Stephen Phillips, JD, PsyD, Board President, called the open session meeting to order at 9:06 a.m. A quorum was present and due notice had been sent to all interested parties.

**Members Present**
Stephen Phillips, JD, PsyD, President
Seyron Foo, Vice-President
Lucille Acquaye-Baddoo
Alita Bernal
Mary Harb Sheets, PhD
Jacqueline Horn, PhD
Lea Tate, PsyD

**Members Absent**
Sheryll Casuga, PsyD

**Others Present**
Antonette Sorrick, Executive Officer
Norine Marks, DCA Legal Counsel
Cherise Burns, Central Services Manager
Sandra Monterrubio, Enforcement Program Manager
Curtis Gardner, Probation Monitor

**Agenda Item #2: President’s Welcome**
Dr. Phillips welcomed the attendees to the Board’s quarterly meeting and read the Board’s mission statement. Dr. Phillips stated that because of the Board’s movement towards a Paper Lite system, Board members would be viewing the meeting packets via laptops rather than paper copies.

**Agenda Item #3: Acknowledgement of Ms. Lucille Acquaye-Baddoo and Ms. Nicole J. Jones**
On behalf of the Board, Dr. Phillips read and presented a Certificate of Appreciation to Board Member Ms. Lucille Acquaye-Baddoo, who completed her second full term on the
Board. Ms. Acquaye-Baddoo spoke about her experience being on the Board and how
great it was to work with Board Members and staff.

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

No public comments were made regarding specific agenda items that are not on the
agenda.

**Agenda Item #4: President’s Report**

Dr. Phillips addressed the 2019 meeting calendar. He stated that committee changes
will be made once new Board members are appointed.

**Agenda Item #5: Executive Officer’s Report**

Ms. Sorrick provided the Executive Officer’s Report which included a staffing update.

**Agenda Item #13: Discussion and Possible Approval of the Board Meeting**
**Minutes: February 7-8, 2019**

The Board provided their edits to staff and provided a summary at the meeting.

It was M(Acquaye-Baddoo)/S(Tate)/C to approve the minutes as amended with
technical, non-substantive changes provided by Dr. Horn and Dr. Phillips.

Vote: 7 aye (Acquaye-Baddoo, Bernal, Foo, Horn, Phillips, Harb Sheets, Tate), 0 no

**Agenda Item #14: Budget Report**

Ms. Burns provided the Board with the Budget update.

Dr. Phillips stated that there is a lot of red on the budget report, but the Board does not
anticipate running into a deficit at the end of the fiscal year. Ms. Burns confirmed that
the Board will not be running in the red at the end of the fiscal year, but will have a lower
reversion to the Board’s Fund due to unexpected personnel costs and future facilities
costs the Board is saving money towards.

**Agenda Item #8: Petition for Reinstatement of License – Leslie Price, PsyD**

Administrative Law Judge Jennifer Russell presided. Deputy Attorney General Brian Bill
was present and represented the People of the State of California. Leslie Price, PsyD,
was present and represented herself.
Agenda Item #9: Petition for Early Termination of Probation – Adriana Camargo-Fernandez, PhD

Administrative Law Judge Jennifer Russell presided. Deputy Attorney General Brian Bill was present and represented the People of the State of California. Adriana Camargo-Fernandez, PhD, was present and was represented by John Dratz, Jr.

Agenda Item #10: Closed Session

The Board met in closed session pursuant to Government Code Section 11126(c)(3) to discuss disciplinary matters including the above Petitions, Proposed Decisions, Stipulations, Petitions for Reconsideration, and Remands.

Meeting adjourned at 5:01 p.m.

Thursday, April 25, 2019

Agenda Item #11: Call to Order/Roll Call/Establishment of a Quorum

Stephen Phillips, JD, PsyD, Board President, called the open session meeting to order at 9:32 a.m. A quorum was present and due notice had been sent to all interested parties.

Members Present
Stephen Phillips, JD, PsyD, President
Seyron Foo, Vice-President
Lucille Acquaye-Baddoo
Alita Bernal
Mary Harb Sheets, PhD
Jacqueline Horn, PhD
Lea Tate, PsyD

Members Absent
Sheryll Casuga, PsyD

Others Present
Antonette Sorrick, Executive Officer
Norine Marks, DCA Legal Counsel
Cherise Burns, Central Services Manager
Stephanie Cheung, Licensing Unit Manager
Sandra Monterrubio, Enforcement Program Manager
Curtis Gardner, Probation Monitor
Liezal McCockran, Continuing Education and Renewals Coordinator
**Agenda Item #12: Public Comment for Items not on the Agenda. The Board May Not Discuss or Take Action on Any Matter Raised During this Public Comment Section, Except to Decide Whether to Place the Matter on the Agenda of a Future Meeting [Government Code sections 11125 and 11125.7(a)]**

No public comments were made regarding specific agenda items that are not on the agenda.

