except as provided herein. A professional corporation may purchase its own shares  
14 without regard to any restrictions provided by law upon the repurchase of shares, if at  
15 least one share remains issued and outstanding. If a professional corporation or a  
16 foreign professional corporation qualified to render professional services in this state  
17 shall fail to acquire all of the shares of a shareholder who is disqualified from rendering  
18 professional services in this state or of a deceased shareholder who was, on his or her  
19 date of death, licensed to render professional services in this state, or if such a  
20 disqualified shareholder or the representative of such a deceased shareholder shall fail  
21 to transfer said shares to the corporation, to another shareholder of the corporation, to a  
22 person licensed to practice the same profession in the jurisdiction or jurisdictions in  
23 which the person practices, or to a licensed person, within 90 days following the date of  
24 disqualification, or within six months following the date of death of the shareholder, as  
25 the case may be, then the certificate of registration of the corporation may be  
26 suspended or revoked by the governmental agency regulating the profession in which  
27 the corporation is engaged. In the event of such a suspension or revocation, the  
28 corporation shall cease to render professional services in this state.

29 Notwithstanding any provision in this part, upon the death or incapacity of a dentist, any  
30 individual named in subdivision (a) of Section 1625.3 of the Business and Professions  
31 Code may employ licensed dentists and dental assistants and charge for their  
32 professional services for a period not to exceed 12 months from the date of death or  
33 incapacity of the dentist. The employment of licensed dentists and dental assistants  
34 shall not be deemed the practice of dentistry within the meaning of Section 1625 of the  
35 Business and Professions Code, provided that all of the requirements of Section 1625.4  
36 of the Business and Professions Code are met. If an individual listed in Section 1625.3  
37 of the Business and Professions Code is employing licensed persons and dental  
38 assistants, then the shares of a deceased or incapacitated dentist shall be Misc.  
39 transferred as provided in this section no later than 12 months from the date of death or  
40 incapacity of the dentist.

41  
42 **13408.**

1 The following shall be grounds for the suspension or revocation of the certificate of  
2 registration of a professional corporation or a foreign professional corporation qualified  
3 to render professional services in this state: (a) if all shareholders who are licensed  
4 persons of such corporation shall at any one time become disqualified persons, or (b) if  
5 the sole shareholder shall become a disqualified person, or (c) if such corporation shall  
6 knowingly employ or retain in its employment a disqualified person, or (d) if such  
7 corporation shall violate any applicable rule or regulation adopted by the governmental  
8 agency regulating the profession in which such corporation is engaged, or (e) if such  
9 corporation shall violate any statute applicable to a professional corporation or to a  
10 foreign professional corporation, or (f) any ground for such suspension or revocation  
11 specified in the Business and Professions Code relating to the profession in which such  
12 corporation is engaged. In the event of such suspension or revocation of its certificate of  
13 registration such corporation shall cease forthwith to render professional services in this  
14 state.

15

16 **13408.5**

17 A professional corporation shall not be formed so as to cause any violation of law, or  
18 any applicable rules and regulations, relating to fee splitting, kick-backs, or other similar  
19 practices by physicians and surgeons or psychologists, including, but not limited to,  
20 Section 650 or subdivision (e) of Section 2960 of the Business and Professions Code. A  
21 violation of any such provisions shall be grounds for the suspension or revocation of the  
22 certificate of registration of the professional corporation. The Commissioner of Business  
23 Oversight or the Director of the Department of Managed Health Care may refer any  
24 suspected violation of those provisions to the governmental agency regulating the  
25 profession in which the corporation is, or proposes to be engaged.

26

27 **13409.**

28 (a) Subject to Section 201, a professional corporation may adopt any name permitted by  
29 a law expressly applicable to the profession in which the corporation is engaged or by a  
30 rule or regulation of the governmental agency regulating that profession. The Secretary  
31 of State may require proof by affidavit or otherwise establishing that the name of the  
32 professional corporation complies with the requirements of this section and of the law  
33 governing the profession in which that professional corporation is engaged. The  
34 statements of fact in those affidavits may be accepted by the Secretary of State as  
35 sufficient proof of the facts.

