Michael Erickson, PhD, Board President called the open session meeting to order at 9:44 a.m. A quorum was present and due notice had been sent to all interested parties.

Members Present:
- Michael Erickson, PhD, Board President
- Miguel Gallardo, PsyD, Board Vice-President
- Lucille Acquaye-Baddoo
- Johanna Arias-Bhatia
- Jacqueline Horn, PhD
- Nicole J. Jones

Others Present:
- Antonette Sorrick, Executive Officer
- Jeffrey Thomas, Assistant Executive Officer
- Lavinia Snyder, Licensing Coordinator
- Jonathan Burke, Administrative Coordinator
- Colette McDowell, Continuing Education/Renewals Coordinator
- Norine Marks, DCA Legal Counsel
- Charles Faltz, PhD, Director of Public Affairs for the California Psychological Association

**Agenda Item #1: President’s Welcome and Report of Appointment**

Dr. Erickson thanked the public, Board Members and Board staff for their attendance and Pepperdine University for hosting the meeting.

**Agenda Item #2: Approval February 20-21, 2014, Board Meeting Minutes**

Dr. Horn noticed that there were still some tracked changes on page 5 of the draft minutes. There was also an incomplete sentence on Page 10 line eleven. Ms. Jones commented there were typos and various issues with the document. Ms. Sorrick said that the minutes will be numbered next time and submitted earlier for review by the Board.
It was M (Erickson)/ S (Arias-Bhatia)/C to approve the minutes after the corrections had been made.

Vote: 6-0.

**Agenda Item #3: Budget Report by Jonathan Burke, Administrative Services Coordinator**

Mr. Burke, Administrative Coordinator for the Board, presented on the condition of the Board’s budget. A graph showed the relationship between discretionary and non-discretionary line items in the Board’s budget and the difference between both items was explained.

Dr. Erickson asked if the figures were for 12 months, or 9 months. Mr. Burke explained that the presented numbers were the actual and projected figures for the previous and current fiscal years. Dr. Erickson also asked if there is a gradual decline in the Board’s condition. Mr. Burke responded that there is, but that if the fund declines too much it would trigger the repayment of the loan from the General Fund. The Governor’s Budget projected that the “Wall of Debt” would be repaid by FY 2017-18. This repayment would cause a 24 month surplus in the Board’s fund. Such a surplus would trigger a fee decrease.

Dr. Gallardo asked why the fund condition is declining and if the amount being charged by the State of California is increasing. Mr. Burke indicated that the price of doing business in California has increased, but that is not the reason for the decreasing fund. The Board is planning to spend more with new staff and other discretionary items.

Dr. Horn inquired as to what “personal services” are. Mr. Burke and Ms. Sorrick answered that it refers to personnel costs including salary, benefits (non-discretionary) and overtime, contracted work (discretionary).

Dr. Erickson noted that the Board is spending more than it is collecting and therefore the fund is decreasing. Ms. Sorrick said that approximately $900,000 is reverted to the fund each year. She stated that the fund condition uses budgeted numbers that assume the entire budget will be spent. Mr. Thomas stated that the Board should spend according to what the Board has, as the needs arise and that budget Change Proposals can be done for additional staff as the Board determines the necessity.

Ms. Arias-Bhatia asked if the additional funds would allow for wider travel and event participation by the Board. Ms. Sorrick stated that the Board has the option of doing more outreach and education. However, Mr. Thomas stated that travel is not simply an issue of fund availability, but the travel has to be approved by DCA.

Dr. Gallardo said that the Board has had discussions about a possible fee reduction, but that the Board decided against pursuing that and favored focusing on the value of the current license fee. However, it is problematic that the Board does not have more discretion with the money in the fund. Dr. Gallardo mentioned that there had been a discussion with Mr. Skewis about fee reductions after the February Board meeting and the sense was that a fee reduction should not be pursued at this time. Focus should be on added value of the Board’s services for the benefit of licensees.
Dr. Horn asked if the loan is paid back which would result in more than 24 months in reserve, at which point license fees must be reduced. Mr. Burke confirmed that if the General Fund loan was repaid, then a fee reduction would be required. Ms. Acquaye-Baddoo commented that there had been discussion of a fee audit from an outside vendor. Dr. Horn expressed concern that there are limits on where Board can go in outreach. Ms. Sorrick stated that requests need to be made to the Department and the Department will grant or deny authorization.

Dr. Erickson said the aim is to keep fee as low as possible and maximize the perceived benefit and quality of service. Dr. Gallardo stated that after a meeting with Mr. Skewis, he felt that the license fee did not need to be reduced. Ms. Jones said she was in agreement of the Board moving forward with promoting the services the Board provides.

