BOARD MEETING MINUTES

Sheraton Ontario Airport Hotel
429 N. Vineyard Avenue
Ontario, CA 91764
(909) 937-8000

Thursday, June 15, 2017

Stephen Phillips, JD, PsyD, Board President, called the open session meeting to order at 9:35 a.m. A quorum was present and due notice had been sent to all interested parties.

Members Present
Stephen Phillips, JD, PsyD, President
Nicole J. Jones, Vice-President
Lucille Acquaye-Baddoo
Alita Bernal
Michael Erickson, PhD
Seyron Foo
Jacqueline Horn, PhD

Others Present
Antonette Sorrick, Executive Officer
Cherise Burns, Central Services Manager
Stephanie Cheung, Licensing Unit Manager
Norine Marks, DCA Legal Counsel
Sandra Monterrubio, Enforcement Program Manager
Liezel McCockran, Continuing Education and Renewals Coordinator

Agenda Item #2: President’s Welcome

Dr. Phillips welcomed the attendees to the Board’s quarterly meeting and read the Board’s mission statement. He noted that there was going to be a change in the order of the agenda items. Dr. Phillips introduced the Board’s new public member, Seyron Foo. After providing a brief description of Mr. Foo’s background, Dr. Phillips administered the Oath of Office.

Agenda Item #3: Public Comment for Items not on the Agenda. Note: The Board May Not Discuss or Take Action on Any Matter Raised During this Public Comment Section, Except to Decide Whether to Place the Matter on the Agenda of a Future Meeting [Government Code sections 11125 and 11125.7(a)]

Dr. Phillips explained public comment is the opportunity for members of the public to make comments on items not on the agenda. He reminded the Board that they could not discuss or take action on any of the comments received.
Catherine Campbell, California Protective Parents Association (CPPA), addressed the Board regarding the level of accountability child custody evaluators are being held to and stated that they are not properly trained.

Helen Lynn, Protect Our Kids, expressed her feelings on the Board's position on laws pertaining to the protection of children.

Kathleen Russell, Executive Director of the Center for Judicial Excellence addressed the Board regarding the reunification camps in California and the potential for ordering cease and desist orders to all for-profit reunification camps. She requested information on the process for issuing cease and desist letters.

Sandra Ross, a member of the public, requested the Board consider further investigating the issue of Parental Alienation Syndrome vs. child sexual abuse and discussed other issues relating to reunification camps and the unprofessional conduct of the psychologists working in these camps.

Blake D. DeVold, member of the public, spoke about his personal experience with a reunification camp. He stated that he would like the Board be made aware of what is happening in the reunification camps and requested the Board issue cease and desist orders to these camps.

**Agenda Item #4: Approval of Board Meeting Minutes: February 9-10, 2017**

Dr. Horn stated she had minor grammatical changes to the minutes and provided her changes to staff.

It was M(Acquaye-Baddoo)/S(Erickson)/C to approve the minutes as modified.

Vote: 7 aye (Acquaye-Baddoo, Bernal, Erickson, Foo, Horn, Jones, Phillips), 0 no

**Agenda Item #5: Approval of Board Meeting Minutes: April 21, 2017**

Dr. Horn stated she had minor grammatical changes to the minutes and provided her changes to staff.

It was M(Acquaye-Baddoo)/S(Bernal)/C to approve minutes as modified.

Vote: 7 aye (Acquaye-Baddoo, Bernal, Erickson, Foo, Horn, Jones, Phillips), 0 no

**Agenda Item #7: Enforcement Report**

Ms. Monterrubio provided an overview of the following: enforcement staff and their duties, complaint process and outcomes, investigative program, citation program,
discipline program, probation program, as well as enforcement related data on complaints, investigations, and discipline statistics for the previous five fiscal years.

Dr. Horn asked why staff sends cases to the Health Quality Investigative Services (HQIU). Ms. Monterrubio explained that only the most egregious cases are referred to HQIU and when the Enforcement Unit would like the Attorneys General’s (AG’s) office to be involved from the very beginning. She indicated that very few cases are referred to HQIU.

Ms. Jones expressed concern with the lengthy processing times for HQIU. Ms. Monterrubio explained that the lengthy processing times are due to staff vacancies at HQIU. Ms. Monterrubio stated that she and Ms. Sorrick are in constant contact with Kathleen Nichols, Deputy Chief of HQIU.

Mr. Devold asked what process can be used when there is clear imminent danger. Ms. Marks and Josh Templet, Deputy Attorney General (DAG), explained that the Board can seek an Interim Suspension Order (ISO) if there is sufficient evidence.

Catherine Campbell asked where one can go to find information on an ISO. Mr. Templet stated he can speak with her privately to provide the information.

Kimberly Sweidy, an attorney, expressed her disagreement over the Board considering sexual misconduct as one of the most egregious cases and her issues with the brochure Professional Therapy Never Includes Sex. Ms. Sweidy also asked how many complaints are against licensed psychologists who have multiple complaints. She also questioned the qualifications and background of those processing complaints and suggested that they should be licensed psychologists, preferably from another state.

Dr. Horn stated that she would like to see the statistics of the number of licensees who have multiple complaints, and that it would be a good statistic to add to Board reports. Dr. Phillips stated that this issue will be discussed in the next Enforcement Committee meeting.

Kathleen Russell addressed the Board regarding the importance of every complaint received and expressed her concerns upon hearing a complaint is closed because it is not considered valid. Dr. Phillips stated that the enforcement staff takes every complaint seriously and are a very dedicated group of people. He indicated that if the Board felt that the volume of cases were such that staff could not meet the needs of the workload, the Board would request a budget change proposal to hire additional enforcement staff. Ms. Acquaye-Baddoo agreed that it is a process and that staff is constantly working to monitor the workload and progress of the program.

Ms. Jones stated it would be a good idea to agendize an overview of the selection of Subject Matter Experts (SMEs) and an analysis of cases that were closed against a psychologist due to insufficient evidence and track when similar complaints are made against the same licensees.
Ms. Monterrubio explained the complaint process and how past complaints are taken into account when investigating a new complaint. She indicated that she will provide a report on the 1,042 complaints received in FY 2016/2017 indicating how many of the complaints are against the same psychologist and how many were closed due to insufficient evidence or "No Jurisdiction" for the September Board meeting.

**Agenda Item #8: Child Custody Evaluation – Overview of Process of Receiving and Handling of Cases**

Dr. Phillips asked that individuals wanting to make public comment to not provide names of specific licensees so that it would not prejudice the Board Members and require them to recuse themselves if that licensee were to come before the Board in a disciplinary matter.

