Licensing Committee Meeting Minutes

Department of Consumer Affairs
1747 N. Market Blvd., HQ2 Hearing Room #186
Sacramento, CA 95834
(916) 574-7720

Thursday, October 25, 2018

Agenda Item #1: Call to Order/Roll Call/Establishment of Quorum

Jacqueline Horn, PhD, Committee Chairperson, called the meeting to order at 9:08 a.m.

A quorum was present and due notice had been sent to all interested parties.

Members Present
Jacqueline Horn, PhD, Chairperson
Stephen Phillips, JD, PsyD
Seyron Foo, Public Member

Others Present
Antonette Sorrick, Executive Officer
Norine Marks, DCA Legal Counsel
Stephanie Cheung, Licensing Manager
Sandra Monterrubio, Enforcement Program Manager
Cherise Burns, Central Services Manager
Mary Lynn Ferreira, Licensing Analyst

Agenda Item #2: Public Comment(s) for Items not on the Agenda

There was no public comment.

Agenda Item #3: Approval of the Licensing Committee Meeting Minutes: April 24, 2018

Dr. Horn asked if there were any additions or corrections to the April 24, 2018, minutes.

Dr. Phillips provided minor corrections to the minutes.

It was M(Foo)/S(Phillips) to approve the minutes as amended.

There was no public comment.

Vote: 3-0 (Aye: Foo, Horn, Phillips)
Agenda Item #4: Pathways to Licensure: Review Proposed Amendments

a. Proposed Amendments to Evidence Code § 1010 and the following Business and Professions Code sections:
   - §§ 25, 28, 2915.5 (Training in Human Sexuality, Child, Elder, and Dependent Adult Abuse Assessment and Reporting, and Aging and Long-term Care);
   - § 27 (Disclosure of Information);
   - § 2903 (Licensure Requirements);
   - §§ 2909, 2909.5, 2910. & 2911. (Exemptions);
   - § 2913 (Psychological Assistant);
   - § 2914 (Applicant Requirements);
   - § 2915 (Continuing Professional Development);
   - §§ 29 & 2915.7 (Continuing Education: Chemical Dependency and Alcoholism and Aging and Long-term Care);
   - §§ 2940 & 2941 (Application and Examination Fees);
   - §§ 2942, 2943, & 2944 (Examination Time and Subjects);
   - § 2946 (Licensure in Another State);
   - § 2948 (Issuance of License); and
   - § 2960 (Grounds for Disciplinary Action)

Dr. Horn opened discussion of proposed changes to the following sections of the statutes.

Proposed Amendments to Business and Professions (B&P) Code § 2946 (Licensure in Another State)

The Committee discussed waiver of examination language in section 2946. Mr. Foo recommended that the language remain in the statute since it is discretionary as to whether the examination is waived. The Committee revisited this section after reviewing the proposed language in regulations. Dr. Horn recommended to clarify in language that the examinations are required, and all applicants are expected to take and pass the examinations.

The Committee’s changes were implemented as follows:

§ 2946. Reciprocity licenses; Temporary practice by out-of-state licensees; Waiver of examination requirement

The board shall grant a license to any person who passes the board’s supplemental licensing examination and, at the time of application, has been licensed for at least twelve years by a psychology licensing authority in another state or territory of the United States or Canadian province if the requirements for obtaining a certificate or license to practice psychology in that state, territory or province were substantially equivalent to the requirements of this chapter.

A psychologist certified or licensed in another state, territory or province and who has made application to the board for a license in this state may perform activities and services of a psychological nature without a valid California license for a period not to exceed 180 calendar days from the time of submitting his or her application or from the commencement of residency in this state, whichever first occurs.
Applicants are expected to take and pass the required examinations. The board at its discretion may waive the examinations, when in the judgment of the board the applicant has already demonstrated competence in areas covered by the examinations. The board at its discretion may waive the examinations for diplomates of the American Board of Professional Psychology.

(Amended by Stats. 2005, Ch. 658, Sec. 11. Effective January 1, 2006.)

Proposed Amendments to B&P Code §§ 2909, 2909.5, 2910, & 2911 (Exemptions)

Dr. Horn pointed out that the proposed language in section 2911 should be edited to separate pre-doctoral and post-doctoral trainees. Discussion ensued regarding the best language to accomplish this. The Committee agreed to further simply the language in section 2911 and their changes were implemented as follows:

§ 2911. Applicability of chapter to students and interns (students, interns and post-doctoral trainees)

Nothing in this chapter shall be construed as restricting the activities and services of a psychology graduate student or psychological intern in psychology pursuing a course of study leading to a graduate degree in psychology at an accredited or approved college or university and working in a training program, or a postdoctoral trainee working in a postdoctoral placement overseen by the American Psychological Association (APA), the Association of Psychology Postdoctoral and Internship Centers (APPIC), or the California Psychology Internship Council (CAPIC), provided that these activities and services constitute a part of his or her supervised course of study and that those persons are designated by the title “psychological- or psychology intern,” “psychological trainee,” “postdoctoral intern,” or another title clearly indicating the training status appropriate to his or her level of training. The aforementioned terms shall be reserved for persons enrolled in the a doctoral program leading to one of the degrees that qualifies for licensure listed in subdivision (b) of Section 2914(b) at an accredited or approved college or university or a trainee in a formal pre-doctoral internship post-doctoral placement overseen approved by the American Psychological Association (APA), Association of Psychology Postdoctoral and Internship Centers (APPIC), or California Psychology Internship Council (CAPIC).

(Amended by Stats. 2005, Ch. 658, Sec. 3. Effective January 1, 2006.)

Dr. Winkelman of CPA and Angela Gilliard, Legislative Director for UC Health from the Office of the President of University of California, expressed concern regarding the proposed deletion of section 2910 and incorporation of some of its language into section 2909 because, as it would be worded, it would prohibit professors from using the term “psychologist” in their official titles. After discussion, Dr. Gilliard offered to draft language combining sections 2909 and 2910 and eliminating the problem for professors for the November 15-16, 2018 Board meeting. No changes to sections 2909 and 2910 were recommended by the Committee, and section 2909.5 was not discussed at the meeting.
Proposed Amendments to B&P Code § 2914 (Applicant Requirements)

Dr. Horn expressed concern that evaluations of foreign degrees performed by evaluation services approved by the National Association of Credential Evaluation Services (NACES) are not equivalent. She did not recommend amending section 2914 but suggested that the Board should consider specifying in regulation acceptable types of NACES approved agencies in future.

Drs. Horn and Phillips pointed out that a degree should either be referenced as “a doctorate” or “a doctoral degree”. After discussion, the Committee agreed that “doctorate degree” be replaced with “doctoral degree” for clarity in this section.

The Committee’s changes were implemented as follows:

§ 2914. Applicant’s requirements

Each applicant for licensure shall comply with all of the following requirements:

(a) Is not be subject to denial of licensure under Division 1.5 (commencing with Section 475).

(b) Possess an earned doctoratedoctoral degree (1) in psychology, (2) in educational psychology with the field of specialization in clinical, counseling, school, consulting, forensic or industrial/organizational psychology, or (3) in education with the field of specialization in counseling psychology, or educational psychology, or school psychology, or (3) in a field of specialization designed to prepare graduates for the professional practice of psychology. Except as provided in subdivision (h), this degree or training shall be obtained from an accredited university, college, or professional school. The board shall make the final determination as to whether a degree meets the requirements of this section.

(c) (1) On or after January 1, 2020, possess an earned doctoratedoctoral degree in psychology, in educational psychology with the field of specialization in clinical, counseling, school, consulting, forensic or industrial/organizational psychology, or in education with the field of specialization in counseling psychology, or educational psychology, or school psychology from a college or institution of higher education that is accredited by a regional accrediting agency recognized by the United States Department of Education. Until January 1, 2020, the board may accept an applicant who possesses a doctoratedoctoral degree in psychology, educational psychology with the field of specialization in clinical, counseling, school, consulting, forensic or industrial/organizational psychology, or in education with the field of specialization in counseling psychology, or educational psychology, or school psychology from an institution that is not accredited by an accrediting agency recognized by the United States Department of Education, but is approved to operate in this state by the Bureau for Private Postsecondary Education.

(2) Paragraph (1) does not apply to any student who was enrolled in a doctoral program in psychology, educational psychology with the field of specialization in clinical, counseling, school, consulting, forensic or industrial/organizational psychology, or in education with the field of specialization in counseling psychology, or educational...
psychology, or school psychology at a nationally accredited or approved institution as of December 31, 2016.

(3) No educational institution shall be denied recognition as an accredited academic institution solely because its program is not accredited by any professional organization of psychologists, and nothing in this chapter or in the administration of this chapter shall require the registration with the board by educational institutions of their departments of psychology or their doctoral programs in psychology.

(43) An applicant for licensure trained in an educational institution outside the United States or Canada shall demonstrate to the satisfaction of the board that he or she possesses a doctorate or doctoral degree in psychology or education pursuant to (c)(1) and (2) that is equivalent to a degree earned from a regionally accredited academic institution in the United States or Canada. These applicants shall provide the board with a comprehensive evaluation of the degree performed by a foreign credential evaluation service that is a member of the National Association of Credential Evaluation Services (NACES), and any other documentation the board deems necessary.

