

MEMORANDUM

DATE	May 4, 2026
TO	Psychology Board Members
FROM	Daniel Phillips, Enforcement Program Manager
SUBJECT	Agenda Item 12 Enforcement Committee Report

On May 1, the Enforcement Committee met to review and discuss policy implications on the shifting landscape of the profession of psychology. This included the role of artificial intelligence in therapeutic settings, discussion about the length of time by which Public Letter of Reprimands remains attached to the license of a psychologist, and key trends in enforcement.

SB 903 and Artificial Intelligence (AI)

At the February 13, 2026, Board meeting in Sacramento, CA, the matter was discussed on agenda item 12. At the request of the Board, the Enforcement Committee reviewed a staff report from the Enforcement Unit reviewed about the current volume of AI-related complaints and its impact on enforcement operations.

As background, on January 21, 2026, Senator Steve Padilla introduced SB 903, Mental health professionals: artificial intelligence. SB 903 would establish new statutes regulating the use of artificial intelligence (AI) in therapy and psychotherapy services. The bill is intended to protect consumers by prohibiting unlicensed individuals or entities from offering therapy or psychotherapy services through AI. For licensed professionals, the bill would require clear patient consent when AI is used to support recorded or transcribed therapy sessions and would ensure that AI does not make independent therapeutic decisions or replace professional clinical judgment. The Committee discussed that these provisions adequately protect consumers from inappropriate uses of AI. The bill also authorizes the Department of Consumer Affairs to investigate violations and impose civil penalties. While the bill primarily references mental health professionals regulated by the Board of Behavioral Sciences, it also applies to licensed psychologists. Because psychologists are within the bill's scope, the Board of Psychology (Board) and its licensees would be subject to the bill's requirements and may receive consumer questions or complaints regarding the use of AI in psychological practice.

On May 1, 2026, the Enforcement Committee discussed and reviewed AI and determined that interstate communications and additional AI-specific training were paramount for Enforcement staff moving forward.

Public Letter of Reapproval (PLR) Retention Schedules

In response to public comment submitted at the February 13, 2026 Board meeting, the Enforcement Committee requested to review the issue of PLR retention schedules. Public comment requested the Board align the retention schedule with the California Medical Board, allowing a PLR displayed on BreEZe to sunset after ten years. The Committee conducted a comprehensive review of this matter, including assessing the practices of other boards, including the Medical Board and Board of Behavioral Sciences (BBS). The Committee discussed the importance of transparency and choice, providing relevant information to clients so that they have the information available to them to make an informed decision regarding whether they wish to engage the services of a psychologist who holds a PLR and not alter the PLR public posting schedule. Furthermore, the Committee determined that maintaining consistency with the BBS standards is aligned with the Board's consumer protection mission. Given the relatively limited size of the PLR community (0.21% of all formal discipline), the Committee evaluated the issue in detail and concluded that, in the interest of consumer protection, the policy should remain unchanged.

Enforcement Trends

At the request of Committee Member Seyron Foo, the Enforcement staff was asked to identify trends and needs they are experiencing in their day-to-day work. Seven (7) out of Seven (7) Enforcement staff responded, and research was conducted to produce a mixed-methods review of those trends between 2015 and 2025.

- Closed Cases by Violation Type
- Statute of Limitations (SoL) cases
- Anonymous Complaints
- Social Media Complaints
- Licensing Referrals
- Child Custody Complaints.

The Committee reviewed current workload impacts and emerging trends affecting Enforcement operations. Between 2016 and 2026, the Board received more than 10,804 complaints, which were assigned for investigation with staffing levels of only two to five Enforcement Analysts. The volume of incoming cases has significantly constrained the Analysts' ability to manage their caseloads effectively. At any given time, an Enforcement Analyst is responsible for approximately 120 to 160 active complaints, with workloads occasionally reaching as high as 200 cases.

In light of these findings, the Committee requested Enforcement staff to collaborate with Executive Staff to evaluate operational needs in future fiscal years.

Action Requested

These items are for informational purposes only. There is no action required at this time.

Attachments:

Attachment 1: At-a-Glance: Key Metrics

Attachment 2: Discipline Outcomes & Top Violations

Attachment 3: Cross-Cutting Trends & Unified Analysis

At-a-Glance: Key Metrics

1,934

Case-Violation Counts

ENF-0233 (2015–2025)