Ms. Monterrubio provided an overview of how child custody evaluation complaints are handled. She explained how a case is closed with insufficient evidence and provided examples of specific documents that are not received to support the complaint. She explained that once all the documents are received for a complaint, it is then forwarded to an SME. The SME will review the information provided and opine if this is a departure of the standard of care. If it is egregious enough, it will get forwarded to the Office of the Attorney General (AG) for formal discipline. If the SME decides there was not a departure from the standard care or an ethical violation, a letter will be sent stating the case is closed. Ms. Jones asked to see the standard letters the complainants are receiving.

Mr. Templet stated that the standard the AG’s office adheres to is to form the belief that there is a clear and convincing violation from the departure of standard of care. An experts’ opinion is required to determine the departure.

Dr. Erickson stated that it seems that we are doing a thorough job, but it does not always meet the public’s concern. He stated that it is unfortunate when the Board has to close a case when there is not enough evidence.

Dr. Horn provided clarification for the public on what the Board can and cannot do. She stated the Board cannot take action without a complaint and that it needs to be a specific complaint. For example, what did the psychologist do, or did they diagnose someone who was not seen by the psychologist? She also stated the Board has no control over the reunification camps, but could take action on a psychologist that works in that camp. Dr. Phillips reiterated that the Board does not have jurisdiction over the courts or these facilities and can only investigate specific licensees.

Helen Lynn addressed the Board regarding parental alienation and her belief that the Board opposes legislation that would protect children against child abuse. Dr. Phillips stated parental alienation would be better addressed by the California Judiciary Council.
Kathleen Russell addressed the Board regarding reunification camps. She stated these camps are being run by licensed psychologists.

An unknown member of the public shared with the Board her personal child custody experience and explained how these concepts are influencing courts and cases in other states. She also stated some California psychologists are evaluating child custody cases in other states.

Kimberly Sweidy expressed her disapproval of some licensed psychologists and the complaint process. She asked the Board to look at joint complaints and repetitive allegations made against individual psychologists.

Katherine Campbell shared with the Board her personal story regarding parent alienation, her experience with filing complaints, and the fear of filing a complaint. She also noted that some evaluators are violating CANRA by not reporting abuse.

Sandra Ross addressed the Board regarding the standard of care psychologists should be adhering to.

Ms. Jones asked how we can alleviate the fear of filing a complaint. Ms. Monterrubio explained that a complainant may not be kept totally anonymous due to the fact that the complainant may possibly need to testify in court and information cannot be kept confidential when referred to AG's office.

**Agenda Item # 12: Policy and Advocacy Committee Report and Consideration of Committee Recommendations on Board Positions**

For active positions, Ms. Jones asked that there be a short summary of the bill.

a) Legislative Update

1) Omnibus Proposal – Psychological Assistant Fees and Delinquency Fees in Business and Professions Code (BPC) Section 2987 (Fee Schedule)

Ms. Jones provided an overview of the bill. She indicated that the following amendments were previously approved by the Board and sent to the Senate Business Professions & Economic Development (Senate BP&ED Committee) Committee: make non-controversial changes to statutory provisions, added who pays the fee and added the delinquency fee. The above mentioned items will be incorporated into SB 547; the last hearing will be in July.

2) AB 89 (Levine) - Suicide Risk Assessment and Intervention Coursework Requirements – Addition of Section to the BPC (Coursework in Suicide Assessment and Intervention)

Ms. Jones stated this would mandate continuing education (CE) coursework or experience in Suicide Risk Assessment and Intervention. She indicated that Dr. Phillips
testified at the March 28, 2017 Senate BP&ED Committee hearing on behalf of the
Board in support of AB 89 and he gave an overview of the senate hearing.

Board discussion ensued regarding the benefits of requiring training in Suicide
Assessment and Intervention. The Board discussed the significant variance in training in
this area and Dr. Horn clarified that the Board is not correcting the variance, but is
requiring this because they are taking a leadership role and making sure all licensed
psychologists are exposed to this training.

Dr. Jo Linder-Crow, Chief Executive Office of the California Psychological Association
(CPA), expressed her opposition of the bill. She stated supporting this bill would
potentially provide the impression that psychologists are not properly trained. Dr.
Phillips stated he believes we are showing leadership and reiterated his belief that
psychologists are among the best-trained professionals.

b) Review and Consideration of Committee Recommendations on Legislation

1) Recommendations for Active Positions on bills:

a) AB 700 (Jones-Sawyer) – Public Health: Alcoholism or Drug Abuse Recovery:
Substance Use Disorder Counseling

Ms. Burns provided an overview of the bill and highlighted amendments made on May
30, 2017. Ms. Jones stated that she wanted to bring this bill to the attention of the Board
in case the Board has a different opinion than what staff is recommending.

b) AB 1456 (Low) – Professional Licensure

Ms. Burns provided an overview of the bill and highlighted the amendments made on
June 5, 2017 that met the Board’s previously requested amendments. She
explained that with these amendments, the Board could now support the bill.

It was M(Horn)/S(Erickson)/C to take a Support position.

Vote: 7 aye (Acquaye-Baddoo, Erickson, Jones, Phillips, Horn, Bernal, Foo) 0 no

c) SB 547 (Hill) – Professions and Vocations: Weights and Measures (Board Omnibus
Bill)

Ms. Jones stated that this is for informational purposes only and that staff will notify the
Board once the omnibus provisions are amended into the bill.

d) SB 762 (Hernandez) – Healing Arts Licensee: License Activation Fee: Waiver

Ms. Burns informed the Board that the author is no longer pursuing this bill.
3) Review and Recommendations to Watch Bills

XX. SB 755 (Beall) – Civil Discovery: Mental Examination.

Ms. Burns provided an overview of the bill stating this bill would limit the examination of a child to psychological testing of no more than three (3) hours, including breaks, unless the court grants an extension for good cause. This bill would also require the examination to be conducted by a licensed psychotherapist. Ms. Burns stated the Policy and Advocacy Committee requested staff to consult with an expert on this bill for their professional opinion on the time limitation. She reported that the expert stated it is outside the standard of practice to limit the time frame of the evaluation and limiting the evaluation and necessitating the judge’s approval of adding hours would be damaging to the client. Another concern is allowing a ‘psychotherapist’ as defined in the Evidence Code to conduct the testing. This bill only pertains to civil discovery cases, not child custody.

Discussion ensued regarding the bill and the position the Board should take. Some Board members expressed concern regarding professionals other than psychiatrists and psychologists conducting the testing. This would allow Master’s level clinicians to conduct such testing when they might have little to no training in this area, while psychologists have extensive training in conducting psychological testing. Board members also expressed concern in creating a time limit on conducting psychological testing. Due to recent amendments to the bill, Ms. Marks recommended deferring taking a position until tomorrow when staff could provide more information regarding the bill.

