



BOARD OF PSYCHOLOGY

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BOARD MEETING MINUTES
Sheraton Suites San Diego at Symphony Hall
701 A Street
San Diego, CA 92101
(619) 696-9800

Friday, August 8, 2008

The open session meeting was called to order by the President, James McGhee, at 8:05 a.m. A quorum was present and due notice had been sent to all interested parties.

Members Present:

James McGhee, President
Sharon O'Connor, Ph.D., Vice-President
Alex Calero
Jacqueline Horn, Ph.D.
Emil Rodolfa, Ph.D.
Richard Sherman, Ph.D.

Others Present:

Robert Kahane, Executive Officer
Jeffrey Thomas, Assistant Executive Officer
Norine Marks, Legal Counsel
Gina Bayless, Enforcement Coordinator
Lavinia Snyder, Licensing/Registration Program Coordinator
Denise Russell, Continuing Education/Probation Analyst

Agenda Item #1 – Approval of Minutes for May 9 - 10, 2008 Board Meeting

It was M(Sherman)/S(O'Connor)/C to approve the May 9 – 10, 2008, open session minutes with minor changes.

VOTE: 6-0

Agenda Item #2 – Presentation by Dr. Jon Nachison Concerning Psychological Services for Returning Veterans

Open Session – Petitioner and Administrative Hearing

8:45 A.M. – SCHUSTER, Sandee, Ph.D., Petition for Termination of Probation

Administrative Law Judge Donald P. Cole presided. Deputy Attorney General Michael Cochrane was present and represented the people of the State of California. Sandee Schuster, Ph.D. was present and represented herself.

The Board adjourned into closed session at the conclusion of the hearing pursuant to Government Code section 11126(a)(1) and 11126(c)(3) to discuss and vote on disciplinary decisions, including the above petition.

11:15 A.M. – Open Session Committee Meetings

Agenda Item #3 – Adoption of 2008/2009 Strategic Plan

It was M(Horn)/S(O'Connor)/C to table the discussion of the adoption of the 2008/2009 Strategic Plan until the November meeting to allow the Board additional time to review the plan.

VOTE: 6-0

The Continuing Education Committee and Legislation Committee met to discuss and formulate recommendations to the Board.

1:50 P.M. – Open Session Committee Meetings

The Examination Committee, Enforcement Committee, Personnel and Board Operations Committee, and Committee on Contemporary and Emerging Issues met to discuss and formulate recommendations to the Board.

3:15 P.M. – Open Session Committee Meetings

The Credentials Committee and Outreach and Consumer Education Committee met to discuss and formulate recommendations to the Board.

Saturday, August 9, 2008

The open session meeting was called to order by the President, James McGhee, at 8:37 a.m. A quorum was present and due notice had been sent to all interested parties.

Members Present:

James McGhee, President
Sharon O'Connor, Ph.D., Vice-President
Alex Calero
Jacqueline Horn, Ph.D.
Emil Rodolfa, Ph.D.
Richard Sherman, Ph.D.
Celinda Vazquez

Others Present:

Robert Kahane, Executive Officer
Jeffrey Thomas, Assistant Executive Officer
Norine Marks, Legal Counsel
Gina Bayless, Enforcement Coordinator
Lavinia Snyder, Licensing/Registration Program Coordinator

Agenda Item #4 – President's Report – Mr. McGhee

a) Black Expo Oakland

Mr. McGhee stated that he attended the Black Expo which was held in Oakland on July 19-20, 2008. He stated that although the Board did not have a booth as we had the previous two years, he spoke to many people about the Board of Psychology and encouraged attendance at Board meetings.

b) California Association of Mental Health Boards and Commissions

Mr. McGhee reported that he has been elected President of the California Association of Mental Health Boards and Commissions. He stated that the association represents 60 boards and commissions across the state. Mr. McGhee indicated that the association will be conducting a conference in San Jose in 2009, and that the Board will be involved in the conference. He indicated that the California Psychological Association will be involved as well.

c) Monthly Meeting with Executive Officer

Mr. McGhee stated that he meets with the Executive Officer on a monthly basis. He indicated that this month, one of the main focuses of the meeting was the Governor's recent Executive Order. Mr. McGhee stated that he feels confident that Board staff is moving in the right direction and are making appropriate administrative changes to deal with the challenges that they are facing.

d) Other President's Informational Items

Mr. McGhee stated that he wanted to publicly thank the chairs of each of the committees for doing a fantastic job.