(d) (1) Have engaged for at least two years in supervised professional experience under the direction of a licensed psychologist, the specific requirements of which shall be determined by the board in regulations duly adopted under this chapter, at least one year of which shall beoccur after being awarded the qualifying doctoral degree. The supervisor shall submit verification of the experience required by this subdivision to the trainee in a manner as prescribed by the board. If the supervising psychologist fails to provide verification to the trainee in a timely manner, the board may establish alternative procedures for obtaining the necessary documentation. Absent good cause, the failure of a supervising licensed psychologist to provide the verification to the board upon request shall constitute unprofessional conduct.

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

(e) Take and pass the examination required by Section 2941 unless otherwise exempted by the board under this chapter.

(f) Show by evidence satisfactory to the board that he or she has completed coursework or provide evidence of training in the detection and treatment of alcohol and other chemical substance dependency. This requirement applies only to applicants who matriculate on or after September 1, 1985 as prescribed by the board.

(g) (1) Show by evidence satisfactory to the board that he or she has completed coursework or provide evidence of training in spousal or partner abuse assessment, detection, and intervention. This requirement applies to applicants who began graduate training during the period commencing on January 1, 1995, and ending on December 31, 2003, as prescribed by the board.

(2) An applicant who began graduate training on or after January 1, 2004, shall show by evidence satisfactory to the board that he or she has completed a minimum of 15 contact hours of coursework in spousal or partner abuse assessment, detection, and intervention strategies, including knowledge of community resources, cultural factors, and same
gender abuse dynamics. An applicant may request an exemption from this requirement if he or she intends to practice in an area that does not include the direct provision of mental health services.

(3) Coursework required under this subdivision may be satisfactory if taken either in fulfillment of other educational requirements for licensure or in a separate course. This requirement for coursework shall be satisfied by, and the board shall accept in satisfaction of the requirement, a certification from the chief academic officer of the educational institution from which the applicant graduated that the required coursework is included within the institution’s required curriculum for graduation.

(h) Until January 1, 2020, an applicant holding a doctoral degree in psychology from an approved institution is deemed to meet the requirements of this section if both of the following are true:

(1) The approved institution offered a doctoral degree in psychology designed to prepare students for a license to practice psychology and was approved by the former Bureau for Private Postsecondary and Vocational Education on or before July 1, 1999.

(2) The approved institution has not, since July 1, 1999, had a new location, as described in Section 94823.5 of the Education Code.

(Amended by Stats. 2016, Ch. 484, Sec. 3. Effective January 1, 2017.)

Proposed Amendments to B&P Code §§ 25, 28, 2915.5 (Training in Human Sexuality, Child, Elder, and Dependent Adult Abuse Assessment and Reporting, and Aging and Long-term Care), § 2915 (Continuing Professional Development), and §§ 29 & 2915.7 (Continuing Education: Chemical Dependency and Alcoholism and Aging and Long-term Care)

Dr. Horn questioned whether to delete effective dates in section 2915.5. Dr. Elizabeth Winkelman of the California Psychological Association (CPA) added that since the modality to obtain and meet the pre-licensure course requirement is specified in the proposed amendments in section 2915.5(d), the dates may not be necessary. The Committee agreed.

Mr. Foo recommended deleting section 2915.7 and combining the requirements of that section into section 2915.5 to avoid creating an unintentional dichotomy for licensees in meeting this coursework requirement. Dr. Phillips also stated that since the potential licensees would be able to meet this requirement through specific ways, such as through a graduate training program or a continuing education course, he supported amending the language that provides a uniform standard.

After discussion and input from Drs. Elizabeth Winkelman and Jo Linder-Crow of the CPA, the Committee decided to delete dates in sections 2915 and 2915.5, delete subsection 2915(d)(1), delete section 2915.7 and combine requirements of that section into section 2915.5.

Sections 25, 28, and 29 were not discussed by the Committee.
The Committee’s changes were implemented as follows:

§ 2915. Continuing education requirements; Practice outside fields of competence

(a) Except as provided in this section, the board shall issue a renewal license only to an applicant licensed psychologist who has completed 36 hours of approved continuing professional development in the preceding two years.

(b) Each person licensed psychologist who applies to renew or reinstates 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 under penalty of perjury, and shall retain proof of this compliance for submission to the board upon request. False statements submitted pursuant to this section shall be a violation of Section 2970.

(c) Continuing professional development means certain continuing education learning activities approved in four different categories:

(1) Professional Activities.

(2) Academic Activities.

(3) Sponsored eContinuing eEducation eCoursework.

(4) Board Certification from the American Board of Professional Psychology.

The board may develop regulations further defining acceptable continuing professional development activities.

(d) (1) The board shall require a licensed psychologist who began graduate study prior to January 1, 2004, to take a continuing education course during his or her first renewal period after the operative date of this section in spousal or partner abuse assessment, detection, and intervention strategies, including community resources, cultural factors, and same gender abuse dynamics. Equivalent courses in spousal or partner abuse assessment, detection, and intervention strategies taken prior to the operative date of this section or proof of equivalent teaching or practice experience may be submitted to the board and, at its discretion, may be accepted in satisfaction of this requirement.

(2) Continuing education courses taken pursuant to this subdivision shall be applied to the 36 hours of approved continuing professional development required under subdivision (a).

(e) Continuing education courses approved to meet the requirements of this section shall be approved for credit by organizations approved by the board. An organization previously approved by the board to provide or approve continuing education is deemed approved under this section.

(f) The board may accept continuing education courses approved by an entity that has demonstrated to the board in writing that it has, at a minimum, a 10-year history of providing educational programming for psychologists and has documented procedures
for maintaining a continuing education approval program. The board shall adopt
regulations necessary for implementing this section.

(g) The board may grant an exemption, or an extension of the time for compliance with,
from the continuing professional development requirement of this section.

(gh) The administration of this section may be funded through professional license fees
and continuing education provider and course approval fees, or both. The fees related to
the administration of this section shall not exceed the costs of administering the
Corresponding provisions of this section.

(Amended by Stats. 2016, Ch. 484, Sec. 6. Effective January 1, 2017.)

§ 2915.5. Coursework in aging and long-term care required for licensure of new
applicant; Instruction on assessment and reporting of, as well as treatment related
to, elder and dependent adult abuse and neglect

(a) Any applicant for licensure as a psychologist who began graduate study on or after
January 1, 2004, shall complete, as a condition of licensure, a minimum of six (6)
contact hours of coursework or applied experience in aging and long-term care, which
may include, but need not be limited to, the biological, social, and psychological aspects
of aging. On and after January 1, 2012, this coursework shall include instruction on the
assessment and reporting of, as well as treatment related to, elder and dependent adult
abuse and neglect.

(b) Coursework taken in fulfillment of other educational requirements for licensure
pursuant to this chapter, or in a separate course of study, may, at the discretion of the
board, fulfill the requirements of this section.

(eb) In order to satisfy the coursework requirement of this section, the applicant shall
submit to the board a written certification from the registrar or training director,
academic officer of the educational institution or program from which the applicant
graduated stating that the coursework required by this section is included within the
institution’s required curriculum for graduation at the time the applicant graduated, or
within the coursework, that was completed by the applicant.

(c) If an applicant does not have coursework pursuant to this section, evidence of
compliance can be obtained as part of his or her applied experience. Applied
experience can be met in any of the following settings: practicum, internship, or formal
postdoctoral placement that meets the requirement of Section 2911, or other qualifying
supervised professional experience. To satisfy this requirement, the applicant shall
submit to the board a written certification from the director of training for the program or
primary supervisor where the qualifying experience has occurred stating that the training
required by this section is included within the applied experience.

(d) If an applicant does not meet the curriculum or coursework requirement pursuant to
this section, evidence of compliance can be obtained by taking a continuing education
course that meets the requirements of subdivision (e) or (f) of Section 2915 and that
qualifies as a continuing education learning activity category specified in paragraph (2)
or (3) of subdivision (c) of Section 2915. To satisfy this requirement, the applicant shall
submit to the board a certification of completion. The board shall not issue a license to the
applicant until the applicant has met the requirements of this section.

(Amended by Stats. 2010, Ch. 552, Sec. 2. Effective January 1, 2011.)

§ 2915.7. Continuing education course in aging and long-term care required for first license renewal; Instruction on assessment and reporting of, as well as treatment related to, elder and dependent adult abuse and neglect

(a) A licensee who began graduate study prior to January 1, 2004, shall complete a three-hour continuing education course in aging and long-term care during his or her first renewal period after the operative date of this section, and shall submit to the board evidence acceptable to the board of the person’s satisfactory completion of that course.

(b) The course should include, but is not limited to, the biological, social, and psychological aspects of aging. On and after January 1, 2012, this coursework shall include instruction on the assessment and reporting of, as well as treatment related to, elder and dependent adult abuse and neglect.

(c) Any person seeking to meet the requirements of subdivision (a) of this section may submit to the board a certificate evidencing completion of equivalent courses in aging and long-term care taken prior to the operative date of this section, or proof of equivalent teaching or practice experience. The board, in its discretion, may accept that certification as meeting the requirements of this section.

(d) The board may not renew an applicant’s license until the applicant has met the requirements of this section.