Dr. Linder-Crow stated that the definition of a licensed psychotherapist is in the evidence code, and this bill will not change that. This bill will change how many hours a psychotherapist conducts testing. She stated that CPA is Neutral on the bill.

Dr. Phillips deferred the rest of the Policy and Advocacy Report until tomorrow.

Agenda Item #6: Budget Report

Ms. Burns provided an overview of the budget. She indicated that the surplus is 3.7 percent, which is back in the good range of 3-6 percent. In regards to object description ‘IA with DOI Direct’, she explained that the memorandum of understanding with the Department of Investigation was not built into the budgeted amount; it was a memorandum created after the budget, which is why the number looks so large. Ms. Burns stated that Board staff budgets conservatively, typically budgeting to spend more than we actually do and estimating lower revenue than what we actually bring in.

Agenda Item #9: Executive Officer’s Report

Ms. Sorrick explained the DCA Update that was provided by Deputy Director of Board and Bureau Relations, Christine Lally, which provides information on what the department is currently working on, and the priorities of the administration. Ms. Sorrick
welcomed Liezel McCockran back to the Board of Psychology. She reported two current vacancies, the Renewals Technician and Seasonal Clerk positions.

**Agenda Item #10: Licensing Report**

Ms. Cheung provided an overview of the licensing report. She stated that processing times for an Application for Licensure is eight business days, and two business days for psychological assistant applications. At the time of the report, there were no outstanding registered psychologist applications. Ms. Cheung provided an update on the consolidation process of psychological assistants, which was completed in April 2017. She also reported that the first stakeholder’s meeting for Pathways to Licensure was held in Northern California on May 4, 2017, and the next one will be held in Southern California on August 22, 2017. Ms. Cheung provided clarification on the inactive and delinquent status. She explained that an inactive status is for licensees who would like to keep their license current but do not wish to practice, whereas a delinquent status means that the license has expired and that the licensee has not yet renewed their license.

Dr. Horn spoke about the Northern California stakeholders meeting. She highlighted the mix of attendees, from licensees to those who were still in training. Dr. Phillips shared the positive feedback he received from attendees. He indicated that he was disappointed that there were no training directors in attendance and hopes that CPA Division II will attend the Southern California stakeholders meeting.

Melody Schaeffer, CPA Division II, suggested that the Board might want to consider updating the fees on the psychological assistant instruction sheet.

**Agenda Item #14: Petition for Early Termination of Probation – Jennifer H. Tansey, PsyD**

Administrative Law Judge Matthew Goldsby presided. Deputy Attorney General Cindy Lopez was present and represented the People of the State of California. Jennifer H. Tansey, PsyD was present and represented herself.

**Agenda Item #15: Closed Session**

The Board met in closed session pursuant to Government Code Section 11126(c)(3) to discuss disciplinary matters including the above petition, petitions for reconsideration, stipulations, and proposed decisions.

**Friday, June 16, 2017**

Stephen Phillips, JD, PsyD, Board President, called the open session meeting to order at 9:10 a.m. A quorum was present and due notice had been sent to all interested parties.
Members Present
Stephen Phillips, JD, PsyD, President
Nicole J. Jones, Vice-President
Lucille Acquaye-Baddoo
Alita Bernal
Michael Erickson, PhD
Seyron Foo
Jacqueline Horn, PhD

Others Present
Antonette Sorrick, Executive Officer
Cherise Burns, Central Services Manager
Stephanie Cheung, Licensing Unit Manager
Norine Marks, DCA Legal Counsel
Sandra Monterrubio, Enforcement Program Manager
Liezel McCockran, Continuing Education and Renewals Coordinator

Agenda Item #11: Continuing Education/Renewals Report
Ms. McCockran provided an overview of the Continuing Education and Renewals Report and associated data.

Board members expressed concern about the CE audit fail rate rising and about those who have not been audited. Ms. Jones stated having data over the last few years might help the Board evaluate this more effectively and have a more robust conversation at the September Board Meeting.

Ms. Bernal asked if a licensee could upload and track their continuing education units (CEUs). After Dr. Phillips explained the current audit process and that licensees are responsible for maintaining their own records of the continuing education they have accrued, Dr. Horn mentioned that CPA has a credentials bank that licensees can utilize to track their CEUs. Ms. Burns stated we have asked for the functionality to provide licensees with the capability to upload and submit their CEUs in BreEZe as part of the audit process. Ms. Jones stated it would help the Board’s understanding of BreEZe if the BreEZe team provided a demonstration to the Board of the BreEZe functionality.

Dr. Phillips asked how often a licensee fails for having zero hours. Ms. McCockran stated that out of the 50 citations she has completed thus far, only one failed for not submitting any hours.

Agenda Item #12: Policy and Advocacy Committee Report and Consideration of Committee Recommendations on Board Positions
The Board resumed discussion of 12(b)(3) XX from where it left off on the previous day.
Ms. Burns provided the amendments to the bill and presented an overview of the bill. The amendments removed the reference to the evidence code that the Board was previously concerned about regarding a psychotherapist conducting the testing. The amendment now reads a licensed physician or clinical psychologist. According to the author’s office, the three hours were decided as a reasonable threshold because courts typically have testing done in 2-4 hours. The author also chose three hours because exams longer than three hours could cause additional trauma to the child.

Ms. Jones recounted the previous day’s discussion regarding the bill and stated the amendments might help today’s discussion.

The Board discussed their thoughts on the bill. Some Board members felt the amendments ameliorated their concerns. Others expressed concern with the precedent of allowing the courts, who do not have training in conducting psychological testing, to decide the duration of the testing. Dr. Horn stated the time limit is not protective.

The Board discussed what position to take on the bill. Ms. Jones stated that if the Board were to watch the bill, staff would inform the Board of any changes. Ms. Sorrick stated the Board does not need to take a position, instead, staff can relay the Board’s concerns to the sponsor of the bill. She stated the Board could also move to have staff work with Dr. Horn to send a letter of concern to the author. Since the bill is moving rather quickly, Ms. Burns stated staff can relay the following three concerns to the author via phone call: the use of the term licensed clinical psychologist, limiting the psychologist in how they can work, and relay our complaint process for unprofessional conduct (if a child was traumatized during an evaluation).

Dr. Schaeffer addressed the Board regarding her concerns with the three-hour time limit and how this bill takes away the licensed professionals’ ability to do their job.