Agenda Item #5- Executive Officer's Report – Mr. Kahane

a) Web Site Update

Mr. Kahane stated web updates continue to be done within 24 hours. The turn around for Internet Team is excellent. Licensing processing time updates are posted either weekly or bi-weekly. Mr. Kahane noted receiving continued feedback and public comment from practitioners regarding the website. Their involvement helps in catching glitches and inconsistencies.

b) Office Open House

Mr. Kahane noted the office would still like to have office open house after previously ordered furniture and items are received. We are still awaiting pictures, signage, chairs and flags.

c) Staff Update

Mr. Kahane discussed the Board's challenging staffing issues and reported our two lead coordinators have been keeping everything on track, while covering for the other coordinator's nine-month absence. Fully completed Psychological Assistant applications have been processed in as quickly as one week. Ms. Bayless' tremendous work in guiding the new Enforcement Team has ensured timeliness under the most difficult and changing circumstances. Under Ms. Snyder's outstanding coordination, licensing times continue to improve regardless of external challenges. Mr. Kahane thanked both of the coordinators for their superb lead work and team performance in the midst of the current issues. Mr. Kahane also reported on an executive level meeting upcoming with DCA, requested upon Board direction, to address some of our staffing challenges from a procedural basis, specific to the Board of Psychology.

d) November 2008 Board Conference Update

Mr. Kahane stated the November Board Meeting will be held during the DCA Professionals Achieving Consumer Trust Summit (PACTS), the week of November 17-22 at the Westin LAX. All boards will meet during the week. The Board of Psychology will be meeting as usual on Friday and Saturday. Robert and Jeff will attend most of the week. Board members are invited to attend. This will be a high profile consumer summit.

e) Diversity Conference with California Psychological Association

Mr. Kahane noted the Diversity Conference is tentatively scheduled for November 7, 2008. Mr. Kahane will be working with CPA to finalize the agenda, speakers and logistics.

f) Other Executive Officer's Informational Items

Mr. Kahane reported Dr. Horn will be attending the Association of State and Provincial Psychology Boards (ASPPB) on her own, but would like Board Support for her nomination as Member-at-Large for the Board of Directors of ASPPB.

It M(Vazquez) /(S(O'Connor)/C to approve and support Dr. Horn regarding her nomination as Member-at-Large for the Board of Directors of ASPPB.

Vote: 7 – 0

Mr. Kahane reported that due to the budget impasse, the Board of Psychology has had to terminate our three retired annuitants. We have asked for exemption to keep these employees. The exemption was denied as non-mission critical. We plan to rehire these employees once the budget is signed and we are given approval.

Mr. Kahane stated that he and the Board President continue to meet on a monthly basis to discuss Board issues.

Mr. Kahane noted, in answer to Dr. Sherman's inquiry, that Agency and all parties are aware of current vacancies on Board of Psychology.

Agenda Item #6 – Regulations Update

a) Postdoctoral Supervised Professional Experience (CAPIC) – Amendments to Title 16, California Code of Regulations section 1387(a)(2)(A)

Mr. Thomas reported that the proposed regulations to add CAPIC to the section 1387(a)(2)(A) is still in process. He stated that we had been waiting on the approval of the Economic and Fiscal Impact Statement in order to move forth with the rulemaking file. However, upon following up with DCA, it was also discovered that there were other components of the rulemaking file had not yet been completed. Mr. Thomas indicated that he would be submitting the necessary documents to DCA by close of business on August 12, 2008, and request that the file be flagged as high priority so that it can be filed with the Office of Administrative Law as soon as possible.