(e) A licensee whose practice does not include the direct provision of mental health services may apply to the board for an exception to the requirements of this section.

(Amended by Stats. 2010, Ch. 552, Sec. 3. Effective January 1, 2011.)

Proposed Amendments to B&P Code § 27 (Disclosure of Information), § 2903 (Licensure Requirements), § 2913 (Psychological Assistant), §§ 2940 & 2941 (Application and Examination Fees), §§ 2942, 2943, & 2944 (Examination Time and Subjects), § 2948 (Issuance of License), and § 2960 (Grounds for Disciplinary Action)

These sections were not discussed by the Committee.

Dr. Winkelman questioned whether the time allowed for temporary practice by a licensee of another state or country is consecutive or total time as stated in B&P Code section 2912. The Committee could not discuss the specific section because it was not on the agenda. The Committee recommend including the section on the agenda for the next Licensing Committee meeting.

It was M(Foo)/S(Phillips) to approve the language as amended, move the Pathways statutory amendments for the full Board’s consideration, and proceed to legislation.

There was no public comment.
Vote: 3-0 (Aye: Foo, Horn, Phillips)

b. Proposed Amendments to Title 16 of the California Code of Regulations:

- § 1380.3 (Definitions);
- §§ 1381, 1381.1, & 1381.2 (Applications);
- § 1381.4 (Failure to Appear for an Examination);
- § 1381.5 (Failure to Pay Initial License Fee);
- § 1381.6 (Permit Processing Times);
- §§ 1382, 1382.3, 1382.4, 1382.5, & 1382.6 (Pre-licensing Courses);
- § 1386 (Evaluation of Education);
- § 1387 (Supervised Professional Experience);
- §§ 1387.1 & 1387.2 (Qualifications of Primary and Delegated Supervisors);
- § 1387.3 (Non-Mental Health Services);
- § 1387.4 (Out-of-State Experience);
- § 1387.5 (SPE Log);
- §§ 1388, 1388.6, 1389, & 1389.1 (Examinations-Waiver/Reconsideration);
- §§ 1387.7, 1390, 1390.1, 1390.2, & 1390.3 (Registered Psychologists);
- §§ 1387.6, 1391, 1391.1, 1391.2, 1391.3, 1391.4, 1391.5, 1391.6, 1391.7, 1391.8, 1391.10, 1391.11, & 1391.12 (Psychological Assistants); and
- § 1392.1 (Psychological Assistant Fees)

Dr. Horn opened discussion of proposed changes to the following sections of the regulations.

Proposed Amendments to Title 16 of the California Code of Regulations (CCR) § 1380.3 (Definitions)

Mr. Foo expressed concern about the definition of “he or she” in section 1380.3(c) as it is not representative of the applicable community. After discussion, the Committee agreed that “he or she” in subsection (c) be replaced with “applicant,” “licensee,” “trainee” etc. as appropriate throughout the proposed regulation amendments and removed it from this section.

Dr. Winkelman suggested that the definition of General Applied Psychology be added to the section 1380.3 because she found that in reading through the changes to the supervision requirements and the introduction to the term General Applied Psychology, it was confusing, and it would be helpful to define it in this section. Dr. Horn agreed and suggested that the definition of Health Service Psychologist also be added to the definitions in section 1380.3. The Committee discussed definition language and their changes were implemented as follows:

§ 1380.3. Definitions.

The following general definitions shall apply whenever the terms are used throughout Division 13.1, except where specifically noted otherwise. For the purpose of the regulations contained in this chapter, the term

(a) “Board” means the Board of Psychology; and the term
(b) “eCode” means the Business and Professions Code.

(c) “Client” means a client or patient of the licensee.

(d) “Licensed” or “licensed psychologist” means a psychologist licensed by the Board.

(e) “Trainee” means a psychology trainee working under supervision as specified in section 1387.

(f) “General Applied Psychologist” means a licensed psychologist whose training is in forensic, consulting, industrial/organizational, or applied developmental psychology, or applied psychological research.

(g) “Health Service Psychologist” means a licensed psychologist whose training is in clinical, counseling, or school psychology.

Note: Authority and reference cited: Section 2930, Business and Professions Code.

Proposed Amendments to Title 16 of the CCR §§ 1381, 1381.1, & 1381.2 (Applications), § 1381.4 (Failure to Appear for an Examination), and § 1381.5 (Failure to Pay Initial License Fee)

Dr. Phillips recommended the word, “deemed”, should be used relating to application withdrawal. Dr. Phillips also recommended that application should be withdrawn, instead of being abandoned. The Committee agreed.

Sections 1381 and 1381.2 were not discussed by the Committee.

The Committee’s changes were implemented as follows:

§ 1381.1. Abandonment Withdrawal of Applications.

An application shall be deemed withdrawn after thirty-six (36) months denied without prejudice when, in the discretion of the board, an applicant does not exercise due diligence in the completion of his or her application, in furnishing additional information or documents requested or in the payment of any required fees. An applicant who subsequently decides to reapply shall be required to file a new application and pay the current application fee.

Note: Authority cited: Section 2930, Business and Professions Code. Reference: Section 2940, Business and Professions Code.

§ 1381.4. Failure to Appear for Examination—Withdrawal of Application.

The application shall be deemed withdrawn, for any applicant approved to take or retake a Board licensing examination who fails to appear for such examination in any twelve-month period shall be deemed have his or her application withdrawn. An applicant who subsequently decides to take the examination shall be required to file a new application and pay the current application and examination fees.
Note: Authority cited: Section 2930, Business and Professions Code. Reference: Sections 2940 and 2983, Business and Professions Code.

§ 1381.5. Failure to Pay Initial License Fee.

An application shall be deemed to have been abandoned or withdrawn if an applicant fails to pay the initial license fee within three years thirty-six (36) months after notification by the Board that the fee for licensure is due. An applicant whose application has been deemed withdrawn or abandoned may again be eligible for licensure upon the filing of a new application and meeting all current licensing or licensure requirements, including payment of any fees. Such applicant shall not be required to take the Examination for Professional Practice in Psychology (EPPP) but shall take and pass the California Psychology Supplemental Laws and Ethics Examination (CPSLEE).

Proposed Amendments to Title 16 of the CCR §§ 1382, 1382.3, 1382.4, 1382.5, & 1382.6 (Pre-licensing Courses)

Per the discussion in section 1380.3, the Committee agreed that “he or she” should be replaced with “applicant,” “licensee,” “trainee” etc. as appropriate throughout the proposed regulation amendments.

Section 1382.6 was not discussed by the Committee.

The Committee’s changes were implemented as follows:

§ 1382. Human Sexuality Training.

(a) An applicant for licensure as a psychologist shall complete as a condition of licensure a minimum of six (6) hours of coursework or applied experience in human sexuality, which includes the study of physiological, psychological and sociocultural variables associated with sexual identity, sexual behavior or sexual disorders, major treatment approaches and the specific ethical and legal issues related to practice in this area.

(b) This requirement shall be met in one of the following ways:

(1) Obtained as part of his or her the applicant’s qualifying graduate degree program. To satisfy this requirement, the applicant shall submit to the Board a written certification from the registrar or training director of the educational institution or program from which the applicant graduated stating that the coursework required by this section is included within the institution’s curriculum required for graduation at the time the applicant graduated, or within the coursework that was completed by the applicant.

(2) Obtained as part of his or her the applicant’s applied experience. Applied experience can be met in any of the following settings: practicum, internship, or formal postdoctoral placement that meets the requirement of section 2911, or other qualifying supervised professional experience. To satisfy this requirement, the
applicant shall submit to the board a written certification from the director of training for the program or primary supervisor where the qualifying experience has occurred stating that the training required by this section is included within the applied experience.

(3) By taking a continuing education course that meets the requirements of subdivision (e) or (f) of section 2915 and that qualifies as a continuing education learning activity category specified in paragraph (2) or (3) of subdivision (c) of section 2915. To satisfy this requirement, the applicant shall submit to the board a certification of completion.

Unless otherwise exempted, all persons applying for a license as a psychologist shall, in addition to all other requirements for licensure, have completed coursework or training in human sexuality which meets the requirements of this section. Such training shall:

(a) Be completed after January 1, 1970.
(b) Be obtained

(1) In an accredited or approved educational institution, as defined in section 2901 of the Code, including extension courses offered by such institutions, or
(2) In an educational institution approved by the Department of Education pursuant to section 94310 of the Education Code, or
(3) From a continuing education provider approved by a professional association, or
(4) In a course sponsored or offered by a professional association, or
(5) In a course sponsored, offered or approved by a local, county or state department of health or mental health or by health agencies of the Federal Government.

(c) Have a minimum length of ten (10) contact hours.

(d) Include the study of physiological-psychological and social-cultural variables associated with sexual identity, sexual behavior or sexual disorders.

All applicants shall provide the board with documentation of completion of the required human sexuality training. It is the intent of the board that all persons licensed to practice psychology have minimal training in human sexuality. It is not intended that by complying with the requirements of this section only, a practitioner is fully trained in the subject of sex-therapy.


§ 1382.3. Training in Alcoholism/Chemical Dependency Detection and Treatment.