Dr. Erickson would like to know the data on how often this has occurred, whether it was a psychologist, or is this based on people who were unhappy with the outcome of the testing.

It was M(Horn)/S(Erickson)/C to have staff work with Dr. Horn to draft a letters that expresses the three concerns of the bill: the use of the term licensed clinical psychologist, limiting the psychologist in how they can work, and the complaint process. After the letter is drafted, it will go through the Policy and Advocacy Committee for approval and will be available to the Board.

Vote: 7 aye (Acquaye-Baddoo, Erickson, Jones, Phillips, Horn, Bernal, Foo) 0 no
Ms. Jones presented the bill, stating this measure would recognize adverse childhood experience (ACE), as a mental health condition. Ms. Burns provided a summary of what a concurrent resolution was, which does not amend statute and that will not go into the code sections that are enforced by state agencies or authorities. The author is currently working with interested parties and the opposition on amendments. This term will not be in any diagnosis manual; it is simply a resolution to bring attention to the issue.

Dr. Linder-Crow addressed the Board stating CPA has a neutral position on this bill. She also stated that it was not the author's intention to make this a new mental health disorder, but that this is a real concern for communities of color and this bill brings awareness of the adverse effects of growing up in a community where there is violence.

2) Review of Bills with Active Positions Approved by the Board

A. AB 244 (Cervantes) – Maternal Mental Health

Ms. Burns stated this bill would create the pilot program that may include the following: a consultation program utilizing telehealth and e-consult technologies, training and toolkits on screening, assessment, and the range of treatment options, coordination of care for program participants, and access to perinatal psychiatric consultations for program participants. The Board previously took a Support if Amended position in order to add postpartum and psychological services to the bill. When staff contacted the author's office regarding the amendments, they were informed this bill will be a two-year bill, and conversations will begin in January when they will be taking up the bill once again.

Ms. Bernal asked Board staff to discuss reimbursement when having conversations about this bill.

B. AB 710 (Wood) Department of Consumer Affairs: Boards: Meetings

Ms. Jones explained this bill would require the Board to have one meeting in a rural California location every other year. She explained that the Board previously opposed the bill because meetings are held where a majority of our licensees are to try to get the most public and licensee participation.

Ms. Jones stated staff is currently working on researching other means to get participation from individuals from rural areas in our meetings.

C. AB 1188 (Nazarian) – Health Professions Development: Loan Repayment

Ms. Burns stated this bill has now moved to the Senate and staff will continue sending support letters as it will most likely move on to Business and Professions and Economic Development Committee. Staff will also testify as it will most likely have a hearing.
D. SB 572 (Stone) Healing Arts Licensees: Violations: Grace Period

Ms. Burns stated this bill provided a grace period prohibiting healing arts boards from issuing a disciplinary action or otherwise penalizing a licensee who commits a violation that does not cause irreparable harm to a consumer and is remedied within 15 days. This raised multiple concerns from staff about the ability to hold licensees to the current statutory, regulatory, and ethical standards. There would be significant financial costs to the Board if every single item had to be reviewed to be determined if it caused irreparable harm. The bill is not being pursued for the remainder of the legislation session.

E. SB 798 (Hill) Healing Arts: Boards

Ms. Burns presented the bill to the Board stating this bill pertains to the Medical Board’s Sunset Bill. One of its provisions is to transfer the licensing and regulation of research psychoanalysts to the Board. The Board asked for a delay of a year to transfer the regulation of the license to the Board and the amendments were taken. Staff’s recommendation is to Support the bill and create an Ad Hoc committee to start the process of reviewing the statutes and regulations pertaining to the registration category.

Dr. Linder-Crow stated there is a component of the bill that would allow the Medical Board to get patient records without patient consent. CPA’s position is to Oppose Unless Amended because of that section.

The Board discussed the issue, stating the issue of access to patient records for the purposes of investigating complaints has come up before, but they believed that the Medical Board and the Board of Psychology have parallel institutional interests to maintain access to such records.

It was M(Foo)/S(Acquaye-Baddoo)/C to adopt a Support position.

Vote: 6 aye (Jones, Phillips, Horn, Foo, Bernal, Erickson) 1 no (Acquaye-Baddoo)

3. Review and Recommendations to Watch Bills

EE. AB 1074 (Maienschein) – Health Care Coverage: Pervasive Developmental Disorder of Autism

Dr. Horn asked for clarification on the bill, indicating that she would like to know if there is oversight of applied behavior analysis providers. Ms. Burns stated currently there is no oversight, and that this bill is just a cleanup measure, changing supervision requirements.

Dr. Phillips asked what agency applied behavior analysis providers are under. Ms. Burns stated there is no specific agency and that many of these functions are dealing...
with reimbursement and the regional centers, as well as the employing agencies looking at the fingerprint responses for applied behavior analysis providers.

c) Update regarding the California Child Abuse and Neglect Reporting Act (CANRA) and Mandated Reporting – Penal Code Sections 261.5, 288, and 11165.1.

Ms. Burns provided the Board with an overview of the history of this issue and stated the Supreme Court has granted review.

d) Regulatory Update

1) Update on 16 CCR Sections 1391.1, 1391.2, 1391.5, 1391.6, 1391.8, 1391.10, 1391.11, 1391.12, 1392.1 – Psychological Assistants

Ms. Burns stated the Psychological Assistant package is currently being reviewed by staff. Once the concerns are addressed, it will be sent to DCA for review.

2) Update on 16 CCR Sections 1387(b)(10)(11) and 1387.1 – Verification of Experience and Supervision Agreement Forms

Ms. Burns stated the Verification of Supervision Agreement Forms package was approved by the Office of Administrative Law on June 5, and it will be effective October 1, 2017. Staff is working on regulatory advisories and information to disseminate to licensees and the public.

Agenda Item #17: Outreach and Education Committee Report and Consideration and Possible Approval of Committee Recommendations

a) Strategic Plan Update

Ms. Bernal addressed the Board regarding the Strategic Plan Update. She noted the creation for a retired status for licensed Psychologists has been moved to Q3 2018.