The Board reviewed a letter submitted by Melodie R. Schaefer, Psy.D., Chair of the CAPIC Board of Directors requesting provisional approval for CAPIC-approved programs to allow interns to practice until the regulations are in effect. Ms. Marks explained that the Board does not have the authority to issue provisional approval on pending regulations. She explained that

the interns can practice legally pursuant to section 2911 of the California Code of Regulations, however, they cannot accrue supervised professional experience until the regulations become effective. She stated that the Board could request that the regulations become effective immediately upon filing with the Secretary of State; however, in the meantime, the interns would have to register as psychological assistants in order to accrue supervised professional experience. Dr. Schaefer inquired if the psychological assistant regulations could be made retroactive. Ms. Marks indicated that there were no provisions in the laws and regulations to allow retroactive effect of the regulations.

It was M(Horn)/S(Rodolfa)/C to request that the rulemaking file become effective immediately upon filing with the Secretary of State.

Vote: 7 – 0

Dr. Schaefer requested that the Board waive the psychological assistant application fee for these interns that must register with the Board in order to accrue supervised professional experience. She pointed out that section 2987 of the Business and Professions Code states that the Board may reduce any fee prescribed by this section, when, in its discretion, the Board deems it administratively appropriate. Ms. Marks stated that the Board exercised its discretion in this regard when it promulgated regulations establishing the fees charged. Dr. O'Connor commented that waiving the fees could be interpreted as an apology which she feels would not be appropriate.

Agenda Item #7 – Regulation Hearing

a) Title 16, California Code of Regulations Sections 1391.4, 1391.10 and 1391.12 – Psychological Assistant Renewals

Mr. McGhee conducted the regulation hearing on psychological assistant renewals at 9:25 a.m. No public testimony was given. No changes were suggested or required.

Ms. Marks brought to the Board's attention a potential problem in the proposed change in section 1391.4. She indicated that the proposed change eliminates the reference to a specific version of the APA's Guidelines and Principles for Accreditation of Programs in Professional Psychology and the APA Code of Conduct and Ethical Principles and that when there is no date given for a particular set of guidelines, the regulations are incorporating a changing standard.

Dr. Rodolfa also recommended that section 1391.4 be amended to reference the Board's own requirements for qualified supervisors set forth in section 1387.1 instead of referring to the APA's qualifications.

It was M(Rodolfa)/S(Sherman)/ to remove the reference to the APA's Guidelines and Principles for Accreditation of Programs in Professional Psychology and the APA Code of Conduct and Ethical Principles and reference instead section 1387.1. Discussion ensued. Ms. Marks questioned whether the reference to the APA guidelines refers back to the term "limited psychological functions" rather than the qualifications of supervisors. The Board determined that the main focus of these proposed changes was to amend the renewal dates of psychological assistant registrations; therefore, it was decided to further research the issue regarding the reference to the APA's Guidelines and Principles for Accreditation of Programs in Professional Psychology and the APA Code of Conduct and Ethical Principles and to address the issue in a future regulation change.

It was M(Horn)/S(Sherman)/C to send a 15-day notice restoring section 1391.4 back to its original language, and to move forth with the remaining proposed changes as noticed, and to delegate the authority to the Executive Officer to adopt the language and make any necessary non-substantive changes absent any negative comments.

Vote: 7 – 0

b) Title 16, California Code of Regulations Sections 1387(b)(10) and 1387.6 – Psychological Assistant Plans for Supervised Professional Experience (SPE)

Mr. McGhee conducted the regulation hearing on Psychological Assistant Plans for Supervised Professional Experience at 9:45 a.m.

The Board received oral testimony from Allison Parelman, Ph.D., Liaison, Division II of CPA. Dr. Parelman inquired if the term “delegated supervisor” was relevant in the proposed changes to section 1387.6 since the proposal is referring only to psychological assistants in private practice settings. Ms. Snyder indicated that corporations can be private practice settings in which delegated supervisors are allowed. The Board determined, therefore, that the term “delegated supervisor” is relevant in section 1387.6.