Charles Faltz, PhD, Director of Public Affairs for the California Psychological Association, stated that previously the loan needed to be triggered by Psychology Fund running low. He asked if there still needed to be a triggering event, or if the loans would be re-paid regardless. Mr. Burke stated that the loans would be re-paid regardless. Dr. Faltz asked if the loan is re-paid, will a lowering of the license fee be required. Mr. Burke indicated that a fee reduction would be required. Dr. Faltz asked if that trigger was a policy or a statute. Ms. Sorrick indicated that it was a statute under section 128.5 of the California Business and Professions Code. Dr. Faltz asked about the statutory authority of the Board and if DCA is in control of the Board’s budget. Ms. Sorrick said that, regarding travel, the Board is under an Executive Order limiting travel. Dr. Faltz asked additional questions about how the Board’s budget is built and the authority of the licensing board and commented that he asks this question at most meetings and has yet to receive a satisfactory answer. Mr. Burke committed to answering Dr. Faltz’ questions in detail in the coming weeks.

Agenda Item #4: Review Board Procedure Manual

Mr. Burke said there were a few changes to the draft Board Procedures Manual due to the changes to the committee structure and the updated Strategic Plan. Dr. Gallardo had comments on the descriptions of the Licensing and Outreach and Education Committee. Ms. Sorrick commented on errors in drafting and that the new structure is mirrored in the Board Procedures Manual. Continuing Education will remain a vitally important part of the committee structure. Dr. Horn said that a few minor edits to the language should be made for the sake of consistency. Ms. Arias-Bhatia thanked staff for the efficiency and quality of the Board structure.

It was M (Horn)/ S (Erickson)/C to approve the Board Procedures Manual after minor corrections are made by staff.

Vote: 6-0.

Agenda Item #5: Licensing Presentation by Dr. Jacqueline Horn

Dr. Horn introduced the licensing overview presentation for psychologists, and discussed the first video to aid prospective applicants for licensure. Dr. Horn also invited attendees to stay for the committee meeting.
a) Overview of the Licensing Process

Ms. Snyder presented on the application process for the three types of licenses and registrations that the Board administers. There were no questions or comments.

b) YouTube Video – Psychologist Application

The Board’s YouTube video was debuted. Dr. Horn commented about the Examination for Professional Practice in Psychology (EPPP) that there is a higher pass rate if the examination is taken closer to when applicant has completed his or her internship and graduate training.

c) Q&A

Ms. Acquaye-Baddoo asked if the EPPP test score was valid in perpetuity. Dr. Horn indicated the score is valid forever.

**Agenda Item #6: Enforcement Report by Jeffrey Thomas, Assistant Executive Officer**

Mr. Thomas gave the report. He informed the Board has a new Probation Coordinator, Barbara Tanner. He stated that Nicole Walker left the Board, and Gina Bayless left the Board for a promotion to the Board of Behavioral Sciences. Ms. Sorrick added that there is a new Staff Services Manager I position opening at the Board. She stated that the goal is to have the employee in place by the end of June.

Mr. Thomas said that statistical reports cannot currently be generated because of issues with the Breeze system. He referred to the Overview of Enforcement Activity and noted that everything appears to be consistent to previous years with the exception of an increase in conviction reports. Mr. Thomas commented this is possibly due to catching up on the application processing backlog.

Ms. Acquaye-Baddoo asked why there is no longer an Enforcement Committee and who will present to the Board. Mr. Thomas stated that the new Enforcement Manager will present the statistics to the Board.

Dr. Faltz said that CPA publishes the Board’s enforcement statistics to their membership once a year and they publicize the figures for accusations and complaints to show that a low number of complaints lead to action. Dr. Gallardo spoke about the sense amongst licensees that the Board disciplines too quickly. The licensee feedback is not in response to data, but the misguided perception that the Board disciplines too quickly. Enforcement and Administration overview presentations are scheduled to be presented at a future Board Meeting.

**Policy and Advocacy Committee**

The Policy and Advocacy Committee met to discuss and formulate recommendations to the Board. See agenda item 9 for the Board’s discussion.
The Licensing Committee met to discuss and formulate recommendations to the Board. See agenda item 10 for the Board’s discussion.

The open session meeting adjourned at 5:10 p.m.

Friday, May 16, 2014

Dr. Erickson brought the meeting to order at 9:42 a.m. He proposed a change in the agenda order with the ASPPB presentation (Agenda Item #7) moved to before lunch and the Outreach and Education Committee moved to after lunch.

A quorum of five members was present at roll call and due notice had been sent to all interested parties.