The Board was informed that the instructional licensing and registration videos have been taken down because of changes to the process as well as the upcoming Pathways to Licensure statute and regulatory changes. Staff will work with the Office of Public Affairs to have the videos up and running when Pathways to Licensure is complete.

b) Communications Plan Update

Ms. Sorrick provided an overview of the Communications Plan. She indicated that this is a byproduct of the Strategic Plan, which looks at the tools utilized to communicate with stakeholders. The creation of the stakeholders e-mail list has been moved to Q3 2017.

c) Board’s Use of Social Media – Update
Ms. Burns provided an overview of the Board’s social media sites: Facebook, Twitter, Board Meeting Webcasts, and YouTube.

d) Website Update

Ms. Burns stated the website Home Page receives the top number of views, followed by the Psychologist Applicant Page, An Overview of Licensure as a Psychologist, Laws and Regulations Page, and the Licensee and Registrant Information Page.

e) Update on Focus Groups on User-Friendliness of Board Website

Ms. Bernal stated staff is working with SOLID on the user-friendliness of the Board’s website. Ms. Burns stated staff has discussed collaborating with SOLID to create a survey and to have a focus group in Northern and Southern California. This effort has been pushed to 2018 due to prioritization of workload.

f) Board Meeting Statistics – How Should the Committee Report to the Full Board

Ms. Burns discussed alternative methods for reporting website statistics. The new report would not only show the top pages being viewed but would also report on the usage of the pages the Committee and Board determined should be monitored. The report would be completed quarterly and presented every Board Meeting. The Board agreed this would be a more advantageous way of receiving information.

g) Update on Newsletter

Ms. Sorrick stated the Spring Journal 2017 has been printed and posted on the website. It will be sent out to licensees and posted on social media.

h) Outreach Activities Update

Ms. Sorrick provided an overview of the outreach activities done in the past fiscal year. She has extended an invitation to Dr. Bellavich, from the LA County Jail System, to provide a presentation on access to mental health. He will be presenting at the November Board Meeting.

i) Update on Outreach Plan for High Schools, Community Colleges, and State and University System to Increase Licensing Population – Access to Mental Healthcare Campaign

Ms. Burns stated the Committee met in March and discussed the concerns the Board had from the November 2016 Board Meeting. The Committee revised the goal of the campaign to inform students of the broader opportunities and benefits of pursuing a doctoral degree in psychology and eventually licensure as a psychologist.
The Board discussed the importance of reaching people of color to create a more culturally diverse licensure population, and the importance of educating people about the advantages of obtaining higher degrees such as a PhD or PsyD.

Ms. Sorrick stated staff will create an implementation plan and deliverables and will bring a draft to the Board at a later date for ratification.

Closed Session – Continued from June 15, 2017

The Board met in closed session pursuant to Government Code Section 11126(c)(3) to discuss disciplinary matters including the above petition, petitions for reconsideration, stipulations, and proposed decisions.

Agenda Item #17: Outreach and Education Committee Report and Consideration and Possible Approval of Committee Recommendations

j) Consideration of New Two-Year Outreach and Education Campaign

Ms. Burns provided the Board with a description of the Outreach and Education Campaign. She stated this is a byproduct of the previous Outreach and Education Campaign and correlates with the High School and Community College Campaign. The Committee requests that the Board approve Enhancing Diversity and Cultural Competency as the new two-year Outreach and Education Committee campaign.

Dr. Linder-Crow asked the Board the reasons for creating this campaign. She also requested the Board to emphasize the loan reimbursement programs to highlight these opportunities.

Ms. Sorrick stated staff pulled licensing data, and 39% of the licensees are over the age of 60. The Board wants to get people interested in the field of psychology. Ms. Acquaye-Baddoo discussed the importance of creating a more culturally diverse population and to encourage people to get to the doctoral level education. Dr. Horn stated that the Board would like to work towards creating a larger population of mental health professionals in underserved areas. Discussion ensued regarding mental health professionals in underserved areas.

It was M(Acquaye-Baddoo)/S(Horn)/C to approve Enhancing Diversity and Cultural Competency as the new two-year Outreach and Education Committee campaign.

Vote: 7 aye (Acquaye-Baddoo, Erickson, Jones, Phillips, Horn, Bernal, Foo) 0 no

k) Use of Social Media Platforms for Communicating to Stakeholders

Ms. Sorrick provided the Board with information regarding the ways in which social media platforms are being utilized by the Board. She indicated that social media is used as a tool to communicate with stakeholders regarding job announcements, newsletters, legislative and regulatory advisories, fact sheets, etc.
I) DCA Brochure “Professional Therapy Never Includes Sex”

Ms. Sorrick discussed retitling, reviewing, and updating the contents of the brochure. She indicated that staff would meet with the Board of Behavioral Sciences and Medical Board staff in September and then put together a group of SMEs to review the brochure. She stated she would keep the Board updated as the process evolves.

Dr. Linder-Crow asked about the process of inviting stakeholders to meetings. She also mentioned CPA members could find out information from their website.

Dr. Schaeffer requested a flyer or informational document for the upcoming stakeholders meeting in Southern California. She is able to send the information out to help get more attendees.

It was M(Bernal)/S(Jones)/C to accept the Outreach and Education Committee report.

Vote: 7 aye (Acquaye-Baddoo, Bernal, Erickson, Foo, Horn, Jones, Phillips) 0 no

Agenda Item #13: Licensing Committee Report, and Consideration, and Possible Approval of Committee Recommendations

a) Continuing Professional Development: Title 16 of the California Code of Regulations and Recommend Proposed Revisions to Full Board • §§ 1397.60, 1397.61, 1397.62, 1397.67, 1397.69

Dr. Horn presented the Continuing Professional Development (CPD) Regulation package to the Board. She asked the Board to review draft regulatory language and move to accept the language as written, delegating authority to the Executive Officer to review and revise the use of the word “May” throughout the document and replace with “can” or “shall” and grant her the authority to proceed with the rulemaking file.

The Board reviewed the CPD Regulations and made minor changes and edits.

Dr. Linder-Crow asked for clarification on items in the CPD Regulations and provided an edit to the regulations.

It was M(Jones)/S(Phillips)/C to accept and to proceed with the rulemaking file as amended, grant delegated authority to the Executive Officer to make any non-substantive changes, and set for a hearing.

Vote: 7 aye (Acquaye-Baddoo, Bernal, Erickson, Foo, Horn, Jones, Phillips) 0 no

The proposed language, as amended, reads as follows:
§ 1397.60. Definitions. [Effective January 1, 2013 until December 31, 2020.]

This section shall be applicable to a license that expires on or after, or is reinstated or issued on or after, January 1, 2013, and becomes inoperative on December 31, 2020.

As used in this article:

(a) "Conference" means a course consisting of multiple concurrent or sequential freestanding presentations. Acceptable presentations must meet the requirements of section 1397.61(c).