(a) An applicant for licensure as a psychologist shall complete as a condition of licensure a minimum of six (6) hours of coursework or applied experience in alcoholism/chemical dependency detection and treatment. Such coursework or training shall include assessment and intervention of chemical dependency and alcoholism, the study of
physiological, psychological and sociocultural variables associated with chemical
dependency and alcoholism, prevailing treatment models, and the specific ethical and
legal issues related to practice in this area.

(b) This requirement shall be met in one of the following ways:

(1) Obtained as part of his or her the applicant’s qualifying graduate degree program.
   To satisfy this requirement, the applicant shall submit to the Board a written
certification from the registrar or training director of the educational institution or
program from which the applicant graduated stating that the coursework required by
this section is included within the institution’s curriculum required for graduation at the
time the applicant graduated, or within the coursework that was completed by the
applicant.

(2) Obtained as part of his or her the applicant’s applied experience. Applied
   experience can be met in any of the following settings: practicum, internship, or
formal postdoctoral placement that meets the requirement of section 2911, or other
qualifying supervised professional experience. To satisfy this requirement, the
applicant shall submit to the board a written certification from the director of training
for the program or primary supervisor where the qualifying experience has occurred
stating that the training required by this section is included within the applied
experience.

(3) By taking a continuing education course that meets the requirements of
   subdivision (e) or (f) of section 2915 and that qualifies as a continuing education
learning activity category specified in paragraph (2) or (3) of subdivision (c) of Section
2915. To satisfy this requirement, the applicant shall submit to the board a
certification of completion.

The requirements set forth in Section 2914 (e) of the code shall be satisfied by
completion of a graduate level course which meets the following criteria:

(a) The course shall be devoted solely to the topic of alcoholism and chemical
dependency detection and treatment and shall not be less than a; semester or a quarter
term in length.

(b) The course must be obtained at an educational institution, or in an extension course
offered by an institution, which is either credited under Education Code Section 94310.1,
or approved under Education Code Section 94310.2, by the State Department of
Education.

(c) An original transcript indicating successful completion of the course shall be deemed
sufficient evidence for purposes of satisfying this requirement.

(d) The course shall include training in each of the following subjects as they relate to
alcoholism and chemical dependency:
   (1) The definition of alcoholism and other chemical dependency, and the evaluation
of the user.
(2) Current theories of, and research on, the etiology of substance abuse.

(3) Physiological and medical aspects and effects of alcoholism and other chemical dependency.

(4) Psychopharmacology and the interaction of various classes of drugs, including alcohol.

(5) Diagnosing and differentiating alcoholism and substance abuse in patients referred for other clinical symptoms, such as depression, anxiety, psychosis, and impotence.

(6) Populations at risk with regard to substance abuse.

(7) Cultural and ethnic considerations.

(8) Prenatal effects.

(9) Adolescent substance abuse.

(10) Implications for the geriatric population.

(11) Iatrogenic dependency.

(12) Major treatment approaches to alcoholism and chemical dependency, including research and application.

(13) The role of persons and systems which support or compound abuse.

(14) Family issues which include treatment approaches with families of alcoholics and/or substance abusers.

(15) The process of referring affected persons.

(16) Community resources offering assessment, treatment and follow up for the abuser and family.

(17) Ethical and Legal issues for clinical practice.

(18) Prevention of substance abuse.

Note: Authority cited: Section 2930, Business and Professions Code. Reference: Section 2914(e), Business and Professions Code.


(a) An applicant for licensure as a psychologist who began graduate study on or after January 1, 1983, shall complete as a condition of licensure a minimum of seven (7) hours of coursework or applied experience in child abuse and neglect assessment.
detection, intervention, and reporting. Such coursework or training shall include
assessment, detection, intervention, and reporting of child abuse and neglect, the study
of physiological, psychological, and sociocultural variables associated with child abuse
and neglect, prevailing treatment models, and the specific ethical and legal issues
related to practice in this area.

(b) This requirement shall be met in one of the following ways:

(1) Obtained as part of his or her the applicant’s qualifying graduate degree program.
To satisfy this requirement, the applicant shall submit to the Board a written
certification from the registrar or training director of the educational institution or
program from which the applicant graduated stating that the coursework required by
this section is included within the institution’s curriculum required for graduation at the
time the applicant graduated, or within the coursework that was completed by the
applicant.

(2) Obtained as part of his or her the applicant’s applied experience. Applied
experience can be met in any of the following settings: practicum, internship, or
formal postdoctoral placement that meets the requirement of section 2911, or other
qualifying supervised professional experience. To satisfy this requirement, the
applicant shall submit to the board a written certification from the director of training
for the program or primary supervisor where the qualifying experience has occurred
stating that the training required by this section is included within the applied
experience.

(3) By taking a continuing education course that meets the requirements of
subdivision (e) or (f) of section 2915 and that qualifies as a continuing education
learning activity category specified in paragraph (2) or (3) of subdivision (c) of Section
2915. To satisfy this requirement, the applicant shall submit to the board a
certification of completion.

All persons applying for a license or renewal of a license as a psychologist shall in
addition to all other requirements for licensure, have completed coursework or training in
child abuse assessment and reporting and shall submit documentation thereof to the
board. The coursework or training in child abuse assessment and reporting shall consist
of not less than 7 instructional hours and shall include training in each of the subject
areas described in section 28 of the Code. The coursework or training shall be:

(a) Obtained at an educational institution, or in an extension course offered by an
institution which is accredited by the Western Association of Schools and Colleges, the
Northwest Association of Secondary and Higher Schools, or an essentially equivalent
accrediting agency as determined by the board or approved by the State Department of
Education pursuant to section 94310.2 of the Education Code; or

(b) Obtained from a statewide professional association representing the professions of
psychology, social work, or marriage, family and child counseling; or

(c) Obtained from or sponsored by a local county, state or federal governmental entity.

(d) Completed after January 1, 1983.
§ 1382.5. Spousal or Partner Abuse Assessment, Detection, and Intervention Strategies Training Requirements.

(a) An applicant for licensure as a psychologist shall complete as a condition of licensure a minimum of six (6) hours of coursework or applied experience in spousal or partner abuse assessment, detection, and intervention strategies. Such coursework or training shall include assessment, detection, and intervention of spousal abuse, the study of physiological, psychological, and sociocultural variables associated with spousal abuse, prevailing treatment models, and the specific ethical and legal issues related to practice in this area.

(b) This requirement shall be met in one of the following ways:

(1) Obtained as part of his or her the applicant’s qualifying graduate degree program. To satisfy this requirement, the applicant shall submit to the Board a written certification from the registrar or training director of the educational institution or program from which the applicant graduated stating that the coursework required by this section is included within the institution’s curriculum required for graduation at the time the applicant graduated, or within the coursework that was completed by the applicant.

(2) Obtained as part of his or her the applicant’s applied experience. Applied experience can be met in any of the following settings: practicum, internship, or formal postdoctoral placement that meets the requirement of section 2911, or other qualifying supervised professional experience. To satisfy this requirement, the applicant shall submit to the board a written certification from the director of training for the program or primary supervisor where the qualifying experience has occurred stating that the training required by this section is included within the applied experience.

(3) By taking a continuing education course that meets the requirements of subdivision (e) or (f) of section 2915 and that qualifies as a continuing education learning activity category specified in paragraph (2) or (3) of subdivision (c) of section 2915. To satisfy this requirement, the applicant shall submit to the board a certification of completion.

All persons applying for a license as a psychologist who began their graduate training on or after January 1, 1995 shall, in addition to all other requirements for licensure, have completed coursework in spousal or partner abuse assessment, detection, and intervention strategies and shall submit documentation thereof to the board. The coursework in spousal or partner abuse assessment, detection, and intervention strategies shall consist of not less than a combined total of two (2) hours focused on this topic. All persons applying for a license as a psychologist who began their graduate training on or after January 1, 2004 shall also meet the above requirement, however, such course shall consist of at least fifteen (15) contact hours.
The coursework shall be:

(a) taken in fulfillment of other educational requirements in the applicant’s graduate and/or doctoral training, or

(b) taken in a separate course approved by the board’s recognized continuing education accrediting agency, or

(c) taken in a separate course provided by a sponsor approved by the American Psychological Association.

(d) completed after January 1, 1995.

An applicant may request an exemption from this requirement if he or she intends to practice in an area that does not include the direct provision of mental health services.

Note: Authority cited: Sections 2914(f) and 2930, Business and Professions Code. Reference: Section 2914(f), Business and Professions Code.

Proposed Amendments to Title 16 of the CCR § 1387 (Supervised Professional Experience)

The Committee, with input from Dr. Winkelman and Dr. Jo Linder-Crow, California Psychological Association and Dr. Berenice Gonzalez, Psychology License Applicant, discussed the proposed amendments to section 1387. It was suggested that staff work with Dr. Phillips to review and draft further necessary amendments to the Supervision Agreement and Verification of Experience forms.

Per the discussion in section 1380.3, the Committee agreed that “he or she” should be replaced with “applicant,” “licensee,” “trainee” etc. “He or she” was replaced as appropriate in this section.

The Committee’s changes were implemented as follows:

§ 1387. Supervised Professional Experience (SPE).