Members Present:
- Michael Erickson, Ph.D., Board President
- Miguel Gallardo, PsyD, Board Vice-President
- Lucille Acquaye-Baddoo
- Johanna Arias-Bhatia
- Jacqueline Horn, Ph.D.
- Nicole J. Jones

Others Present:
- Antonette Sorrick, Executive Officer
- Jeffrey Thomas, Assistant Executive Officer
- Lavinia Snyder, Licensing Coordinator
- Jonathan Burke, Administrative Coordinator
- Colette McDowell, Continuing Education/Renewals Coordinator
- Norine Marks, DCA Legal Counsel
- Charles Faltz, PhD, Director of Public Affairs for the California Psychological Association
- Elizabeth Elenwo PhD
- Julie Hayden, PhD, Dean of Southern California Seminary
- Jamie Miller, PhD
- Alex Siegel, PhD, Association of State and Provincial Psychology Boards (ASPPB)
- Joseph Rallo, PhD, ASPPB
- Janet Orwig, ASPPB

At 9:44 a.m. the Board went into closed session pursuant to Government Code Section 11126(c) (3) to discuss and vote on disciplinary matters including stipulations and proposed decisions, and pursuant to Government Code Section 11126(e) (1) to discuss pending litigation (Weiss vs. Board of Psychology).

Agenda Item #7: Association of State and Provincial Psychology Boards (ASPPB) PLUS Program Presentation by Dr. Joseph Rallo and Ms. Janet Orwig
Dr. Horn introduced Janet Orwig, Dr. Joseph Rallo, and Dr. Alex Siegal.

Dr. Rallo discussed the new Psychology Licensing Universal System (PLUS). The Application Form is based on review for all states and provinces. The goal is to satisfy every jurisdiction’s requirement for licensure. The PLUS program combines 63 applications into one. The transferrable information will aid with the portability of the license. The PLUS Program gathers, but does not scrutinize, information. Ms. Orwig provided a demonstration of the new system and outlined the costs for the Boards and applicants. She noted that Mississippi, Oklahoma, Georgia, New Hampshire, and Nevada had joined the system.

Dr. Horn asked about BreEZe integration with the PLUS program. Ms. Snyder explained that an interface would be needed and the Board would need to petition the Change Control Board that manages BreEZe modifications. Ms. Sorrick asked if a statutory change would be needed to adopt PLUS System. Ms. Orwig responded that rule changes have been made, but not changes to statute. Various California specific licensing requirements were discussed and how PLUS might accommodate them. Ms. Sorrick asked if reports can be generated by the system. Ms. Orwig responded that ASPPB would provide data upon request.

Ms. Sorrick and Dr. Erickson commented that this is the beginning of a conversation about the new program. Dr. Erickson was interested in a potential cost saving and asked about Utah’s experience of potentially reducing fees as a result of the new system. Dr. Siegel said that students support the system because it creates an online deposit for all of their qualifications. Ms. Jones asked how many licensees seek to transfer to another state. Ms. Snyder responded that we are not contacted or informed when a California licensee transfers his or her license to another state and that licensing staff processes approximately 50 incoming transfers per year.

Dr. Rallo and Ms. Orwig suggested possible next steps and expressed their gratitude for being asked to present.

**Agenda Item #8: ASPPB Board Member Training by Dr. Alex Siegel**

Dr. Siegel gave a Board Member training. After an introduction and professional history, Dr. Siegel presented on the expectations and legal obligations of Board Members in California. The quantity and quality of the California laws and regulations were commended as they clearly outline expectations. A history of the regulation of the psychological profession was provided and differences between various jurisdictions explained. The history of ASPPB was also provided as an overview of the national picture. Dr. Siegel addressed the perception that licensees are victims of aggressive enforcement units of a regulatory Board. He gave statistics that 1% of Psychologists are ever disciplined and 2% ever have a complaint filed against them. The duties and expectations of Board members were also addressed. The Bagley-Keene Open Meetings Act was explained with examples of similar laws in other jurisdictions.

**Agenda Item #11: Outreach and Education Committee**
The Outreach and Education Committee met to discuss and formulate recommendations to the Board.

a) Review and Approve Draft Strategic Plan

Dr. Gallardo asked for comment from other Board Members. Ms. Jones said that Strategic Goals on Page 10 and the Strategic Objectives on Page 12 could be closer to the intent of the Board. Laws and Regulations should become Policy and Advocacy in the document. Strategic Plan comments change strategic goal 3 to Policy and Advocacy. Ms. Jones requested a copy of the Action Plan generated by Board Staff. Language in 3.1 was changed to retain the consistency of the document.

Dr. Erickson spoke about the new Committee Structure and his desire that all Board Members be happy with the changes.

It was M(Gallardo)/S(Acquaye-Baddoo)/C to approve the draft of the Strategic Plan as amended.

Vote: 6-0.

b) Review and Approve Communications Plan

The Communications Plan was reported as a result of the Board’s Strategic Plan. The Plan will guide the Board’s outreach and education efforts over the next five years. Dr. Gallardo reported that there were no comments in Committee on this item and recommended to approve. Dr. Erickson asked if the Communication Plan can be supported and monitored by the Outreach and Education Committee.