**Agenda Item #15: Outreach and Education Updates**

a) **Website**

Ms. Bernal provided the website update. She stated that, in coordination with Strategic Organization, Leadership & Individual Development (SOLID) staff, Board staff held two website focus group meetings. SOLID summarized the recommendations provided at the focus group meetings into a report for Board staff. Board staff will be discussing the report with the Outreach and Education Committee at its next meeting, after which it will be brought to the full Board.

b) **Social Media**

Ms. Bernal provided the social media update. Members of the Board asked that the YouTube videos be removed from the report until they have been updated.

c) **Newsletter**

Ms. Sorrick provided the Board with the Spring Journal. She stated the Summer Journal will be released in July 2019.

d) **Outreach Activities**

Dr. Phillips and Ms. Sorrick spoke about their experiences attending the ASPPB Mid-Year Meeting in Santa Fe, NM April 8-14, 2019. Ms. Cheung spoke about Ms. Mai Xiong’s participation at the California Psychological Association (CPA) Convention held in Los Angeles April 4-7, 2019.

e) **DCA Brochure “Professional Therapy Never Includes Sex” – Update**

Ms. Bernal stated that the brochure has been approved by all Boards and sent to the Department of Consumer Affairs (DCA) for design and publication. Ms. Sorrick stated the brochure’s name will change from “Professional Therapy Never Includes Sex” to “Therapy Never Includes Sexual Behavior”. She anticipated publication within the next three months.

**Agenda Item #20: Licensing Report**
Ms. Cheung presented the Licensing report to the Board.

Agenda Item #21: Continuing Education and Renewals Report

Ms. McCockran provided the Board with the Continuing Education and Renewals report. Dr. Harb Sheets asked what the pass rate is for the licensees under a 2nd audit and how many fall into the category of sending in their renewal before they have completed the 36 continuing education hours requirement. Ms. McCockran stated the pass rate for those who have been audited a 2nd time is around 80 to 90 percent. Ms. McCockran stated she has rarely seen cases where psychologists renew their license before completing the 36-hour continuing education requirement.

Dr. Phillips stated that licensees should be more careful in verifying that the courses they take are acceptable continuing education courses. Dr. Horn stated that the Board recognizes and accepts for continuing education credit courses that are provided by certain entities, which are listed on the Board’s website.

Agenda Item #24: Regulatory Update, Review, and Consideration of Additional Changes

- a) 16 CCR Sections 1391.1, 1391.2, 1391.5, 1391.6, 1391.8, 1391.10, 1391.11, 1391.12, 1392.1 – Psychological Assistants
- b) 16 CCR Section 1396.8 – Standards of Practice for Telehealth
- c) 16 CCR Sections 1381.9, 1381.10, 1392 – Retired License, Renewal of Expired License, Psychologist Fees
- d) 16 CCR Sections 1381.9, 1397.60, 1397.61, 1397.62, 1397.67 – Continuing Professional Development
- e) 16 CCR Section 1395.2 – Disciplinary Guidelines
- f) 16 CCR Sections 1394 – Substantial Relationship Criteria; Section 1395 – Rehabilitation Criteria for Denials and Reinstatements; Section 1395.1 – Rehabilitation Criteria for Denials Suspensions or Revocations

Mr. Foo provided the regulatory update.

Agenda Item #22: Policy and Advocacy Report – Consideration and Possible Approval of Committee Recommendations

(c)(2) (D) through (EE) Newly Introduced Bills – Potential Action to Recommend the Board Watch Bills

The Board did not have any “Watch” bills they wanted to discuss. Mr. Foo stated that the Policy and Advocacy Committee reviewed these bills in March and staff has recommended no change in action.
(c)(3) Newly Introduced Bills – Potential Action to Recommend the Board Watch

Spot Bills

Ms. Burns defined the term ‘Spot Bill’, a non-substantive placeholder bill whose contents will be replaced with substantive provisions later.