This section applies to all trainees, pre- or post-doctoral, who intend accruing for hours of supervised professional experience (SPE) to count toward meeting the licensing requirements stated in section 2914(cd) of the Business and Professions Code. This section also applies to all those trainees accruing hours of SPE in areas of general applied psychology that do not include direct mental health services should refer to section 1387.3 for information on establishing an alternate plan for SPE.

(a) SPE is defined as an organized program that consists of a planned, structured and administered sequence of professionally supervised, comprehensive, clinical training experiences. SPE shall have a logical training sequence that builds upon the skills and competencies of trainees to prepare them for the independent practice of psychology once they become licensed. SPE shall include:
SPE shall include (1) socialization into the profession of psychology and shall be augmented by integrated modalities including mentoring, didactic exposure, role-modeling, enactment, observational/vicarious learning, and consultative guidance.

SPE shall include (2) activities which address the integration of psychological concepts and current and evolving competencies, scientific knowledge, principles, and theories to the professional delivery of psychological services to the consumer-public.

SPE shall include (3) only the time spent by the trainee engaged in psychological activities that directly serve to prepare the trainee for the independent practice of psychology once licensed. SPE shall not include custodial tasks such as filing, transcribing or other clerical duties.

The term “trainee” as used in these regulations means a psychology trainee working under one of the conditions listed in subsections (a)(1) and (a)(2) of this section.

(1) Pre-doctoral SPE: Up to 1500 hours of SPE may be accrued pre-doctorally but only after completion of 48 semester/trimester or 72 quarter units of graduate coursework in psychology, not including thesis, internship or dissertation. Pre-doctoral SPE shall may be accrued only as follows:

(A) In a formal internship placement pursuant to section 2911 of the Code, which is accredited by the American Psychological Association (APA), or which is a member of the Association of Psychology Postdoctoral and Internship Centers (APPIC) or the California Psychology Internship Council (CAPIC) and Registration with the Board is not required. A formal internship placement that actually began prior to January 1, 2007 that meets the membership requirements of, but is not a member of, APPIC or CAPIC will satisfy the requirements of this section; or

(B) As an employee of an exempt setting pursuant to section 2910 of the Code and Registration with the Board is not required; or

(C) As a psychological assistant/associate pursuant to section 2913 of the Code and Registration with the Board prior to commencing work is required; or

(D) Pursuant to a Department of Mental Health Waiver (5751.2 Welfare and Institutions Code) for which registration with the board is not required.

(2) Post-doctoral SPE: At least 1500 hours of SPE shall be accrued post-doctorally. “Post-doctorally” means after the date certified as “meeting all the requirements for the doctoral degree” by the Registrar or Dean of the educational institution, or by the Director of Training of the doctoral program. Post-doctoral SPE shall may be accrued only as follows:

(1b) Pursuant to section 2914(ed) of the Code, two years of qualifying SPE shall be completed and documented prior to licensure. One year of SPE shall be defined as 1500 hours. At least one year of SPE shall be completed post-doctorally. Each year of SPE shall be completed within a thirty (30) consecutive months period. If both years of SPE (3000 hours) are completed post-doctorally, they shall be completed within a sixty (60) consecutive months period. Upon showing of good cause as determined by the Board, these specified time limitations may be reasonably modified.
(A) For postdoctoral SPE accrued on or after January 1, 2006, in a formal postdoctoral training placement program pursuant to section 2911 of the Code, which is accredited by the American Psychological Association (APA), or which is a member of the Association of Psychology Postdoctoral and Internship Centers (APPIC) or the California Psychology Internship Council (CAPIC) and registration with the Board is not required; or

(B) As a registered psychologist pursuant to section 2909(d) of the Code and registration with the Board prior to commencing work is required; or

(C) As an employee of an exempt setting pursuant to section 2910 of the Code and registration with the Board is not required; or

(D) As a psychological assistant pursuant to section 2913 of the Code and registration with the Board prior to commencing work is required; or

(E) Pursuant to a Department of Mental Health Waiver (5751.2 Welfare and Institutions Code) for which registration with the Board is not required.

(bc) Supervision Requirements:

(1) All SPE must be overseen by a primary supervisor.

(A) All primary supervisors must be licensed psychologists who meet the requirements of section 1387.1(a), except for SPE accrued in areas of general applied psychology, including but not limited to applied psychological research, industrial/organizational psychology, applied developmental psychology or consulting psychology, in which case the primary supervisor may be unlicensed. If the primary supervisor is unlicensed, the trainee must obtain a co-supervisor who is a licensed psychologist that meets the requirements of section 1387.1(c).

(B) The primary supervisor may delegate supervision to other licensed mental health professionals who meet the requirements of section 1387.1(b).

Primary supervisors shall meet the requirements set forth in section 1387.1.

(2) Delegated supervisors shall meet the requirements set forth in section 1387.2.

(3) Trainees shall have no proprietary interest in the business of the primary or delegated supervisor(s) and shall not serve in any capacity which would hold influence over the primary or delegated supervisor(s)' judgment in providing supervision.

(4) Trainees shall be provided with supervision for 10% of the total time. A maximum of 40 hours per week can be credited toward SPE. Time spent in supervision can be counted toward the trainee's SPE worked each week. At least one (1) hour per week shall be face-to-face, must be in real time, direct, individual supervision with the primary supervisor. Additional supervision can be provided by
the primary, delegated, or co-supervisor(s). See table below for supervision requirements.

<table>
<thead>
<tr>
<th>Hours Worked</th>
<th>Within the Hours Worked, Time Spent in Supervision</th>
</tr>
</thead>
<tbody>
<tr>
<td>0-10</td>
<td>1</td>
</tr>
<tr>
<td>11-20</td>
<td>2</td>
</tr>
<tr>
<td>21-30</td>
<td>3</td>
</tr>
<tr>
<td>31-40</td>
<td>4</td>
</tr>
<tr>
<td>Total Countable SPE</td>
<td>40</td>
</tr>
</tbody>
</table>

(5) A maximum of forty-four (44) hours per week will be credited toward meeting the SPE requirement. This shall include the required 10% supervision.

(6) The primary supervisor shall be employed by the same work setting as the trainee and be available to the trainee 100% of the time the trainee is accruing SPE. This availability may be in-person, by telephone, by pager or by other appropriate technology.

(7) Primary supervisors shall ensure that a plan is in place to protect the patient/client in the event a patient/client crisis or emergency occurs during any time the supervisor is not physically present at the established site at which the trainee is working. The primary supervisor shall ensure that the trainee thoroughly understands the plan in the event of a crisis/emergency.

(48) SPE shall not be obtained from supervisors who have received payment, monetary or otherwise, from the trainee for the purpose of providing such supervision. No supervisor shall request, receive, or facilitate the receipt of payment, monetary or otherwise, from the trainee as a condition for the accrual of SPE.

(59) SPE Experience gained while the trainee is functioning under another mental health license shall not be credited toward meeting the SPE requirements for licensure, the psychologist’s license.

(10) Prior to the start of the experience, the primary supervisor and the supervisee shall together prepare an agreement that outlines the structure and sequence of the planned program of supervision to accomplish the goals and objectives of the experience. Hours accrued prior to preparing such an agreement results in those hours not counting toward the licensure requirements. The original agreement shall accompany the application for registration, if any, and identify at least the following:

- Name, license number and signature of primary supervisor;
- Name and signature of supervisee;
- Statutory authority under which the supervisee will function;
- Start date of the experience and the anticipated completion date;
- Duties to be performed in a sequential structured plan as defined in this section;
- Address of the locations at which the duties will be performed;
• Goals and objectives of the plan for SPE, including how socialization into the profession will be achieved; and
• How and when the supervisor will provide periodic assessments and feedback to the traineesupervisee as to whether or not he or she is performing as expected.

Additionally, the agreement shall reflect that both supervisor and supervisee have discussed and understand each term of SPE as required by the California Code of Regulations.

Once the SPE outlined in the agreement has been completed, the primary supervisor shall submit to the traineesupervisee both the agreement, unless previously submitted to the Board pursuant to Section 1387(b)(10), and a verification of experience form VOE (Rev. XX/XX), which is hereby incorporated by reference, signed by the primary supervisor under penalty of perjury, in a sealed envelope, signed across the seal by the primary supervisor, for submission to the Board by the traineesupervisee along with his or her trainee's application for licensure. The verification shall certify to completion of the hours consistent with the terms of the agreement and contain the following information:

- Name and contact information of the trainee
- Name, license number and contact information of the supervisor
- Start and end date of the experience
- Total number of hours per week worked by the trainee
- Total number of supervised hours per week
- Total number of hours being verified

The supervisor must indicate, in his or her supervisor's best professional judgment, whether the traineesupervisee demonstrated an overall performance at or above the level of competence expected for the traineesupervisee's level of education, training and experience. When SPE is accrued in a formal pre-doctoral internship or post-doctoral training program, the program's training director shall be authorized to perform the verification and rating duties of the primary supervisor provided that the internship training director is a licensed psychologist who possesses a valid, active license free of any disciplinary action.

If the SPE is not consistent with the terms of the agreement, or if the traineesupervisee did not demonstrate an overall performance at or above the level of competence expected for the traineesupervisee's level of education, training and experience, then the SPE hours accrued shall not count towards the licensure requirements.