It was M(Acquaye-Baddoo)/S(Arias-Bhatia)/C to accept the Communications Plan.

Vote: 6-0.

c) Social Media Update

Dr. Erickson expressed his appreciation that the statistics were provided. Dr. Gallardo expressed his desire for a greater number of followers.

d) Website Changes/Additions

Dr. Gallardo reported that the Committee is happy with the website changes and that staff will respond to inquiries and feedback regarding future changes.

e) Newsletter

Dr. Gallardo asked for comment. Dr. Faltz had an informational question regarding whether public comment during the Committee meetings would be on the record. Ms. Marks responded that public comment in the committee meeting should be included in the committee report to the full Board and that is how it would make it into the minutes. Dr. Faltz then summarized CPA’s response to the legislative update in the Newsletter article concerning SB 127. He stated that there is a difference of opinion concerning
interpretation of the new law regarding the duty of a therapist to report a threat to law enforcement. He indicated that the new law may also have a duty to protect which may not always include an alert to law enforcement. CPA is seeking a legislative counsel opinion regarding the duties of the therapist when a threat may be present. CPA will update the Board when they hear back from the legislative counsel. Ms. Jones thanked the outgoing Committee Chair Ms. Arias-Bhatia

f) Outreach Activities Update

This item was informational.

It was M(Erickson)/S(Arias-Bhatia)/C to approve the Outreach and Education Committee report.

Vote: 6-0.

Agenda Item #9: Policy and Advocacy Committee Report

Ms. Jones presented the report in agenda order.

1) AB 790 (Gomez) – Child Abuse Reporting

Ms. Jones summarized AB 790. The bill will make changes to the duties of a mandated reporter. Specifically, the report of abuse would have to be made in writing. The committee recommendation was to watch the bill and Ms. Jones asked for a motion. Ms. Sorrick stated that as watching legislation is not a position, there is no action required by the Board.

Vote: 6-0.

2) AB 1505 (Garcia) – Child Abuse: Mandated Reporters

Ms. Jones summarized AB 1505 which would make instances of sodomy or oral copulation only reportable as abuse if the minors involved were younger than 16 years old. The committee recommendation was to take an “Oppose unless amended” position and delegate to staff ability to send letters to the author and relevant legislative committees. Dr. Gallardo asked for clarification on the changes the bill would make. Ms. Jones answered saying that the bill would codify in statute that sodomy and oral copulation between minors would fall under mandated reporting. This is in conflict with the Board’s understanding of the Child Abuse and Neglect Reporting Act (CANRA). Dr. Erickson asked about the creation of the letter and Ms. Jones stated that staff would write the letter and it would be reviewed by Legal Counsel and the Executive Officer.

It was M(Jones)/S(Gallardo)/C to oppose AB 1505 unless amended and to delegate to staff and one board member, the authority to draft a letter expressing concerns about the treatment of the sex acts and that the age issue be resolved.

Vote: 6-0.

3) AB 1702 (Maienschein) – Professions and Vocations: Incarceration
Ms. Jones summarized the content of AB 1702. The bill would prevent DCA boards from delaying applications that have been made and have licensing criteria completed while the applicant is incarcerated. The committee recommended an oppose position as staff foresee confusion. Dr. Erickson asked what opposition involves. Ms. Marks said we can send a letter, take public position, and inform DCA’s Legislative and Regulatory Review. The public was invited to comment.

Dr. Jamie Miller asked for clarification on whether the Board opposed AB 1702 because of the removal of the Board’s ability to delay an application. Ms. Jones responded that delays are inevitable for applicants with a conviction and that applicants who have been convicted and subsequently incarcerated may lodge complaints that they have been illegally delayed due to their incarceration. This will cause delay for staff as well as confusion on the part of the applicant.

It was M(Jones)/S(Acquaye-Baddoo)/C to oppose AB 1702 and to delegate to staff the authority to send a letter expressing the Board’s opposition.

Vote: 6-0.

4) AB 1758 (Patterson) – Healing arts: License Renewal Fees

Ms. Jones summarized the content of AB 1758. The bill would require the proration of the initial license fee. Ms. Jones explained the current Board process and the implementation would be very difficult. There is potentially a significant fiscal impact and BreEZe may complicate the issue. Public comment from a student during the committee meeting was supportive and the committee recommends a watch position.

Dr. Gallardo stated that loss of revenue is not a problem because the Board is financially solvent and could absorb new positions. Dr. Gallardo argued proration is a good idea. Dr. Horn asked what watching legislation involves and Ms. Jones responded that staff monitor its progress and report back to Board if there are developments. Dr. Horn expressed her desire to support the legislation.