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

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

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

(e) "Independent learning" means the variety of forms of organized and directed learning experiences that occur when the instructor and the student are not in direct visual or auditory contact. These include, but are not limited to, courses delivered via the Internet, CD-ROM, satellite downlink, correspondence and home study. Self-initiated, independent study programs that do not meet the requirements of section 1397.61(c) are not acceptable for continuing education. Except for qualified individuals with a disability who apply to and are approved by the Board pursuant to section 1397.62(c), independent learning can be used to meet no more than 75% (27 hours) of the continuing education required in each renewal cycle. Independent learning courses must meet the requirements of section 1397.61(c).

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

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

§ 1397.60. Definitions. [Effective January 1, 2021.]
This section shall be applicable to a license that expires on or after, or is reinstated or issued on or after, January 1, 2021.

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

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

(1) “Peer Consultation”

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

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

(2) “Practice Outcome Monitoring” (POM)

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

(3) “Professional Services”

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

(4) “Conference/Convention Attendance”

“Conference/Convention Attendance” means attending a professional gathering that consists of multiple concurrent or sequential free-standing presentations related to the practice of psychology, or that can be applied to psychological practice, where the licensee interacts with professional colleagues and participates in the social, interpersonal, professional, and scientific activities that are part of the environment of those gatherings. CPD credit can be accrued for “Conference/Convention Attendance” in
addition to credit earned for completing sponsored CE coursework or
sessions at the same conference/convention.

(5) "Examination Functions"
"Examination Functions" means serving in any examination development-
related function for the Board or for the development of the EPPP.

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

(7) "Attendance at a California Board of Psychology Meeting"
"Attendance at a California Board of Psychology Meeting" means physical
attendance at a full day Board meeting or physical attendance at a
separately noticed Committee meeting of the Board. This activity is
designed to promote knowledge of current issues before the Board and
courages public participation in the regulatory process.

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

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

(2) "Academic/Sponsor-Approved Continuing Education (CE) Instruction"
(A) "Academic Instruction" means teaching a graduate-level course that is
part of a degree program that meets the requirements of section 2914(c)
of the Code.
(B) "Sponsor-Approved CE Instruction" means teaching a sponsored CE
course that relates to the practice of psychology as defined in 1397.60(c).

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

(4) "Publications"
"Publications" means authoring or co-authoring peer-reviewed journal
articles, book chapters, book(s), or editing or co-editing a book related to
psychology or related discipline.

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

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

(d) Acceptable CPD learning activities under "Board Certification" are defined as earning a specialty certification from the American Board of Professional Psychology (ABPP) in one of the following categories:

1. ABPP Board Certification
2. "Senior Option" ABPP Board Certification

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

§ 1397.61. Continuing Education Requirements. [Effective January 1, 2013 until December 31, 2020.]

This section shall be applicable to a license that expires on or after, or is reinstated or issued on or after, January 1, 2013, and becomes inoperative on December 31, 2020.

(a) Except as provided in section 2915(e) of the Business and Professions Code and section 1397.62 of these regulations, each licensed psychologist shall certify on the application for license renewal that he or she has completed the continuing education requirements set forth in section 2915 of the Code. A licensee who renews his or her license for the first time after the initial issuance of the license is only required to accrue continuing education for the number of months that the license was in effect, including the month the license was issued, at the rate of 1.5 hours of approved continuing education per month. Continuing education earned via independent learning pursuant to section 1397.60(e) shall be accrued at no more than 75% of the continuing education required for the first time renewal. The required hours of continuing education may not be accrued prior to the effective date of the initial issuance of the license. A licensee who falsifies or makes a material misrepresentation of fact on a renewal application or who cannot verify completion of continuing education by producing verification of attendance certificates, whenever requested to do so by the Board, is subject to disciplinary action under section 2960 of the Code.

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

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

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

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

(1) Continuing education courses shall be:
(A) provided by American Psychological Association (APA), or its
approved sponsors;
(B) Continuing Medical Education (CME) courses specifically applicable
and pertinent to the practice of psychology and that are accredited by the
California Medical Association (CMA) or the Accreditation Council for
Continuing Medical Education (ACCME); or
(C) provided by the California Psychological Association, or its approved
sponsors.
(D) approved by an accrediting agency for continuing education courses
taken prior to January 1, 2013, pursuant to this section as it existed prior
to January 1, 2013.

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

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

(4) An instructor may claim the course for his/her own credit only one time that
he/she teaches the acceptable course during a renewal cycle, or during any
twelve (12) month period, receiving the same credit hours as the participant.
(d) Examination Functions. A licensee who serves the Board as a selected participant in any examination development related function will receive one hour of continuing education credit for each hour served. Selected Board experts will receive one hour of continuing education credit for each hour attending Board sponsored Expert Training Seminars. A licensee who receives approved continuing education credit as set forth in this paragraph shall maintain a record of hours served for submission to the Board pursuant to section 1397.61(e).

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

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

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

§ 1397.61. Continuing Professional Development Requirements. [Effective January 1, 2021.]

This section shall be applicable to a license that expires on or after, or is reinstated or issued on or after, January 1, 2021.

(a) Except as provided in section 2915(e) of the Business and Professions Code and section 1397.62 of these regulations, a psychologist shall certify under penalty of perjury to the Board on the application for license renewal that he or she has completed the CPD requirements set forth in this Article and section 2915 of the Code. Falsifying or making a material misrepresentation of fact on a renewal application, or failing to provide documentation verifying the hours whenever requested to do so by the Board, shall be considered unprofessional conduct and subject the licensee to disciplinary action and render his or her license ineligible for renewal.

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

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

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

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

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

(1) “Peer Consultation”

(A) A maximum of 18 hours can be credited in “Peer Consultation.”

(B) One (1) hour of activity in “Peer Consultation” equals one (1) hour of
credit.

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

(2) “Practice Outcome Monitoring” (POM)

(A) A maximum of nine (9) hours can be credited in “POM.”

(B) “POM” for one (1) patient/client equals one (1) hour credited.
(C) The licensee shall maintain a record of this activity. This record shall include: date(s) of monitoring, client identifier, and how outcomes were measured.

(3) "Professional Service"
   (A) A minimum of 4.5 hours and a maximum of 12 hours can be credited in "Professional Service."
   (B) One (1) year of "Professional Service" for a particular activity equals nine (9) hours credited and six (6) months equals 4.5 hours credited.
   (C) The licensee shall maintain a record of this activity. This record shall include: board or program name, role of licensee, dates of service, and term of service (six months or one year).

(4) "Conference/Convention Attendance"
   (A) A maximum of six (6) hours can be credited in "Conference/Convention Attendance."
   (B) One (1) full conference/convention day attendance equals one (1) hour credited.
   (C) The licensee shall maintain a record of this activity. This record shall include: name of conference/convention attended, proof of registration, and date(s) of conference/convention attended.