(7) The trainee shall maintain a written weekly log of all hours of SPE earned toward licensure, in accordance with section 1387.5.

(8) Failure to comply with the requirements of this section shall be considered unprofessional conduct and may subject the supervisor to disciplinary action.

(c) Delegated Supervision Requirements:

(1) Except as provided in section 1391.5, which regulates the supervision of psychological assistants, primary supervisors may delegate supervision to other...
qualified psychologists or to other qualified mental health professionals including licensed marriage and family therapists, licensed educational psychologists, licensed clinical social workers and board certified psychiatrists.

(2) The primary supervisor remains responsible for providing the minimum one hour per week of direct, individual face-to-face supervision.

(3) The primary supervisor remains responsible for ensuring compliance with this section.


Proposed Amendments to Title 16 of the CCR §§ 1387.1 & 1387.2 (Qualifications of Primary and Delegated Supervisors)

In response to the question posed by staff, the Committee confirmed that a trainee would be able to count the Supervised Professional Experience (SPE) earned during a supervision period provided by an interim supervisor.

The Committee also recommended clarifying the kind of disciplinary action imposed on the supervisor that requires immediate notification to the trainee.

Per the discussion in section 1380.3, the Committee agreed that “he or she” should be replaced with “applicant,” “licensee,” “trainee” etc. “He or she” was replaced as appropriate in this section.

The Committee’s changes were implemented as follows:

§ 1387.1. Qualifications and Responsibilities of Primary Supervisors.

All primary supervisors shall be licensed psychologists, except that board certified psychiatrists may be primary supervisors of their own registered psychological assistants. In this regard, a maximum of 750 hours of experience out of the required 3000, can be supervised by a board certified psychiatrist and can be counted toward meeting the SPE licensing requirements.

(a) Primary supervisors shall comply with all of the following requirements:

(1) Prior to functioning as a primary supervisor and every two (2) years thereafter while acting as a primary supervisor, the supervisor shall complete six (6) hours of approved continuing professional development in supervision that meets the requirements in section 1397.61(c)(2).

(A) Primary supervisors shall certify under penalty of perjury to completion of the six (6) hour course, as required by this section, each time the supervisor completes a verification of the experience as referenced in section 1387(c)(7).
(B) Documentation of the course shall be maintained for six (6) years from the date of completion. Evidence of completion of the course shall be submitted to the Board upon request.

(2) Primary supervisors shall possess and maintain a valid, active license free of any current formal disciplinary action that disqualifies the supervisor from providing supervision, and shall immediately notify the trainee-supervisee of any disciplinary action, including revocation, surrender, suspension, probation terms, or changes in licensure status including inactive license, delinquent license or any other license status change that affects the primary supervisor’s ability or qualifications to supervise.

(b) Primary supervisors who are licensed by the Board shall complete a minimum of six (6) hours of supervision coursework every two years.

(1) Primary supervisors shall certify under penalty of perjury to completion of this coursework requirement each time the supervisor completes a verification form as referenced in section 1387(b)(10).

(3e) Primary supervisors shall be in compliance to ensure that all supervisors and trainees comply at all times with the provisions of the Psychology Licensing Law and regulations the Medical Practice Act, whichever is applicable, and the regulations adopted pursuant to these laws.

(d) Primary supervisors shall be responsible for ensuring compliance at all times by the trainee with the provisions of the Psychology Licensing Law and the regulations adopted pursuant to these laws.

(4e) Primary supervisors shall be responsible for ensuring that all SPE including record keeping is conducted in compliance with the Ethical Principles of Psychologists and Code of Conduct published by the American Psychological Association.

(5f) Primary supervisors shall be responsible for monitoring the welfare of the trainee’s clients who receive psychological services rendered by the trainee.

(6g) Primary supervisors shall ensure that each client or patient is informed, prior to the rendering of services by the trainee that:

(A) The trainee is unlicensed and is functioning under the direction and supervision of the supervisor;

(B) The primary supervisor shall have full access to the client treatment records in order to perform supervision responsibilities and

(C) Any fees associated with services provided by the trainee paid for the services of the trainee must be paid directly to the primary supervisor or employer.

(7h) Primary supervisors shall be responsible for monitoring the performance and professional development of the trainee, including how and when the supervisor
will provide periodic assessments and feedback to the trainee supervisee as to whether or not the trainee supervisee is performing as expected.

(i) Primary supervisors shall ensure that they have the education, training, and experience in the area(s) of psychological practice they will supervise.

(8j) Primary supervisors shall have no current or former financial, personal, or familial, intimate, business relationship with the trainee, or other relationship with the trainee which would compromise the supervisor's effectiveness, and/or which would violate the Ethical Principles of Psychologists and Code of Conduct published by the American Psychological Association.

(k) Primary supervisors shall not supervise a trainee who is now or has ever been a psychotherapy client of the supervisor.

(lj) Primary supervisors shall not exploit trainees or engage in sexual relationships or any other sexual contact with trainees.

(9m) Primary supervisors shall require the trainees to review the pamphlet "Professional Therapy Never Includes Sex."

(10n) Primary supervisors shall monitor the supervision performance of all provided by delegated supervisors.

(11) Be employed or contracted by the same organization as the trainee and be available 100% of the time SPE is being accrued. This availability may be in-person, by telephone, or by other appropriate technology.

(12) Ensure that a crisis plan is in place to protect the client in the event a crisis or emergency occurs during any time the supervisor is not physically present at the location the trainee is working. The primary supervisor shall ensure that the trainee thoroughly understands the crisis plan.

(13) Have the education, training and experience in the areas of psychological practice for which they will supervise, and shall be responsible for supervising the psychological functions performed by the trainee and ensure compliance with the provisions of the Code, the Board’s regulations, and the ethical standards established by the American Psychological Association.


§ 1387.2. Qualifications and Responsibilities of Delegated Supervisors.

(b) A primary supervisor who is a licensed psychologist may delegate supervision to another psychologist, licensed marriage and family therapist, licensed educational psychologist, licensed clinical social worker, licensed professional clinical counselor or board certified psychiatrist. Upon such delegation, the primary supervisor shall maintain responsibility for providing the minimum one (1) hour per week of direct, individual supervision to the trainee, and ensuring compliance with this section.
A delegated supervisors shall be qualified psychologists or those other qualified mental health professionals listed in section 1387(c), comply with all of the following requirements:

(1) The delegated supervisor(s) shall be employed or contracted by in the same entity work setting as the trainee.

(2a) Delegated supervisors shall have possess and shall maintain a valid, active license free of any current formal disciplinary action that disqualifies the supervisor from providing supervision, and shall immediately notify the trainee and the primary supervisor of any disciplinary action initiated by the Board from which they receive their license, including revocation, surrender, suspension, probation terms, or changes in licensure status including inactive license, or any other license status change that affects the supervisor’s ability or qualifications to supervise.

(3b) Delegated supervisors shall be in compliance at all times with the provisions of the Psychology Licensing Law, and other applicable State licensing laws and the regulations adopted pursuant to these laws.

(4) Ensure that they have education, training, and experience in the areas of psychological practice for which they will supervise.

(5e) Delegated supervisors shall be responsible for ensuring compliance by the trainee with the provisions of the Psychology Licensing Law and the regulations adopted pursuant to these laws.

(6d) Delegated supervisors shall be responsible for ensuring that all SPE and record keeping performed under their supervision delegated to them is conducted in compliance with the Ethical Principles of Psychologists and Code of Conduct published by the American Psychological Association.

(7e) Delegated supervisors shall be responsible for monitoring the welfare of the trainee’s clients who receive psychological services rendered by the trainee while under their delegated supervision.

(8f) Delegated supervisors shall be responsible for monitoring and report to the primary supervisor the performance and professional development of the trainee and for reporting this performance and development to the primary supervisor.

(g) Delegated supervisors shall ensure that they have the education, training, and experience in the area(s) of psychological practice to be supervised.

(9h) Delegated supervisors shall have no current or former financial, personal, or familial, intimate, business relationship with the trainee, or other relationship with the trainee which would that could compromise the supervisor’s effectiveness, and/or which would that violates the Ethical Principles of Psychologists and Code of Conduct published by the American Psychological Association.

(i) Delegated supervisors shall not supervise a trainee who is now or has ever been a psychotherapy client of the supervisor.
(j) Delegated supervisors shall not exploit trainees or engage in sexual relationships, or any other sexual contact with trainees.

(c) If SPE is obtained in areas of general applied psychology, a licensed co-supervisor is required if a primary supervisor is not licensed. The co-supervisor shall comply with all of the following requirements:

1. Possess and maintain a valid, active license issued by the Board free of any formal disciplinary action that disqualifies the supervisor from providing supervision during the period of supervision;

2. Notify the trainee of any current disciplinary action that disqualifies the co-supervisor from providing supervision;

3. Prior to functioning as a co-supervisor and every two (2) years thereafter, the co-supervisor shall complete six (6) hours of approved continuing education in supervision that meets the requirements in section 1397.61(c)(1);

(A) Co-supervisors shall certify under penalty of perjury to completion of the six (6) hour course, as required by this section, each time the co-supervisor completes a verification of the experience as referenced in section 1387(c)(7); and

(B) Documentation of the course shall be maintained for six (6) years from the date of completion. Evidence of completion of the course shall be submitted to the Board upon request.