Ms. Sorrick said that staff felt the bill should be watched until we have determined what the fiscal impact would be to the Board. Dr. Gallardo said that until the Board has a complete fiscal impact study the Board should not take a support or oppose position. The public were then asked to comment.

Dr. Faltz asked about a potential board meeting later in the legislative session, as that would be the ideal time to address the fiscal issue. Dr. Faltz expressed sympathy with staff that fear a potential loss of revenue and those early career licensees. There was a request to discuss legislation as a Board when the bills are in appropriations committee.

Dr. Julie Hayden of Southern California Seminary commented that there should not be a fee when the Board has extra money and does not need more money. Also, a fiscal impact study should be completed, but this is a good time to help new licensees.

It was M(Jones)/S(Erickson)/C to accept committee’s decision to watch and bring back at July’s meeting with fiscal impact information.
5) AB 1843 (Gordon/Jones) – Child Custody Evaluations

Ms. Jones and Mr. Burke gave a summary of the Board’s activity at stakeholder meetings and meetings with the author’s office. The Board attended two stakeholder meetings as an observer and two issues had arisen; the first was whether an investigator is permitted to have a Child Custody Evaluation released to them by the courts without a subpoena and why the Board of Behavioral Sciences had received a legal counsel opinion that said they could not use Child Custody Evaluations where Board of Psychology had been told that they could. Public comment during the committee meetings had expressed concern with false accusations and confidentiality of the reports.

The committee discussed the staff recommendations and submitted two requests to the Board.

It was M(Jones)/S(Erickson)/C to request staff to seek an informal legal opinion from the Office of the Attorney General asking if the Board is permitted to use Child Custody Evaluations that are released to them by a parent or another party.

Vote: 6-0

It was M(Jones)/S(Gallardo)/C to allow staff and two Board members (Dr. Horn and Ms. Jones, or alternates) to attend future stakeholder meetings and work on sculpting language to ensure the Board can receive the reports in a more expeditious manner.

Vote: 6-0

6) AB 2165 (Patterson) – Professions and Vocations: Licenses

Ms. Jones summarized the committee’s determination that the bill is not moving forward and therefore there is nothing to discuss, or actions for the Board to take. The bill would have required a Board under DCA to process complete applications in 45 days.

7) AB 2198 (Levine) – Mental Health Professionals and Suicide Prevention

Ms. Jones introduced the bill. AB 2198 would require 15 hours of pre-licensure contact hours in suicide prevention or a six (6) hour post-licensure continuing education requirement. The committee heard from the public and received an e-mail from Victor Ojackian in support of the legislation. During the committee meeting Dr. Faltz expressed CPA’s opposition to the legislation. Dr. Gallardo said he recognized the importance of the issue of suicide, but that one course over a professional psychologist’s career will not ensure competency. Dr. Gallardo did not support an additional requirement for licensees. Ms. Jones said the committee recommends a watch and is not in support either. Dr. Horn agreed with Dr. Gallardo not supporting statutory solutions to the issue of treating suicide. Regulations promulgated by the Board can encourage subject area competence without mandating already covered material. Ms. Jones asked Mr. Burke if an exemption could be sought by licensees who do not work in this area. Mr. Burke
indicated that the language is clear that a candidate or licensee must complete this continuing education topic.

Dr. Horn reiterated that this is a vitally important topic, but the solution proposed by the legislature will not provide the best solution. Dr. Erickson agreed that this is important topic and thanked Victor Ojackian for submitting his support letter and Dr. Noonan’s testimony during the committee meeting expressing support of the legislation.

Dr. Faltz said CPA receives many consultation requests from psychologists who have suicidal patients. Suicide Training Groups are primary sponsors of the legislation.

Ms. Jones reported to the Board that the Policy and Advocacy Committee recommended the bill be watched and that a motion is therefore not necessary. Ms. Jones commented that there are other mandated courses and continuing education topics and it would be help to know the history of how they entered the statute. Dr. Gallardo replied that other Boards have not supported mandated coursework and that the Board should explore why an opposition position has not been discussed. Dr. Erickson said that there may be additional considerations for the Board opposing suicide prevention and training. Ms. Acquaye-Baddoo said the Board opposing the bill would look strange and recommended a watch motion. Ms. Marks advised that the Board could express opposition to the bill by saying that attending a 15 hour course is insufficient. Dr. Gallardo highlighted the movement of the Board towards a Continuing Professional Development Model that does not encourage mere course attendance.

An “active watch” position was discussed and Ms. Marks commented that there is no added benefit to “actively watching” legislation.

Public Comment was offered by Dr. Jamie Miller. The Board should offer alternatives rather than watch or support. Ms. Jones explained the legislative process and the Board’s role in that process. Ms. Sorrick said contacting the author’s office can be a way of involving yourself in the legislative process.