(5) "Examination Functions"
   (A) A maximum of 12 hours can be credited in "Examination Functions."
   (B) One (1) hour of service equals one (1) hour of credit.
   (C) The licensee shall maintain a record of this activity. This record shall include: name of exam, dates of service, and number of hours.

(6) "Expert Review/Consultation"
   (A) A maximum of 12 hours can be credited in "Expert Review/Consultation."
   (B) One (1) hour of service in an expert capacity equals one (1) hour of credit.
   (C) The licensee shall maintain a record of this activity. This record shall include: dates of service and number of hours.

(7) "Attendance at a California Board of Psychology Meeting"
   (A) A maximum of eight (8) hours can be credited in "Attendance at a California Board of Psychology Meeting."
   (B) Attendance for one (1) day Board or Committee meeting equals six (6) hours of credit. For Board or Committee meetings that are three (3) hours or less, one (1) hour of attendance equals one (1) hour of credit.
   (C) The licensee shall maintain a record of hours. This record shall include: date of meeting, name of meeting, and number of hours attended. A psychologist requesting CPD credit pursuant to this subdivision must sign in and out on an attendance sheet at the Board or
Committee meeting that requires the individual to provide his or her first
and last name, license number, time of arrival and time of departure from
the meeting.

(g) Acceptable CPD learning activities under “Academic” include:

(1) “Academic Coursework”
(A) A maximum of 18 hours can be credited in “Academic Coursework.”
(B) Each course taken counts only once for each renewal period and may
only be submitted for credit once the course is completed.
(C) Each one (1) semester unit earned equals six (6) hours of credit and
each one (1) quarter unit earned equals 4.5 hours of credit.
(D) The licensee shall maintain a record of this activity. This record shall
include a transcript with evidence of a passing grade (C or higher or
“pass”).

(2) “Academic/Sponsor-Approved CE Instruction”
(A) “Academic Instruction”
(i) A maximum of 18 hours can be credited in “Academic Instruction.”
(ii) Each course taught counts only once for each renewal period and may
only be submitted for credit once the course is completed.
(iii) A term-long (quarter or semester) academic course equals 18 hours of
credit.
(iv) The licensee shall maintain a record of this activity. This record shall
include: course syllabus, title of course, name of institution, and dates of
instruction.

(B) “Sponsored CE Instruction”
(i) A maximum of 18 hours can be used in “Sponsored CE Instruction.”
(ii) Each course taught counts only once for each renewal period and may
only be submitted for credit once the course is completed.
(iii) One (1) hour of instruction equals 1.5 hours of credit.
(iv) The licensee shall maintain a record of this activity. This record shall
include: course syllabus, title of course, dates of instruction, name of
sponsoring entity, and number of hours taught.

(3) “Supervision”
(A) A maximum of 18 hours can be credited in “Supervision.”
(B) One (1) hour of supervision equals one (1) hour of credit.
(C) The licensee shall maintain a record of this activity. This record shall
include: dates of supervision and a trainee identifier.

(4) “Publications”
(A) A maximum of nine (9) hours can be credited in “Publications.”
(B) One (1) publication equals nine (9) hours of credit.
(C) A publication may only be counted once.
(D) The licensee shall maintain a record of this activity. This record shall include: either a letter of acceptance for publication, or proof of publication with publication date in the renewal period for which it is being submitted.

(5) "Self-Directed Learning"

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

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

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

(h) Acceptable "Sponsored Continuing Education" includes:

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

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

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

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

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

(1) ABPP Board Certification

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

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

(2) "Senior Option" ABPP Board Certification

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

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

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

(1) The approving organization must:

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

(B) have documented procedures for maintaining a continuing education approval program, including, but not limited to:
(i) maintaining and managing records and data related to approved CE programs, and
(ii) monitoring and approving CE providers and courses
(C) have policies in place to avoid a conflict of interest between any provider and approval functions.
(D) evaluate each CE provider seeking approval, including itself, according to current evidence as to what constitutes an appropriate program in terms of content and level of presentation, as set out in subsection (k)(2).
(E) conduct periodic reviews of courses offered by providers approved by the organization, as well as its own courses, to determine compliance with the organization's requirements and the requirements of the Board,
(F) establish a procedure for determining if an approved provider meets regulatory criteria as established in subsection (k), and
(G) have a process to respond to complaints from the Board, providers, or from licensees concerning activities of any of its approved providers or their courses.

(2) The approving organization shall ensure that approved providers:
(A) offer content at post-licensure level in psychology that is designed to maintain, develop, broaden and/or increase professional competencies,
(B) demonstrate that the information and programs presented are intended to maintain, develop, and increase conceptual and applied competencies that are relevant to psychological practice, education, or science, and have a direct consumer application in at least one of the following ways:
   (i) programs include content related to well-established psychological principles,
   (ii) programs are based on content that extends current theory, methods or research, or informs current practice,
   (iii) programs provide information related to ethical, legal, statutory, or regulatory guidelines and standards that impact the practice of psychology, and/or
   (iv) programs whose content focuses on non-traditional or emerging practice or theory and can demonstrate relevance to practice,
(C) Use a formal (written) evaluation tool to assess program effectiveness (what was learned) and assess how well each of the educational goals was achieved (this is separate from assessing attendee satisfaction with the CE program),
(D) Use results of the evaluation process to improve and plan future programs,
(E) Provide CE credit on the basis of one hour of credit will be earned for each hour of approved instruction,
(F) Provide attendance verification to CE attendees that includes the name of the licensee, the name of the course, the date of the course, the number of credit hours earned, and the approving agency,
(G) Provide services to all licensees without discrimination, and
(H) Ensure that advertisements for CE courses include language that accurately reflects the approval status of the provider.

(3) Failure of the approving organization to meet the provisions of this section shall constitute cause for revocation of authorization by the Board. Authorization can be revoked only by a formal Board action, after notice and hearing, and for good cause.

(k) Each person who applies to renew or reinstate his or her license issued pursuant to this chapter shall certify under penalty of perjury that he or she is in compliance with this section and shall maintain proof of this compliance for four (4) years from the date of the renewal for which it has been submitted, and shall submit such proof to the Board upon request.

(l) No CPD activity may be claimed for credit more than once during a renewal period.

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

(n) For a license that renews or is reactivated between January 1, 2021, and December 31, 2021, the hours accrued will qualify for renewal if they meet either the requirements of this section as it existed prior to January 1, 2021 or as it exists after January 1, 2021.

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


This section shall be applicable to a license that expires on or after, or is reinstated or issued on or after, January 1, 2013, and becomes inoperative on December 31, 2017.