243

Cases Closed 2024

Highest since 2018

131

Past SoL Cases

1.1% of complaints

501

Anonymous Complaints

0.6% enforcement

402

Social Media

6 platforms | 3.2%

1,396

Formal Discipline

67% ARSP + Surrender

70.0%

2024 Disc. Rate

170 of 243 by AG

341

Licensing Referrals

6,550% growth

249

Child Custody

Cyclical | 2.1% of CMP

67

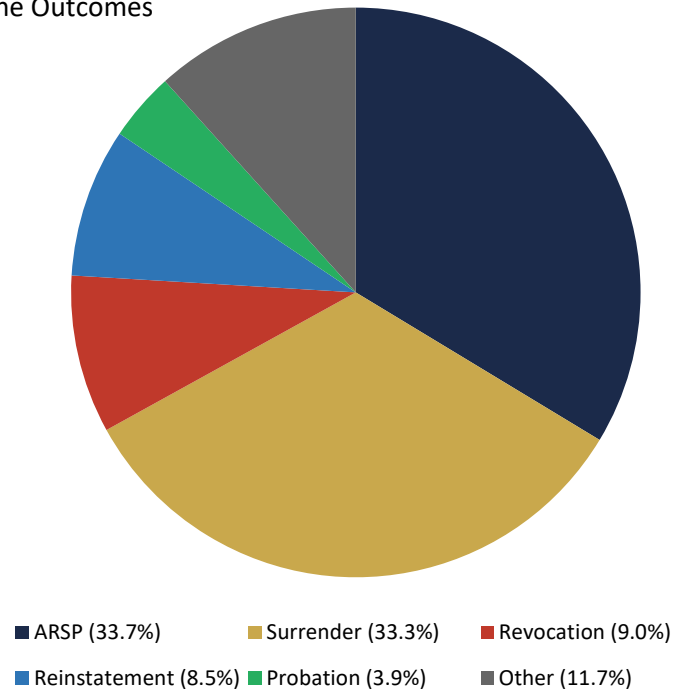
Violation Types

Unique BPC Codes

Five Defining Shifts: (1) Formal discipline collapsed 98.7% while intake stable; (2) Citation/fine rate surged to 96.2%; (3) SoL failures concentrated in 2018 & 2022–23; (4) Social media growing but 3.2% enforcement yield; (5) Child custody complaints cyclical—peaked 38 in 2022, dropped to 8 in 2024—with Low provability due to dual-consent barrier. The Board of Psychology operates under a statute of limitations as outlined in the Business and Professions Code Section 2960.05. According to this statute, an accusation against a licensee must be filed within three years of the date the Board discovers the alleged act or omission that is the basis for the disciplinary action, or within seven years of the date the alleged act or omission occurred, whichever comes first. This time frame can be extended or "tolled" in certain circumstances, such as cases involving minors, ongoing criminal investigations, and allegations of sexual misconduct, where the period is extended to ten years. The Board can receive a complaint with minimal time left for a formal investigation. The Board has the burden of proving, by a preponderance of the evidence, all facts necessary to support the allegations in an accusation. A case to be considered by the Attorney General's office needs a Desk Investigation, Expert Reviews (Both initial and Final), a Division of Investigation report, and a transmittal. Without adequate time, none of this can be achieved if the Board receives the complaint too close to the SoL.

Part I: Discipline Outcomes & Top Violations

Discipline Outcomes



ARSP = Revoked, Stayed, Probation (identifies individuals on probation)

#	Violation	Cases	Disc.%
1	§2960K Violation of Code	351	47.3%
2	§2960I Unprof. Conduct (CAC)	202	61.9%
3	§2960 Unprof. Conduct	182	77.5%
4	§2960J Gross Negligence	175	80.6%
5	§2960R Repeated Negl. Acts	165	79.4%
6	§2903 Unlicensed Practice	151	10.6%
7	§2960N Fraud/Dishonesty	127	51.2%
8	§2936 Rules of Ethics	107	75.7%

Note: Violation counts represent the number of times each violation type appeared across all settlement cases reviewed. Because a single case can include multiple violation types, the percentages shown reflect the share of cases in which that violation appeared—not portions of a whole. As a result, the percentages do not add up to 100%

Part VIII: Cross-Cutting Trends & Unified Analysis

Patterns spanning all data sources

1

Discipline-to-Citation Shift

98.7% decline in formal discipline (2019→2024) while intake stable. 96.2% cite/fine rate in 2024.

3

Statute of Limitations (SoL) as Systemic Indicator

3 elevated years (2018, 2022–23) = 51.1% of all cases closed by SoL in the past ten years.

5

Social Media: Growing, Low Yield

402 cases across 6 platforms, 3.2% enforcement rate. TikTok emerging. 39.8% jurisdictional barriers.

7

Child Custody: Cyclical Pattern

249 cases (2.1% of intake). Peaked 38 in 2022, dropped to 8 in 2024. Low provability due to dual-consent barrier.

2

Intake-Closure Gap

1,000+ complaints/year received, Cases can be closed at intake due to Jurisdiction of Licensee (Board of Behavioral Sciences, Medical Board of California, etc)

4

Anonymous Complaint Problem

501 cases, 0.6% enforcement rate. 23.4% insufficient evidence. Pipeline consumes resources with minimal yield.

6

Licensing Referrals Expansion

6,550% growth (2022→2024). 341 cases. Temporally correlates with discipline decline. No outcome data.

8

Evidence & Cooperation Barriers

~40% complainant non-cooperation. Insufficient Evidence largest disposition across anonymous, social media datasets.