Dr. Faltz said it was wonderful that the Board is more active in legislative process and that future meetings should coincide with legislative calendar.

It was M (Jones)/S (Acquaye-Baddoo)/C to continue to actively watch AB 2198.

Vote: 6-0

8) AB 2396 (Bonta) – Convictions: Expungement: Licenses

Ms. Jones explained that AB 2396 would deprive the Board of its ability to refuse an application based solely on an expunged conviction. The Board invokes Section 480 of the Business and Professions Code when denying licensure to an applicant with an expunged conviction or convictions that the Board concludes may limit a candidate’s ability to practice safely. Ms. Jones reported that the Committee recommends an oppose position because it will limit the Board’s ability to reach our consumer protection goals.

Ms. Marks said this would affect more Boards within DCA.
It was M (Erickson)/S (Jones)/C to oppose AB 2396 and for staff to write a letter of opposition from the Board.

Vote: 6-0

9) SB 1446 (DeSaulnier) – Health Care Coverage

Ms. Jones explained that this is the Omnibus Legislation that contains language approved by the Board at the February meeting. The committee recommends that the legislation be supported and the Executive Officer be delegated the authority send a letter of support when the language is inserted.

It was M (Jones)/S (Arias-Bhatia)/C to delegate the authority to the Executive Officer to send a letter of support when the language approved by the Board in February is inserted into the bill.

Vote: 6-0

Ms. Arias-Bhatia had a request that an analysis be prepared by staff of AB 2041 and that it be presented at the next Board meeting. Staff indicated that this would not be a problem and an analysis would be prepared.

b) Regulation Update, Review and Action, as Necessary

1) Title 16, CCR, Section 1397.12 – Uniform Standards Related to Substance Abuse and Disciplinary Guidelines

Ms. Jones introduced this item and the minor change to proposed regulatory language. The changes are to maintain consistency in the Uniform Standards and the committee recommended approval without further comment.

It was M (Jones)/S (Erickson)/C to approve the language.

Vote: 5-0 (Ms. Acquaye-Baddoo not present for vote.)

2) Title 16, CCR, Sections 1388, 1388.6, 1389, 1392 – Examinations, License Requirements and Waiver of Examination, Reconsideration of Examinations, Psychologist Fees

Ms. Jones presented the changes which were to maintain consistency throughout the proposed regulatory packet. The passing score for the EPPP in the draft regulations was 500 and the new draft would not include that specific passing score. Dr. Julie Hayden asked why the passing score was being changed and Dr. Horn responded that not accepting ASPPB’s passing score could impact the portability of a California license.

It was M (Jones)/S (Erickson)/C to approve the language.

Vote: 6-0
3) Title 16, CCR, Sections 1397.60, 1397.61, 1397.62, 1397.67 – Definitions, Continuing Education Requirements, Continuing Education Exemptions and Exceptions, Renewal after Inactive or Delinquent Status

This item was moved and discussed by the Licensing Committee.

C) Discussion Regarding the California Child Abuse and Neglect Reporting Act (CANRA) and Mandated Reporting - Penal Code Sections 261.5, 288, and 11165.1 (J. Burke)

The committee reported that the request for an Attorney General’s opinion had been sent to Senator Darrell Steinberg’s office and that we were waiting for the opinion. No further action was required. Dr. Faltz asked if the Board had confirmation that Senator Steinberg’s office had sent the request for the opinion and Mr. Burke reported that Board Member Starr had indeed confirmed that the request had been sent.

It was M (Jones)/S (Acquaye-Baddoo)/C to accept the Policy and Advocacy Committee report.

Vote: 6-0

Licensing Committee – (Horn – Chairperson, Phillips, Arias-Bhatia)

Discussions occurred out of agenda order.

a) Application Report

Dr. Horn reported and expressed gratitude at the improvement on the processing timelines. The wait times for application approval were reported at six weeks for a Psychologist, one week for a Psychological Assistant and two weeks for a Registered Psychologist.

b) Examination Report

Dr. Horn communicated that the first time pass rate for the EPPP are currently unavailable. She indicated that BreEZe currently has no report available to gather this data; however, the statistics are being requested from ASPPB.

c) Renewal Report

Dr. Horn referred to the informational statistics provided in the meeting packets.

d) Continuing Education Report

Dr. Horn discussed the Continuing Education Audit Statistics. Proposed regulatory changes to Title 16 CCR Sections 1397.60, 1397.61, 1397.62, and 1397.67 were approved at the Board’s February meeting, but Ms. Marks raised the issue that 1397.60(i) would probably fall under regular professional duties and is therefore not CE. Dr. Gallardo restated the Board’s discussion during the February meeting where the additional requirements had been discussed. The goal of the new CE requirements is to
have psychologists attend more than courses and not include what they do in their regular work. Dr. Gallardo responded that a professor teaches a course as part of their regular work, but the research and teaching would count towards CE according to the matrix. Dr. Horn said the rational is that you have to research a course to teach it. Dr. Harlem had said at the last meeting that it requires continuous work to keep a course up-to-date. Dr. Gallardo and Ms. Arias-Bhatia recommended inserting “for first time” in matrix under section (b) 8.