The Board received one written comment from Jasenn Zaejian, Ph.D. In his comments, Dr. Zaejian stated that the proposed changes are arbitrary and capricious and that the proposal would have a significant fiscal impact involving time and expense to prepare and submit additional paperwork by supervisors. The Board rejected Dr. Zaejian’s comments since the proposed changes are necessary to provide more structure and to improve the quality of supervised professional experience for psychological assistants in private practice settings. The field is moving towards a competency-based framework in training psychologists which helps private practitioners and psychological assistants focus on competency issues since private practice settings do not have the same structure as formalized internship settings. Additionally, the proposal will not require any additional substantive paperwork. The proposed changes would require pre-approval of the plan which would assure that there a quality program in place, incorporating the same standards to all settings equally, which would be beneficial to consumers of psychological services. Doris Penman, Ph.D., President-Elect of CPA commented that the alternative to this proposal would be an organized internship program in which case far more documentation would be required.

It was M(sherman)/S(O’Connor)/C to adopt the language as noticed and to delegate the authority to staff to make any technical, non-substantive changes.

Vote: 7 – 0

Agenda Item #8 – Continuing Education Committee Report

a) 2008/2009 Strategic Plan Update

Dr. O’Connor reported that the Strategic Plan Update was tabled for the next Board meeting.

b) Continuing Education Statistics

Dr. O’Connor referred the Board to the continuing education statistics which were provided in the meeting packets. She noted that the statistics are consistent with what we usually see in terms of compliance rates.

c) Discussion Regarding Continuing Education Approval System

Dr. O'Connor stated that over the past few Board meetings, there have been ongoing discussions regarding a major overhaul of the continuing education regulations, including the elimination of the requirement for individual course review and the necessity of the 100% compliance auditing requirement. Dr. Rodolfa suggested that the Board recognize the California Psychological Association in the same way it recognizes the American Psychological Association, the California Medical Association, the Accreditation Council for Continuing Medical Education, and the American Board of Professional Psychology as providers and sponsors. Dr. O'Connor stated that staff will work with the MCEP Accrediting Agency to work out some language to bring back to the November meeting.

d) Public Comment

None.

It was M(Continuing Education Committee)/S(Calero)/C to accept the Continuing Education Committee's report and recommendations.

Vote: 7 – 0

Agenda Item #9 – Credentials Committee Report

a) 2008/2009 Strategic Plan Update

Dr. Horn reported that the Strategic plan update was tabled for the next Board meeting.

b) Satisfaction Survey Results

Dr. Horn reported that at a previous Board meeting the Board requested to revise the satisfaction survey to a five point scale. It was suggested that the scale reflect Excellent, Very Good, Good, Fair and Poor.

Dr. Horn stated that it is important to get feedback from newly licensed psychologists and suggested that the Board hire a student intern to administer the survey.

c) Interjurisdictional Practice Certificate (IPC)

Dr. Horn reported that the IPC allows licensed psychologists the ability to practice temporarily in different states. The State of California's current statute allows licensees from other states to practice in the state of California for a period of 30 calendar days. After discussion, it was decided that there is no need to create regulations regarding this issue.

d) Discuss Renewal Limitations of Psychological Assistants

Dr. Horn reported that the Committee is in the process of looking at the number of times a psychological assistant can renew a registration. She stated that there are currently over two hundred registered psychological assistants who have been licensed for more than five years. There was some discussion about whether this category was meant to be a training or a career category. The Committee would like to establish a task force comprised of licensed psychologists who were once psychological assistants and those who employ psychological assistants to assist the Board in addressing this issue.

e) Discussion of Supervised Professional Experience (SPE) in Private Practice

Dr. Horn suggested posting sample SPE plans on the Board's website for psychological assistants in private practice settings.

f) Evaluation of International College of Professional Psychology (ICPP) Request for California Credentialing Approval

Dr. Horn stated that the Committee is referring this issue to the Continuing Education Committee since they are in the process of reorganizing the CE process. No action will be taken at this time.

g) Discussion of Accredited Degree Programs Outside the Continental United States

Dr. Horn explained that Alliant University is establishing a school in Beijing China and as long as the school is WASC accredited the Board will deem doctorate degrees in psychology from this institution as meeting the requirements of Section 2914 of the Business and Professions Code.