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

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

(1) Has been engaged in active military service reasonably preventing completion of the continuing education requirements, except that a licensee granted an exemption pursuant to this section shall still be required to fulfill the laws and ethics requirement set forth in section 1397.61(b); or

(2) Has been prevented from completing the continuing education requirements for reasons of health or other good cause which includes:
(A) Total physical and/or mental disability of the psychologist for at least one year; or
(B) Total physical and/or mental disability of an immediate family member for at least one year where the psychologist has total responsibility for the care of that family member.

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

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

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

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

(A) Information describing, in detail, the depth and breadth of the content covered (e.g., a course syllabus and the goals and objectives of the course), particularly as it relates to the practice of psychology.
(B) Information that shows the course instructor’s qualifications to teach the content being taught (e.g., his or her education, training, experience, scope of practice, licenses held and length of experience and expertise in the relevant subject matter), particularly as it relates to the practice of psychology.
(C) Information that shows the course provider’s qualifications to offer the type of course being offered (e.g., the provider’s background, history, experience and similar courses previously offered by the provider), particularly as it relates to the practice of psychology.

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

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

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

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

§ 1397.62. Continuing Education Exemptions. [Effective January 1, 2021]

This section shall be applicable to a license that expires on or after, or is reinstated or
reissued on or after, January 1, 2021.

(a) To be granted an exemption from all or part of the CPD requirements a licensee
must verify in writing that he or she has met the requirement of section 114.3 of the
Code that during the two year period immediately preceding the expiration of the
license, he or she was on active military duty. The request for exemption must be
submitted no less than thirty (30) days prior to the submission of an application for the
renewal of the license. For the first renewal after discharge from active military service,
he or she shall be exempt from the CPD renewal requirements, except that he or she
must accrue, as a condition of renewal, 1.5 hours per month (or portion of month)
remaining in the renewal cycle post-discharge, calculated 60 days after discharge date.
The licensee shall, at a minimum, fulfill the Laws and Ethics requirement set out in
section 1397.61(b), and the Cultural Diversity/Social Justice requirement set out in
section 1397.61(c).

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

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

§ 1397.67. Renewal After Inactive or Delinquent Expired Status. [Effective January
4, 2013 until December 31, 2020.]

This section shall be applicable to a license that expires on or after, or is reinstated or
issued on or after, January 1, 2013, and becomes inoperative on December 31, 2020.

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

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

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

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

§ 1397.67. Continued Professional Development Requirements for Reactivation. [Effective January 1, 2021.]

This section shall be applicable to a license that expires on or after, or is reinstated or issued on or after, January 1, 2021.

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

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

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

NOTE: Authority cited: Sections 2915(g) and 2930, Business and Professions Code. Reference: Section 2915, 2984, and 2988, Business and Professions Code.
Dr. Horn presented two cases to the Board regarding the extension of the 72-month registration period limitation and provided the Licensing Committee's recommendations. For PSB #1, the Licensing Committee felt more information was needed before a decision can be made. Once the requested information is received, they will bring it back to the Board. The Licensing Committee recommended granting an extension to PSB #2.

It was M(Horn)/S(Erickson)/C to accept the committee's recommendation to approve the extension for PSB #2.

Vote: 7 aye (Acquaye-Baddoo, Erickson, Jones, Phillips, Horn, Bernal, Foo) 0 no

c) Consideration and Possible Approval of Licensing Committee Recommendation Regarding an Extension to the 30-consecutive Month Limitation to Accrue 1500 Hours of Post-doctoral Supervised Professional Experience Pursuant to Section 1387(a) of Title 16 of the California Code of Regulations

Dr. Horn presented PSB #3's case to the Board. She stated because of a family tragedy, PSB #3 was unable to complete the required SPE within 30-consecutive months. The Licensing Committee's recommendation is to approve this request.

It was M(Horn)/S(Acquaye-Baddoo)/C to grant an extension to PSB #3.

Vote: 7 aye (Acquaye-Baddoo, Erickson, Jones, Phillips, Horn, Bernal, Foo) 0 no

Agenda Item #18: Enforcement Committee Report and Consideration and Possible Approval of Committee Recommendations

a) Update on Disciplinary Guidelines, 16 CCR 1395.2

Ms. Acquaye-Baddoo stated that she, Dr. Phillips, and Ms. Monterrubio met in May to discuss the Disciplinary Guidelines and that the Committee will meet again in October to complete the review of the guidelines and present to the Board at the November Board Meeting.

The Board reiterated the enforcement items they would like to see at future Board Meetings.

It was M(Acquaye-Baddoo)/S(Phillips)/C to accept the Enforcement Committee Report.

Vote: 7 aye (Acquaye-Baddoo, Erickson, Jones, Phillips, Horn, Bernal, Foo) 0 no

Agenda Item #19: President's Report

a) 2017 Meeting Calendar and Locations
Dr. Phillips provided an update on upcoming meetings. He indicated that the Policy and Advocacy Committee meeting scheduled for July 17, 2017 has been cancelled, and a teleconference Board Meeting has been scheduled for August 9, 2017 at 9 a.m.

b) Committee Updates

Dr. Phillips stated Mr. Foo will be joining the Licensing Committee.

Agenda Item #20: Legislative Items for Future Meeting. The Board May Discuss Other Items of Legislation in Sufficient Detail to Determine Whether Such Items Should be on a Future Board Meeting Agenda and/or Whether to Hold a Special Meeting of the Board to Discuss Such Items Pursuant to Government Code Section 11125.4

Ms. Jones stated the Enforcement items previously discussed should be agendized for future meetings as well as Breeze capabilities.

Agenda Item #21: Public Comments on Items Not on the Agenda and Recommendations for Agenda Items for Future Board Meetings. Note: The Board May not Discuss or Take Action on any Matter Raised During This Public Comment Section, Except to Decide whether to Place the Matter on the Agenda of a Future Meeting [Government Code Sections 11125 and 11125.7(a)]

None.

Agenda Item #22: Recommendations for Agenda Items for Future Board Meetings. Note: The Board May Not Discuss or Take Action on Any Matter Raised During This Public Comment Section, Except to Decide Whether to Place the Matter on the Agenda of a Future Meeting [Government Code Sections 11125 and 11125.7(a)]

Ms. Sorrick stated she extended an invitation to the Health Professions Education Foundation to give an annual report on the health of the fund at the September 2017 Board Meeting.

ADJOURNMENT

It was M(Foo)/S(Jones)/C to adjourn.

Vote: 7 aye (Acquaye-Baddoo, Erickson, Jones, Phillips, Horn, Bernal, Foo) 0 no

The Board adjourned at 4:05 p.m.

President

Date