Dr. Gallardo stated that 1397.60(b) needs to be connected to the matrix. Dr. Horn recommends “only once for each course taught” is added to language for academic or graduate courses taught. Dr. Horn expressed concern that with new regulations, a professor who has taught a course many times may now claim it unless “first time” language is inserted. Dr. Erickson asked if credit is given to professors just for teaching. Take out for the first time. The Board decided to keep in for once in each course taught during each renewal cycle.

The committee then discussed the role of ethnic-specific workshops at events be included as hours of credit. Dr. Gallardo said the Board needed to make clear in the language that attending diversity or ethnic specific conference would count towards CE each renewal cycle. Ms. Sorrick stated that training at the conference could be part of the four (4) hours on the matrix aimed at cultural awareness and the attendance could be counted under the one day=one hour of Professional Activities section in the proposed continuing education matrix. Adding the law and ethics and cultural diversity components to the matrix was suggested by Ms. Sorrick. Dr. Gallardo calculated the hours an attendee at an ethnic specific conference could earn each renewal cycle.

Mr. Thomas said the new language is “activities” and not “training”. Regarding section 1397.61(c), Ms. Jones was concerned that language specifying “Psychology” conferences and training be added so the criterion is not too broad. Dr. Erickson said these regulations can be revisited at the August meeting.

Dr. Gallardo stated he was concerned that section (f) on page 10 was too restrictive. This language related to the approved sponsors of continuing education. The Association of Black Psychologists requested that they be approved as a continuing education provider. The Board discussed holding a meeting before the August Board Meeting where these criteria could be discussed with Association of Black Psychologists and other interested parties. Dr. Gallardo and Dr. Horn were delegated to attend this meeting. Ms. Sorrick and Mr. Thomas will work with stakeholders and craft language to be reviewed at the meeting.

e) Satisfaction Survey Results

The Committee recommended to the Board that due to the low level of responses (two) the survey results should be compiled and presented annually rather than quarterly.

f) Discussion of Supervised Professional Experience – Proposed Statutory and Regulation Changes to Business and Professions Code Section 2914 (c) and Title 16, CCR, Sections 1387 (b) (10), (11), and 1387.1 (h)
Ms. Sorrick began by reading the new text regarding Business and Professions Code Section 2914 proposed by Ms. Marks. An applicant may send verification of experience directly to the Board if the Supervisor fails to carry out his or her role. The supervisor will have 20 days to contradict what the supervisee submits to the Board. Alleged contradictions must be submitted to the Board in writing.

It was M (Horn)/S (Acquaye-Baddoo)/C to approve the language for noticing and set for hearing, pursue a legislative proposal to amend the statute.

Vote: 6-0

Dr. Horn presented the Committee’s determinations regarding the proposed changes to the California Code of Regulations that will be necessary after the previously discussed statutory proposal: 1387 (b)(10), (b)(11), and 1387.1. The committee recommended accepting all of the regulation changes under this agenda item. Dr. Horn provided a synopsis of the proposed changes in the sections. Dr. Erickson asked if the supervisee sees the VOE form before it is placed in the envelope by the supervisor. Mr. Thomas responded that VOE form is not seen by the supervisee, but the supervisee has seen the agreement. Dr. Horn said the supervisor needs to explain development to the supervisee so there are no surprises.

It was M(Horn)/S(Erickson)/C to accept the modified language to Title 16 CCR 1387 et al. and include in a future regulation change proposal.

Vote: 6-0.

g) Discuss Limitations of Exemption Period Granted Under Business and Professions Code Section 2910 and Welfare & Institutions Code Section 5751.2

Dr. Horn recommended this item be placed on an upcoming Board Meeting agenda as it is a highly complex issue that requires more research by staff.

h) Accommodations Policy for English as a Second Language Test Candidates

Dr. Horn presented the new language prepared by Ms. Marks regarding the qualification for extra time (1.5x) and the requirement to take the TOEFL. Mr. Burke stated that the ESL accommodation language, once approved, will be added to the Examination regulation packet.

Dr. Elizabeth Elenwo stated that multilingual students may need more time to think in English if they think in other languages. Dr. Horn responded that she believed this was the fairest measure. Dr. Elenwo submitted that it is possible to pass the TOEFL and still struggle on the official standardized test and that therefore the language should be removed. Dr. Horn explained that the current accommodation policy does not account for those born in United States, but may have English as their second language. The Board is seeking to be as fair as possible and will revisit if the accommodation does not achieve its aims.