Subsequently, any hours accrued at this institution from a US licensed psychologist can be counted towards meeting supervised professional experience.

h) Discussion Regarding Approved Schools After January 1, 2009

Dr. Horn stated that, pursuant to legislation (SB45), approved schools will continue until January 1, 2009. Therefore, doctorate degrees issued by Bureau on Private Post-Secondary & Vocational Education approved schools that are conferred prior to January 1, 2009, will be deemed by the Board to meet the qualifications for licensure. However, a degree conferred after January 1, 2009, by an approved school, will not meet the qualifications for licensure.

The Committee has directed staff to notify all approved schools of this decision and it will be posted on the CPA, LACPA and Board's websites.

i) Summarization of Closed Session Items

The Committee recommended approval of a plan for supervised professional experience in non-mental health and a request for an exemption of the child abuse and spousal and partner abuse training requirement. The Committee also recommended denying a request for an extension of the 30-consecutive month limit of section 1387(a) of the California Code of Regulations.

j) Public Comment

No comments

It was M(Credentials Committee)/S(Rodolfa)/C to accept the Credentials Committee's report and recommendations.

Vote: 7 - 0

Agenda Item #10 – Examination Committee Report

a) 2008/2009 Strategic Plan Update

Dr. Rodolfa stated that the strategic plan update was tabled for the next Board meeting.

b) Examination Statistics

Dr. Rodolfa noted nothing unusual regarding the EPPP and CPSE statistics.

c) Performance Analysis of the California Psychology Supplemental Examination (CPSE)

Dr. Rodolfa stated that there are noted consistencies beginning September 2006 when the passing score was changed.

d) California Psychology Laws and Ethics Examination (CPLEE) Update

Dr. Rodolfa directed staff to gather data on the number of CPSE applicants who have taken the exam more than once to determine if there is a need to establish a break from taking the exam.

He also stated that the Committee wanted to review the examination section of the Board's website to make it more user-friendly. Dr. Rodolfa suggested establishing a focus group comprised of students to help make the navigation of the website more usable.

Dr. Rodolfa also recommended updating the FAQ and to include a web page specifically regarding prelicensure coursework requirements.

e) Public Comment

Dr. Allison Parelman reminded the Committee it had made a request for statistics on pass rates for first time takers.

It was M(Examination Committee)/S(Sherman)/C to accept the Examination Committee's report and recommendations.

Vote: 7 - 0

Agenda Item #11 - Enforcement Committee Report

a) 2008/2009 Strategic Plan Update

Mr. Calero stated that the Strategic plan update was tabled for the next Board meeting.

b) Enforcement Statistics

Mr. Calero referred the Board to the enforcement statistics in the agenda packets. He pointed out that the statistics show a 22% increase in the number of complaints received from June 1, 2007, to July 1, 2008.

c) Vertical Enforcement

Mr. Calero reported on Vertical Enforcement, the two-year pilot program between the Offices of the Attorney General's (AG) and the Medical Board Investigation Unit. Previously referred to as Vertical Prosecution, the name was changed to Vertical Enforcement because not every investigation results in prosecution or referral to the AG's office. Mr. Calero referred the Board to

the Vertical Enforcement statistics in the agenda packets. He reported that the statistics show significant decreases in the processing times related to expert review and filing of Accusations.

d) Discussion of Colorado Practice Monitor Training

Mr. Calero reported that the Committee reviewed the Colorado Practice Monitor Training materials and discussed following some of the practices outlined for use in our existing practice monitor training materials.

e) Expert Reviewer Program Update

Mr. Calero reported that the Committee and board staff completed revisions to the expert reviewer program and will now begin focusing on expert reviewer training and training materials.

f) Discussion Regarding Board of Psychology Cite and Fine Process

Mr. Calero reported that the Committee reviewed citation and fine guidelines from various other DCA Board's and found that they are similar to the Board's guidelines. The Committee recommends creating a written policy regarding the Board's citation and fine process for assigning fine amounts.

g) Discussion Regarding Retention of Website Postings of Disciplinary Actions

Mr. Calero reported that the Committee discussed the retention of discipline documents available on the Board's website and possibly identifying a time frame for removal of the documents. The Committee requested that Board staff obtain information on retention policies of other DCA Board's for review at the next meeting.

h) Public Comment

Ms. Vazquez thanked Mr. Calero for chairing the Committee during her absence.