4. Monitor the performance and professional development of the trainee and report this to the primary supervisor;

5. Have no current or former financial, personal, or familial relationship with the trainee, or other relationship that could compromise the co-supervisor’s effectiveness, or that violates the Ethical Principles of Psychologists and Code of Conduct published by the American Psychological Association;

6. Supervise no more than five (5) trainees at any given time; and

7. Ensure that all supervisors and trainees comply with the provisions of the Psychology Licensing Law and regulations.

(d) Interim supervision by a person other than the primary supervisor may be provided by a person who meets the requirements of section 1387.1(a) for a period not to exceed thirty (30) consecutive calendar days in the event the primary supervisor is unavailable for reasons including, but not limited to, illness, injury or vacation. For psychological associates, interim supervision that is expected to continue for more than thirty (30) consecutive calendar days requires the psychological associate to add or change the primary supervisor at that location.

Proposed Amendments to Title 16 of the CCR § 1387.5 (SPE Log)

Dr. Winkelman, CPA, and Dr. Marilyn Immoos, Department of Corrections and Rehabilitation, questioned whether the proposed language in section 1387.5(9), which was renumbered from (5) from the existing language, requires that the weekly log be signed by the supervisor each week. After discussion, the Committee decided to delete subsection (9). The Committee also agreed that in the future, the Board should draft a sample weekly log.

The Committee’s changes were implemented as follows:

§ 1387.5. SPE Log.

(a) The trainee shall maintain a written weekly log of all hours of SPE earned toward licensure. The log shall be made available to the Board upon request and contain an accounting of the following information:

1. The specific work setting in which the SPE took place.
2. The specific dates for which the log is being completed.
3. The number of hours worked during the week.
4. The number of hours of supervision received during the week.
5. An indication of whether the supervision was direct, individual, face-to-face, group, or other (specifically listing each activity).
6. An indication of whether the SPE performed that week was satisfactory. A description of the psychological duties performed during the period of SPE.

(b) This log must also contain the following information:

7. The trainee’s legibly printed name, signature, and date signed.
8. The primary supervisor’s legibly printed name, signature, license type and number, and date signed.
9. Any delegated supervisor’s legibly printed name, license type and number.
10. A description of the psychological duties performed during the period of supervised professional experience.
11. A statement signed by the primary supervisor attesting to the accuracy of the information.
12. The primary supervisor’s printed name, signature, license type and number, and date signed.
When SPE is accrued as part of a formal pre-doctoral internship or post-doctoral placement, the internship training director shall be authorized to provide all information required in this section 1387.5(b).


Proposed Amendments to Title 16 of the CCR §§ 1387.6, 1391, 1391.1, 1391.2, 1391.3, 1391.4, 1391.5, 1391.6, 1391.7, 1391.8, 1391.10, 1391.11, & 1391.12 (Psychological Assistants)

The Committee discussed the repeal of section 1391.10. Staff will review the application packet to ensure the psychological associate is informed of all statutory and regulatory requirements. This item will be brought back to a future Committee meeting.

Dr. Winkelman questioned the wording “in same setting” in section 1391.5. The Committee discussed and revised the wording of the section.

The Committee discussed section 1387.2(d) and agreed that the last sentence be deleted and require that a psychological assistant must add or change the primary supervisor if the interim supervision exceeds thirty days. For psychological associates, section 1391.5 will be amended to add this requirement by reference to section 1387.2(d).

Sections 1387.6, 1391, 1391.1, 1391.2, 1391.3, 1391.4, 1391.6, 1391.7, and 1391.8 were not discussed by the Committee.

The Committee’s changes were implemented as follows:

§ 1391.5. Statement of Purpose; Supervision Required.

(a) A psychological assistant associate shall be under the direction and supervision of an individual licensed psychologist or board certified psychiatrist who is employed licensed to practice psychology, as defined in Section 2903 of the Code. The supervisor must be employed by or contracted within the same setting in which the psychological assistant associate is employed performs psychological functions. A licensed psychologist Primary supervisors who are supervising psychological assistant associates must comply with the supervision course requirements set forth in section 1387.1.

(b) A psychological associate may receive delegated supervision pursuant to sections 1387.1(b) or (d) and must comply with the requirements set forth in section 1387.2.

(cb) The supervisor shall provide psychological associate shall receive a minimum of one (1) hour per week of real time, direct individual supervision from the primary supervisor to the psychological assistant, unless more such supervision is required under Section 1387 or by the nature of the psychological functions performed by the psychological assistant associate.

(d) Requirements for interim supervision are defined in 1387.1(d).
A registered psychological assistant employed by one of the organizations specified in section 2913 of the code may receive delegated supervision pursuant to section 1387(c) if a qualified psychologist or a board certified psychiatrist other than the supervisor to whom he/she is registered if the delegated supervisor is also employed within the same organization. Otherwise, supervision may not be delegated under a psychological assistant registration.


§ 1391.10. Annual Reports.

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

(a) The nature of the psychological functions performed by the psychological assistant being supervised.

(b) Certification of employment.

(c) The locations at which the psychological assistant provided the psychological functions and the type, extent and amount of supervision.

(d) A certification that the psychological functions performed by the psychological assistant were performed at a level satisfactory to ensure safety to the public.


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

(a) A psychological associate shall notify the Board in writing of any change or addition of a primary supervisor, on form PSB 101 (07/17). Board approval is required prior to rendering psychological services under the supervision of the new primary supervisor.

(b) Within thirty (30) days after the termination of the supervision between a primary supervisor and the employment of a psychological assistant, or any change or addition of the location where services are being rendered by a psychological associate with the same primary supervisor, the employer psychological associate shall notify the board in writing of such termination or change, on form PSB 101 (07/17) setting forth the date thereof.


§ 1391.12. Psychological Assistant Renewals.

(a) A new registration shall expire annually, beginning one year after issuance. The registration of a psychological assistant shall be renewed by the employer.
annually, on or before its expiration on a form provided by the Board. Such form shall include the following:

(1) Name and registration number of the psychological associate, registration expiration date, and renewal amount;

(2) Disclosure of whether the psychological associate has been convicted or has had a license or registration disciplined since the associate's last renewal;

(3) Disclosure of whether the psychological associate has complied with the fingerprint requirements and submitted a full set of electronic fingerprints to the Department of Justice;

(4) Telephone number and electronic mail address (if any) of the psychological associate; and

(5) A signed declaration under penalty of perjury that the information provided is true and correct.

(b) A registration renewed 30 days after its expiration must be accompanied by the delinquency fee required in section 1392.1 in order to be renewed.

(c) A psychological assistant who has been registered with the Board but whose registration has expired and has not been renewed by the employer shall not function as a psychological assistant.

(d) A psychological assistant employed and registered by more than one employer shall have his or her registration renewed by each employer.

(de) A registration not renewed by the psychological associate within 60 days after its expiration shall become void, be cancelled and shall not be reinstated and a new application for registration shall be submitted by the employer.


Proposed Amendments to Title 16 of the CCR § 1387.4 (Out-of-State Experience)

With input from Dr. Winkelman, the Committee discussed section 1387.4(a) and (b) and agreed to amend subsection (a) to exclude training within any federal agency and to specify in subsection (a)(2) that the training must comply with all laws and regulations relating to the practice of psychology.

§ 1387.4. Out-of-State Jurisdiction Experience Accrued Outside of California, or Within a Federal Agency.

(a) Except as described in subsection (b), all out-of-state SPE must be;
(1) supervised by a primary supervisor who is a psychologist licensed at the
doctoral level in the state, U.S. United States territory, or Canadian province in
which the SPE is taking place was accrued;

(2) in compliance with all laws and regulations related to the practice of psychology
in the jurisdiction wherein the experience was accrued, and

(3) in substantial compliance with all the supervision requirements of section 1387.

Upon an applicant’s showing of good cause as determined by the Board, these specified
requirements may be modified.

(b) Supervised professional experience SPE can be accrued at a U.S. military
installation within any federal agency, so long as provided the experience is supervised
by a qualified psychologist licensed at the doctoral level in the U.S. United States or its
territories Canada.

(c) SPE can be accrued in countries outside the U.S. or Canada which regulate the
profession of psychology pursuant to the same requirements as set forth in section 2914
of the code. SPE accrued in countries outside the U.S., its Territories or Canada must
comply with all the supervision requirements of section 1387. The burden shall be upon
the applicant to provide the necessary documentation and translation that the board may
require to verify the qualification of the SPE.

Note: Authority cited: Section 2930, Business and Professions Code. Reference: Section
2914, Business and Professions Code.

Proposed Amendments to Title 16 of the CCR §§ 1388, 1388.6, 1389, & 1389.1
(Examinations-Waiver/Reconsideration)

Per the discussion in section 1380.3, the Committee agreed that “he or she” to be
replaced with “applicant,” “licensee,” “trainee” etc. “He or she” was replaced as
appropriate in this section.

Section 1388.6, 1389, and 1389.1 were not discussed by the Committee.

The Committee’s changes were implemented as follows:

§ 1388. Examinations.