Dr. Jamie Miller expressed concerns that while the language accommodates for language it does not accommodate for cultural diversity. Standardized tests can be
culturally biased. Dr. Horn responded that there are validation studies that appear on ASPPB and EPPP website that show that the examinations do not discriminate. Cultural groups perform as well as each other on the examination. Dr.. Miller proposed that historically disadvantaged groups would benefit from more time and could be included in the accommodation proposal. Dr. Horn repeated EPPP is not discriminatory and all groups do as well as each other.

Dr. Julie Hayden commented that the EPPP validation studies carried out by ASPBB does not keep demographic information. There are many factors that impact EPPP pass rates; more students in program correspond to lower the pass rates, California has lower pass rates that other states. Dr. Hayden said these issues should be explored and a purely language based accommodation excludes people. Dr. Horn replied that the Board cannot ask for ethnicity and ASPPB cannot publish demographic information. Dr. Hayden said that there are many white psychologists and some groups are underserved. Data should be collected and research should be completed regarding underserved populations.

It was M(Horn)/S(Gallardo)/C to approve the language for noticing and set for hearing within the proposed language in the Title 16, CCR, Sections 1388, 1388.6, 1389, 1392 Regulatory proposal.

Vote: 6-0

i) Licensing Action Plan – Proposed Improvements to the Licensing Process - Update

Dr. Horn communicated on the actions taken by staff to improve the licensing process. There are concerns with DCA’s Consumer Information Center’s handling of calls. There will also be more YouTube videos produced and presented at future board meetings.

j) ASPBB Items

This item was Informational.

k) Discuss Implementation of AB 1588 (Atkins) – Military Duty Licensees: Fees and Continuing Education

Dr. Horn introduced the topic and mentioned that Ms. Marks had some amendments to the proposed language since the committee meeting. The new language was presented and Ms. Marks explained that the Board’s policy had been to maximally accommodate a licensee whose life was being uprooted through a mobilization to active duty military service. Therefore, the period leading up to the active duty service be exempt and the time within a licensing period that remains after the licensee returns from military service. The licensee would be exempt for 60 days and the have to fulfill a prorated 1.5 hours per month CE requirement with a need to complete the law and ethics and cultural diversity components. Dr. Horn said that the committee recommended that Ms. Mark’s new language be adopted.

It was M(Horn)/S(Gallardo)/C to approve the presented language for noticing and set for hearing.
Vote: 6-0

It was M(Horn)/S(Erickson)/C to accept the Licensing Committee report.

Vote: 6-0

**Agenda Item #12: President’s Report by Michael Erickson, Ph.D.**

a) 2014-15 Meeting Calendar and Locations

Dr. Erickson thanked staff for the compilation of the meeting materials. The Calendar of meetings for 2015 was presented with an emphasis that the proposed dates work with other organizations and the legislature. The Board will continue to meet twice in Northern California and twice in Southern California. The February Meeting will be at the State Capitol.

b) Other Informational Items

Dr. Erickson explained the new committee assignments.

Ms. Sorrick announced that there will be a June meeting focusing on legislation. The meeting will be teleconferenced. Dr. Erickson stated that he is happy with the direction of the Board.

**Agenda Item #13 Executive Officer’s Report by Antonette Sorrick, Executive Officer**

a) Organizational Update

Ms. Sorrick provided an update on staffing given the three approved additional positions from the recent Budget Change Proposal.

b) CPS Program Analysis

Ms. Sorrick indicated that CPS HR Solutions has provided a scope of work for the program analysis and the contract will be submitted to DCA in the coming months. Dr. Erickson asked about this process and whether other DCA Boards have used CPS HR Solutions. Mr. Thomas answered that they have worked with DCA boards before.

c) Other Informational Items

None.

**Agenda Item #14 Recommendations for Agenda Items for Future Board Meetings**

Ms. Acquaye-Baddoo requested that the Committee restructure be revisited, with an emphasis on the Enforcement Committee. Ms. Jones requested a telepsychology/telehealth update be placed on the November agenda. Ms. Jones suggested the Boards meetings work more in tandem with the legislative calendar. Ms. Arias-Bhatia recommended a history of the mandated CE requirements be provided to the Board. Mr. Thomas indicated that he would present on this topic at a future Board Meeting. Mr. Burke provided an update about the developing field of Applied Behavioral Analysis and
the ad hoc committee that the President will appoint. This will be an agenda item at the
August Board Meeting. Ms. Jones requested that her appreciation for the efforts of staff
and the success of the Strategic Planning Meeting be on the record.

**Agenda Item #15: Public Comment for Items not on the Agenda**

There was no public comment.

**Agenda Item #16: Adjournment**

The Board adjourned at 6:47 p.m.

President

Date