It was M(Enforcement Committee)/S(Sherman)/C to accept the Enforcement Committee's report and recommendations.

Vote: 7 - 0

Agenda Item #12 – Legislation Committee Report

a) 2008/2009 Strategic Plan Update

Dr. Sherman stated that the Strategic plan update was tabled for the next Board meeting.

Dr. Sherman referred the Board to the legislation report in the agenda packets. The Committee reviewed all the bills listed and reports the following:

b) Review of California Code of Regulations, Title 16, Division 13.1, Articles 1, 1.5 and 2

Dr. Sherman reported that the Committee reviewed the regulations and recommended some minor regulatory changes.

c) SB 963 (Ridley-Thomas) – Regulatory Boards; Operations

Dr. Sherman reported that SB 963 focuses on regulatory boards and would enact significant changes to the operational structure of DCA and Boards. Dr. Sherman stated that the bill would extend the sunset date and contains many changes to board operations including board reconstitution, defines ex parte communication, allows executive officers to be appointed to multiple boards, and mandates pro bono work. He stated that this bill is undergoing further amendments. Dr. Sherman reported that SB 963 is currently on the Assembly Appropriations Committee Suspense file but the Committee will continue to monitor this bill and update the Board at the next meeting.

Dr. Sherman stated that since the Board is scheduled to begin the sunset process in January 2009, the Committee recommends that Mr. Kahane write a letter to Senator Ridley-Thomas regarding the imminent need for a bill to address the extension of the sunset date.

d) SB 797 (Ridley-Thomas) – Vertical Enforcement

Dr. Sherman reported that SB 797 was passed and chaptered into law. The bill extends the sunset date of the vertical enforcement pilot project by two years. The bill empowers the Board of Behavioral Sciences to file Accusations against licensees related to specific sexual acts against a minor after the statute of limitations has passed. Dr. Sherman stated that the Committee discussed that presently there is no parallel law regarding psychologists. The Committee recommends that Board staff review prior enforcement cases to establish the number of cases that include sexual misconduct related to minors. The Committee will review the information at the next Committee meeting to determine the need for similar legislation.

b) AB 2746 (Niello) – Private Postsecondary Education: California Private Postsecondary Education Act of 2008

Dr. Sherman reported that AB 2746 would establish the Bureau for Private Postsecondary Education under the Department of Consumer Affairs. This bill is currently under submission in the Assembly Appropriations Committee.

f) AB 1925 (Eng) – Franchise Tax Board: Professional Licenses

Dr. Sherman reported that AB 1925 would require licensing agencies to provide the names and social security numbers and/or federal tax identification numbers to the Franchise Tax Board. This bill will allow for the suspension of a license for failure to pay taxes for which a tax lien has been recorded.

g) AB 2543 (Berg) – Geriatric & Gerontology Workforce Expansion Act

Dr. Sherman reported that AB 2543 would provide grants for loan repayment assistance on or after January 1, 2010, to specific license types that provide geriatric services. This bill was re-referred to the Committee on Assembly Appropriations.

h) AB 2969 (Lieber) – Workers' Compensation: Medical Treatment Utilization Reviews

Dr. Sherman reported that AB 2969 would require that any licensed physician who is conducting a workers' compensation evaluation be licensed in California.

i) Senate Joint Resolution 19 (Ridley-Thomas) – Military Torture and Health Professionals

Dr. Sherman reported that the Committee is continuing to monitor this bill related to prohibiting psychologists from participating in any procedure in which torture is used. This bill is currently in its third reading in the Assembly Appropriations Committee.

j) SB 1218 (Correa) – Marriage and Family Therapy; Licensure and Registration

Dr. Sherman stated this bill would revise educational and curriculum requirements for marriage and family therapists, and revises requirements for applicants licensed or educated outside of California.

k) AB 1897 (Emmerson) – Marriage and Family Therapists

Dr. Sherman stated this bill would establish that a doctorate or master's degree in specified subjects from an approved school as of December 1, 2007 will be accepted by the Board of Behavioral Sciences as meeting the requirements necessary for licensure or registration, as a Marriage Family Therapist (MFT), or intern, if the degree is conferred before December 31, 2011. This bill will not become operative unless SB 823 establishing the California Private Postsecondary Education Act of 2008 is enacted and becomes operative. This bill is currently in its third reading in the Assembly Appropriations Committee.