36 (b) Subject to Section 201, a foreign professional corporation qualified to render  
37 professional services in this state may transact intrastate business in this state by any  
38 name permitted by a law expressly applicable to the profession in which the corporation  
39 is engaged, or by a rule or regulation of the governmental agency regulating the  
40 rendering of professional services in this state by the corporation. The Secretary of  
41 State may require proof by affidavit or otherwise establishing that the name of the  
42 foreign professional corporation qualified to render professional services in this state

1 complies with the requirements of this section and of the law governing the profession in  
2 which the foreign professional corporation qualified to render professional services in  
3 this state proposes to engage in this state. The statements of fact in those affidavits  
4 may be accepted by the Secretary of State as sufficient proof of the facts.

5

6 **13410.**

7 (a) A professional corporation or a foreign professional corporation qualified to render  
8 professional services in this state shall be subject to the applicable rules and regulations  
9 adopted by, and all the disciplinary provisions of the Business and Professions Code  
10 expressly governing the practice of the profession in this state, and to the powers of, the  
11 governmental agency regulating the profession in which such corporation is engaged.  
12 Nothing in this part shall affect or impair the disciplinary powers of any such  
13 governmental agency over licensed persons or any law, rule or regulation pertaining to  
14 the standards for professional conduct of licensed persons or to the professional  
15 relationship between any licensed person furnishing professional services and the  
16 person receiving such services.

17 (b) With respect to any foreign professional corporation qualified to render professional  
18 services in this state, each such governmental agency shall adopt rules, regulations,  
19 and orders as appropriate to restrict or prohibit any disqualified person from doing any  
20 of the following:

21 (1) Being a shareholder, director, officer, or employee of the corporation.

22 (2) Rendering services in any profession in which he or she is a disqualified  
23 person.

24 (3) Participating in the management of the corporation.

25 (4) Sharing in the income of the corporation.

## MEMORANDUM

<b>DATE</b>	January 23, 2023
<b>TO</b>	Psychology Board Members
<b>FROM</b>	Sandra Monterrubio, Enforcement Program Manager
<b>SUBJECT</b>	Agenda Item 17(c) California Code of Regulations sections CCR sections 1397.35-1397.40

The Enforcement Committee and staff began a comprehensive review of the California Code of Regulations sections 1397.35-1397.40. The Committee does recommend minor changes to some of these sections.

In 16 CCR section 1397.35 – Requirements for Professional Corporations, the Committee recommends updating the list of licensees who can be a shareholder in a professional corporation to match the statutory language in the Corporations Code (subdivision (c) of Section 13401.5, as shown in the attachment to Agenda Item 17(b)). Because the authorizing Business and Professions Code statute (Section 2995, described in Agenda Item 17(a)) also needs minor clean-up, staff recommends updating the statute first and then the regulation to follow.

In 16 CCR section 1397.37 – Shares: Ownership and Transfer, the Committee recommended updating the pronouns “his or her” or “he or she” with the gender neutral pronouns “their” or “they,” respectively. This nonsubstantive change was submitted to the Office of Administrative Law and approved, effective January 19, 2023.

In 16 CCR section 1397.39 – Corporate Activities, the Committee recommended inserting serial commas for clarity. This nonsubstantive change was submitted to the Office of Administrative Law and approved, effective January 19, 2023.

The Committee had no recommended changes to 16 CCR section 1397.40 – Trusts.

### **Attachments:**

16 CCR section 1397.35 – Requirements for Professional Corporations



16 CCR section 1397.37 – Shares: Ownership and Transfer

16 CCR section 1397.39 – Corporate Activities

16 CCR section 1397.40 – Trusts

**Action Requested**

The Committee requests the Board review and approve its recommendation that the changes to 16 CCR section 1397.35 – Requirements for Professional Corporations - be made once the statutory revisions to the Corporation Code and the Business and Professions Code are effectuated as discussed and directed by the Board in the previous items (17(a) and (b)).

1 CALIFORNIA CODE OF REGULATIONS  
2 TITLE 16. PROFESSIONAL AND VOCATIONAL REGULATIONS  
3 DIVISION 13.1. BOARD OF PSYCHOLOGY  
4 ARTICLE 8. RULES OF PROFESSIONAL CONDUCT [1397.35 - 1397.40]  
5

6 **1397.35. Requirements for Professional Corporations.**

7 A professional corporation shall comply with the following provisions:

8 (a) The corporation is organized and exists pursuant to the general corporation law  
9 and is a professional corporation within the meaning of the Moscone-Knox  
10 Professional Corporation Act (Part 4, Division 3, Title 1 of the Corporations  
11 Code).