(a) The Board recognizes the expertise of the Department of Consumer Affairs’ (DCA)
Office of Professional Examination Services (OPES). The Board shall utilize the
services of the OPES in licensing examination development and validation through an
interagency agreement.

(b) An applicant shall successfully take and pass the licensing examinations prior to
being licensed. The licensing examination shall consist of the Association of State and
Provincial Psychology Boards’ (ASPPB) Examination for Professional Practice in
Psychology (EPPP), and the California Psychology Laws and Ethics Examination
(CPLEE), except that the EPPP shall be waived for those applicants who meet the
criteria in section 1388.6 of this chapter. Such applicants shall be required to take and pass the CPLEE.

(c) An applicant is eligible to take the EPPP upon completion of a qualifying doctorate degree and 1500 hours of qualifying professional experience. An applicant shall pass the EPPP and complete all 3000 hours of supervised professional experience prior to being eligible for the CPLEE, whichever is applicable, pursuant to section 1388.6.

(d) Upon application, the Board will notify applicants of their eligibility to take the EPPP. Applicants are responsible for completing any administrative requirements for taking the EPPP established by ASPPB or its agent, including paying any fees. This subsection applies to those re-taking the EPPP as well as to those taking it for the first time.

(e) For forms of the EPPP taken prior to September 1, 2001, the passing score is the score that was recognized by the Board at that time. For computer administered forms of the EPPP, the Board shall accept the passing score recommended by ASPPB.

(f) Qualified applicants desiring to take the CPLEE shall submit to the Board the fee set forth in section 1392 of this chapter. Applicants shall comply with all instructions established by the DCA examination vendor for taking the CPLEE.

(g) The passing score on the CPLEE shall be determined for each form of the examination by a criterion referenced procedure performed by OPES.

(h) An applicant for whom English is his or her second language may be eligible for additional time when taking the EPPP and/or the CPLEE. The applicant must complete and submit a request for additional time that states under penalty of perjury that English is his or her second language. The Test of English as a Foreign Language (TOEFL) certification score of 85 or below must be sent by Educational Testing Service directly to the Board. The TOEFL must have been taken within the previous two years prior to application. The Board will only consider the highest score of any TOEFL taken within the previous two years. If approved, the applicant will be allotted time-and-a-half (1.5x) when taking the examination.


Proposed Amendments to Title 16 of the CCR § 1381.6 (Permit Processing Times), § 1386 (Evaluation of Education), § 1387.3 (Non-Mental Health Services), §§ 1387.7, 1390, 1390.1, 1390.2, & 1390.3 (Registered Psychologists), and § 1392.1 (Psychological Assistant Fees)

These sections were not discussed by the Committee.

It was M(Foo)/S(Phillips) to authorize staff to work with Dr. Phillips to review the Supervision Agreement and Verification of Experience forms and to move the proposed amendments to the regulations to the Board for consideration at the November Board meeting and proceed with the rulemaking process.
There was no public comment.

Vote: 3-0 (Aye: Foo, Horn, Phillips)

Agenda Item #5: Psychological Assistant’s Inactive Status: Review Proposed Amendments to Business and Professions Code Section 2987 and Title 16 of the California Code of Regulations Sections 1391.11, 1391.12, 1391.13, 1391.14, and 1392.1.

Ms. Cheung explained that, at the April 2018 Committee meeting, concern was raised regarding psychological assistants who are not able to practice or be active during the shortened maximum registration period which was changed from seventy-two to sixty months pursuant to the proposed regulatory amendments for Pathways to Licensure.

The Committee discussed establishing an “inactive” status for psychological assistants with input from Dr. Winkelman.

Proposed Amendments to Business and Professions Code Section 2987 as written:

§ 2987. Fee schedule

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

(a) The application fee for a psychologist shall not be more than fifty dollars ($50).

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

(c) The initial license fee is an amount equal to the renewal fee in effect on the last regular renewal date before the date on which the license is issued.

(d) The biennial renewal fee for a psychologist shall be four hundred dollars ($400). The board may increase the renewal fee to an amount not to exceed five hundred dollars ($500).

(e) The application fee for registration as a psychological assistant under Section 2913 shall not be more than seventy-five dollars ($75).

(f) The annual renewal fee for registration of a psychological assistant shall not be more than seventy-five dollars ($75).

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

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

(i) The endorsement fee is five dollars ($5).
Notwithstanding any other provision of law, the board may reduce any fee prescribed by
this section, when, in its discretion, the board deems it administratively appropriate.

(Amended by Stats. 2017, Ch. 429, Sec. 9. (SB 547) Effective January 1, 2018.)

Proposed Amendments to Title 16 of the California Code of Regulations Sections
1391.11, 1391.12, 1391.13, 1391.14, and 1392.1 as written:

§ 1391.11. Notification of Termination-Change of Primary Supervisor or Location

(a) A psychological assistant shall submit to the Board in writing a request for any
change of or addition of a primary supervisor, on form PSB 101 (07/17). Board approval
of the request is required prior to permission to render psychological services under the
supervision of the new primary supervisor. A new supervision agreement is required,
pursuant to section 1387, if there has been a change of supervisor and the psychological
assistant is accruing supervised professional experience.

(b) Within thirty (30) days after the termination of the supervision between a primary
supervisor and the employment of a psychological assistant, or any change or addition of
the location where services are being rendered by a psychological assistant with the
same primary supervisor, the employer-psychological assistant shall notify the Board in
writing of such termination or change, on form PSB 101 (07/17) setting forth the date
thereof.

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

§ 1391.12. Psychological Assistant Renewals.

(a) A new registration shall expire annually, beginning one year after issuance. The
registration of a psychological assistant shall be renewed by the employer annually, on
or before its expiration on a form provided by the Board. Such form shall include the
following:

(1) Name and registration number of the psychological assistant, registration
expiration date, and renewal amount;

(2) Disclosure of whether the psychological assistant has been convicted or has
had a license or registration disciplined since his or her last renewal;

(3) Disclosure of whether the psychological assistant has complied with the
fingerprint requirements and submitted a full set of electronic fingerprints to the
Department of Justice;

(4) Telephone number and electronic mail address (if any) of the psychological
assistant; and

(5) A signed declaration under penalty of perjury that the information provided is
true and correct.
(b) A registration renewed 30 days after its expiration must be accompanied by the
delinquency fee required in section 1392.1 in order to be renewed.

(c) A psychological assistant who has been registered with the Board but whose
registration has expired and has not been renewed by the employer shall not function as
a psychological assistant.

(d) A psychological assistant employed and registered by more than one employer shall
have his or her registration renewed by each employer.

(de) A registration not renewed by the psychological assistant within 60 days after its
expiration shall become void, be cancelled, and shall not be reinstated. A new application
for registration shall be submitted by the employer.

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

§1391.13. Inactive Psychological Assistant Registration.

(a) A psychological assistant may request the Board put their registration on inactive
status. At the time the inactive status is requested, all primary supervisors associated will
be removed from the psychological assistant registration. A psychological assistant
registration shall also be placed on inactive status if the psychological assistant does not
have a primary supervisor.

(b) A psychological assistant holding a registration in inactive status shall renew the
registration annually as described in section 1391.12. Changing the status of the
registration has no effect on the annual renewal date.

(c) The provision of psychological services by the psychological assistant while the
registration is inactive is prohibited.

(d) Any time during which the registration is inactive does not apply toward the limitation
of registration period set forth in section 1391.1(b). The accrual of supervised
professional experience shall still comply with the time limitations set forth in section
1387(a).

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

§1391.14. Reactivating A Psychological Assistant Registration.

A psychological assistant registration which has been placed on inactive status pursuant
to section 1391.13 will be reactivated upon approval by the Board of a notification to add
a primary supervisor as described in section 1391.11 (a).

Note: Authority cited: Section 2930, Business and Professions Code. Reference: Section
2913, Business and Professions Code.
§ 1392.1. Psychological Assistant Fees.

(a) The application fee for registration as of a psychological assistant which is payable by the supervisor is $40.00.

(b) The annual renewal fee for registration of a psychological assistant is $40.00.

(c) The delinquency fee for a psychological assistant is $20.00.


It was M(Foo)/S(Phillips) to approve and recommend to the Board to adopt the language as written and proceed with the regulatory process.

There was no public comment.

Vote: 3-0 (Aye: Foo, Horn, Phillips)

Agenda Item #6: Licensing Report

The Committee accepted the Licensing Report.

Agenda Item #7: Continuing Education and Renewals Report

The Committee accepted the Continuing Education Report. Dr. Horn requested that the continuing education process be on the agenda for a future meeting.

Agenda Item #8: Recommendations for Agenda Items for Future Licensing Committee Meetings.

1. National Association of Credential Evaluation Services (NACES) evaluations
2. Section 2912, Business and Professions Code
3. Creation of supervisor informational video
4. Continuing education audit process
5. Enforcement actions in which supervisors are in violation of laws and rules

CLOSED SESSION

The Committee met in closed session pursuant to Government Code Section 11126(c)(2) to discuss and consider an application for licensure at 4:20 p.m.

RETURN TO OPEN SESSION

The Committee returned to open session at 4:49 p.m.
The Committee adjourned at 4:51 p.m.

Committee Chairperson

Date