The bill, by expanding the educational requirements, will allow MFT'S to meet the scope of practice for mental health services to see clients funded by Proposition 93.

Dr. Sherman recommends that staff research the methods used by BBS to implement the research project for expanding the educational requirements.

l) AB 1486 (Calderon) – Licensed Professional Counselors

Dr. Sherman stated that AB 1486 would create licensing and regulation of licensed professional counselors (LPC's) as defined by the Board of Behavioral Sciences. This bill was in the Senate Appropriations Committee; however, the hearing was cancelled at the request of the author; therefore it is a dead bill.

m) Other Bills of Interest to the Board

Dr. Sherman reported that Dr. Pennman brought to the Committee's attention the licensed alcohol and drug counselor bill . The Committee recommended that staff obtain information regarding the bill and the status and update the Board at the next meeting.

n) Public Comment

Dr. Faltz provided historical information related to a bill that identified practitioners allowed admitting authority in licensed health care facilities. Dr. Faltz stated that psychologists were excluded and therefore have not been granted admitting authority.

Dr. Sherman stated that Department of Health Care Services has an upcoming hearing to spell out provision for medical staff membership and clinical privileges for psychologists. Dr. Sherman reported that the Committee recommends that Mr. Kahane write a letter that clarifies psychologist's scope of practice especially related to licensed health care facilities.

It was M(Legislation Committee)/S(O'Connor)/C to accept the Legislation Committee's report and recommendations.

VOTE: 7 - 0

Agenda Item #13 – Outreach and Consumer Education Committee Report

a) 2008/2009 Strategic Plan Update

Dr. Sherman stated that the Strategic plan update was tabled for the next Board meeting.

b) Consumer Outreach

Dr. Sherman reported that DCA will have a booth at the California State Fair in Sacramento and Board staff is scheduled to participate to represent the Board of Psychology.

Dr. Sherman reported that in February 2009, Mr. Kahane will be on a panel for the Association of Family and Conciliation Courts (AFCC) to discuss the role of courts in child custody matters. He stated this is a relevant issue since a significant number of our complaints are related to child custody evaluations.

Dr. Sherman reported that the Committee discussed the upcoming diversity conference and the opportunity for consumers and psychologists

c) Misuse of the MMPI-II

Dr. Sherman reported that the Committee discussed the misuse of the MMPI-II that is commonly called the fake bad scale and is often used in personal injury lawsuits. He stated this issue was brought to the Board's attention by Dr. O'Connor who reviewed a Wall Street Journal article. He stated the article detailed research on the use of the scale test where real victims were identified as malingerers and discriminates against females. The Committee is interested in further educating consumers, psychologists and lawyers regarding the misuse of the test and recommends that Mr. Kahane work with our legal counsel to determine the appropriate methods for disseminating information regarding the correct use of the MMPI-II. Dr. Sherman reported that the California Psychology Association (CPA) volunteered to refer this issue to their Forensic Psychology Committee for discussion.

d) BOP Update

Dr. Sherman reported that the BOP Update is being developed and should be mailed out before the end of September.

e) Update on New Booklet for Consumers

Dr. Sherman reported that we now have consumer brochures available in several languages and will soon be available on our website.

f) Public Service Announcement Update

No Comments.

g) Professionals Achieving Consumer Trust Summit (PACTS)

No comments.

h) Discussion Regarding Increased Utilization of Board Members for Consumer and Professional Outreach

Dr. Sherman reported that the Committee discussed the goal for Board members to continue to provide outreach in their geographical areas to consumers and psychologists.

i) Public Comment

Dr. O'Connor stated that it was discussed that when inviting the public to attend Board meetings, we should include the psychology doctoral programs/schools as it was helpful to have interns in attendance during the committee meetings.

It was M(Consumer Education Committee)/S(Horn)/C to accept the Consumer Education Committee's report and recommendations.