12 (b) Each shareholder, director and officer (except as provided in Section 13403 of  
13 the Corporations Code and Section 2997 of the Code) holds a valid psychology  
14 license; provided that, a licensed physician and surgeon, podiatrist, marriage,  
15 and family, and child counselor therapist, licensed clinical social worker,  
16 chiropractor, optometrist, ~~or~~ registered nurse, acupuncturist, naturopathic doctor,  
17 licensed professional clinical counselor, or licensed midwife may be a  
18 shareholder, director or officer of a psychology corporation so long as such  
19 licensees own no more than 49% of the total shares issued by the psychology  
20 corporation and the number of licensed physician and surgeons, podiatrists,  
21 marriage, and family, and child counselors therapists, licensed clinical social  
22 workers, chiropractors, optometrists, ~~or~~ registered nurses, acupuncturists,  
23 naturopathic doctors, licensed professional clinical counselors, or midwives  
24 owning shares in the psychology corporation does not exceed the number of  
25 psychologists owning shares in such a corporation. A psychologist may be a  
26 shareholder in more than one psychology corporation.

27 (c) Each professional employee of the applicant who will practice psychology,  
28 podiatry, medicine, marriage, and family and child counseling therapy, clinical  
29 social work, chiropractic, optometry or professional nursing, whether or not a  
30 shareholder, director or officer, holds a valid license.

31 Authority cited: Sections 2930 and 2999, Business and Professions Code.

32 Reference: Section 2995, Business and Professions Code; and Sections 13401,  
33 13401.5, 13403, 13406 and 13407, Corporations Code.  
34

35 **1397.37. Shares: Ownership and Transfer.**

36 (a) Where there are two or more shareholders in a psychology corporation and one  
37 of the shareholders:

38 (1) Dies; or

39 (2) Becomes a disqualified person as defined in Section 13401(d) of the  
40 Corporations Code, ~~his or her~~ their shares shall be sold and transferred to the

1 corporation, its shareholders or other eligible licensed persons on such terms  
2 as are agreed upon. Such sale or transfer shall not be later than six (6)  
3 months after any such death and ninety (90) days after the shareholder  
4 becomes a disqualified person. The requirements of this subsection shall be  
5 set forth in the psychology corporation's articles of incorporation or bylaws.

6 (b) A corporation and its shareholders may, but need not, agree that shares sold to it  
7 by a person who becomes a disqualified person may be resold to such person if  
8 and when ~~he or she~~ they again becomes an eligible shareholder.

9 (c) The share certificates of a psychology corporation shall contain an appropriate  
10 legend setting forth the restrictions of subsection (a).

11 (d) Nothing in these regulations shall be construed to prohibit a psychology  
12 corporation from owning shares in a nonprofessional corporation.

13 Authority cited: Sections 2930 and 2999, Business and Professions Code.

14 Reference: Section 2999, Business and Professions Code; and Sections 13401, 13403,  
15 13406 and 13407, Corporations Code.

16

17 **1397.39. Corporate Activities.**

18 (a) A psychology corporation may perform any act authorized in its articles of  
19 incorporation or bylaws so long as that act is not in conflict with or prohibited by  
20 these rules, the Psychology Licensing Law, the Medical Practice Act, the  
21 Optometry Law, or the Nursing Practice Act, or the regulations adopted pursuant  
22 thereto.

23 (b) A psychology corporation may enter into partnership agreements with other  
24 psychologists practicing individually or in a group or with other psychology  
25 corporations.

26 Authority cited: Sections 2930 and 2999, Business and Professions Code.

27 Reference: Section 2996.6, Business and Professions Code; and Sections 13403,  
28 13408 and 13410, Corporations Code.

29

30 **1397.40. Trusts.**

31 The restrictions on the ownership of the shares of psychology corporations shall apply  
32 to both the legal and equitable title to such shares.

33 Authority cited: Sections 2930 and 2999, Business and Professions Code.

34 Reference: Sections 13406 and 13407, Corporations Code.