Vote: 7-0

Agenda Item #14 – Personnel and Board Operations Committee

a) 2008/2009 Strategic Plan Update

Dr. Horn stated that the Strategic plan update was tabled for the next Board meeting.

b) Update on Consultant for Board Operations

Dr. Horn reported that a request was submitted to DCA, however, no new contracts are being approved at this time.

c) Budget Update

Dr. Horn reported that with the current budget crisis, the retired annuitants were dismissed; however, she indicated that they will return once a budget is approved. She stated that currently the licensing and registration times are not negatively affected, nor is enforcement.

c) Mental Health Education Fund Distribution

Dr. Horn reported that the Committee recommends that this issue be referred to the Committee on Contemporary and Emerging Issues.

d) Recommendations for Website

Dr. Horn reported that the Committee reviewed a letter submitted by an applicant with suggestions for improving the application process and offering more online access. The Committee will be taking a look at this issue more closely.

Dr. Horn reported that the Committee is reviewing ASPPB's credentials verification program and the expansion of that program as well as the banking capabilities. The Committee will continue to look into this program and possibly utilize student interns to assist with the project.

Dr. Horn reported that the Committee received suggestions on further website improvements such as having the requirements for licensure all in one place and adding to the frequently asked questions. Dr. Horn stated the Committee recommended that each Committee provide additional frequently asked questions to be added to the website.

e) Continuing Refinement of the Executive Officer Performance Review Process

Dr. Horn reported that no further changes are needed at this time.

g) Public Comment

Dr. Horn reported that the Committee recommends that the chairs of each committee be provided with the action items identified in each committee and provided with an update of completed items as they are completed. She stated this will keep the committee apprised of the work completed between meetings.

Dr. Sherman stated that staff has done an amazing job of working to complete action items between Board meetings.

It was M(Personnel and Board Operations Committee)/S (Calero)/C to accept the Personnel and Board Operations Committee report and recommendations.

VOTE: 7 - 0

Agenda Item #15 – Committee on Contemporary and Emerging Issues Report

a) Loan Repayment and Current Status

Dr. O'Connor reported that the Board made a second to loan to the state; however, the terms are not known at this time. She stated that once the budget is approved, further information regarding the terms should be available.

b) Prescription Drug Privileges Update

Dr. O'Connor reported that no bills regarding prescribing privileges are pending at this time. She stated it appears that significant interest exists in granting psychologists the authority to prescribe and the Committee will continue to monitor this issue.

c) Discussion of Dr. Jon Nachison's Presentation

Dr. O'Connor reported that the Committee discussed Dr. Nachison's presentation and the consensus was that it was helpful and educational to become aware of the issues returning veterans and their families are facing. The Committee will continue to discuss ways to disseminate this information and alert psychologists to volunteer opportunities.

The Committee will continue to identify ways for psychologists to engage in pro bono work. She stated the Committee felt it was better to educate and inspire rather than mandate pro bono activities.

The Committee discussed possibly having a brochure regarding the Stand Down Project ready for the November meeting.

Dr. O'Connor reported that the Committee will review information regarding Title 38 to link up with direct resources for projects such as Stand Down.

d) Discussion Regarding Possible Board of Psychology Role in Colleague Assistance for Other Health Professions

Dr. O'Connor reported that the Committee discussed a recent article that identified a high rate of suicide in M.D.'s and recommended that the Board sponsor an outreach effort to assist doctors and educate them about depression.

e) Public Comment

Dr. O'Connor reported that at the next meeting the Committee will be reviewing the Mental Health Education Fund issue and how they can get psychologists involved with this group.

It was M(Committee on Contemporary and Emerging Issues)/S (Sherman)/C to accept the Committee on Contemporary and Emerging Issues report and recommendations.

VOTE: 7 - 0

Agenda Item #16 – Public Comment on Items Not on the Agenda

No comments.

Agenda Item #16 – Agenda Items for Future Meetings

No Comments

It was M(Horn)/S(Calero)/C to adjourn the open session meeting.

The open session meeting adjourned at 11:45 a.m.

James L. McGhee
President

Date