Dr. Harb Sheets asked for the status of AB 5 (Gonzalez) Worker Status: independent contractors. Mr. Foo stated that the Board is currently watching the bill for potential impact relating to psychologists and psychological assistants. AB 5 is attempting to codify the test that was established by the Supreme Court into state law. Ms. Burns stated the bill is currently in Appropriations. She stated this bill has to do with the employment relationship between supervisors and supervisees.

Dr. Phillips stated that as a consumer protection Board, taxes and employee status are not a regulatory or consumer protection concern for the Board; therefore, a position is not warranted, but the bill should be watched so that the Board can be aware of what is going on in the profession. He stated that a professional association would be a group that may take a position on this type of bill.

b) Board Sponsored Legislation for the 2019 Legislative Session: Review and Possible Action

1) SB 275 (Pan) – Amendments to Section 2960.1 of the Business and Professions Code Regarding Denial, Suspension and Revocation for Acts of Sexual Contact

SB 275 is a Board-sponsored bill. Ms. Burns provided the Board with a summary of the bill and its progression through the legislative process. Dr. Phillips stated that there was no opposition to the bill. Mr. Foo stated that some of the groundwork for this bill was made during the legislative meetings held in February. Dr. Harb Sheets spoke about her experience at the legislative meetings.

2) Update on Amendments to Sections 2912, 2940-2944 of the Business and Professions Code Regarding Examinations, and New Section to the Business and Professions Code Regarding Voluntary Surrender

Mr. Foo provided an update to the Board. He stated the three provisions were provided to the Senate Committee on Business, Professions and Economic Development (Committee): 1) Clean-up language regarding the EPPP, 2) Language related to voluntary surrender, and 3) Language related to temporary practice. Mr. Foo stated that the provisions regarding voluntary surrender and temporary practice were determined to be substantive; therefore, could not be included in the bill at this time.
a) Review and Consideration of Revisions to the Goal of the Policy and Advocacy Committee

Mr. Foo explained that at the March 18, 2019, Policy and Advocacy Committee Meeting (Committee), the Committee reviewed the current goal and recommended a revised committee name and goal so that both the name and goal will more accurately reflect scope of the Committee’s work.

Discussion ensued regarding the name change and revising the language of the goal.

Ms. Sorrick suggested brainstorming language and discussing this agenda item on Friday, April 26, 2019, to allow further discussion.

It was M(Harb Sheets)/S(Tate)/C to adopt the revised Policy and Advocacy Committee name change to Legislative and Regulatory Affairs Committee into the Board’s Administrative Procedure Manual.

Vote: 7 aye (Acquaye-Baddoo, Bernal, Foo, Harb Sheets, Horn, Phillips, Tate), 0 no

Agenda Item #16: Petition for Early Termination of Probation – Amy Reyes, PsyD

Administrative Law Judge David Rosenman presided. Deputy Attorney General Brian Bill was present and represented the People of the State of California. Amy Reyes, PsyD, was present and represented herself.

Agenda Item #17: Petition for Early Termination of Terms and Conditions – Chelsea Spitze, PhD

Administrative Law Judge David Rosenman presided. Deputy Attorney Brian Bill was present and represented the People of the State of California. Chelsea Spitze, PhD, was present and represented herself.

Agenda Item #18: Closed Session

The Board met in closed session pursuant to Government Code Section 11126(c)(3) to discuss disciplinary matters including the above Petitions, Proposed Decisions, Stipulations, Petitions for Reconsideration, and Remands.

Meeting adjourned at 4:12 p.m.

Friday, April 26, 2019

Agenda Item #19: Call to Order/Roll Call/Establishment of a Quorum
Stephen Phillips, JD, PsyD, Board President, called the open session meeting to order at 9:31 a.m. A quorum was present and due notice had been sent to all interested parties.

**Members Present**
Stephen Phillips, JD, PsyD, President
Seyron Foo, Vice-President
Lucille Acquaye-Baddoo
Alita Bernal
Mary Harb Sheets, PhD
Jacqueline Horn, PhD
Lea Tate, PsyD

**Members Absent**
Sheryll Casuga, PsyD

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

**Agenda Item #12: Public Comment for Items not on the Agenda. The Board May Not Discuss or Take Action on Any Matter Raised During this Public Comment Section, Except to Decide Whether to Place the Matter on the Agenda of a Future Meeting [Government Code sections 11125 and 11125.7(a)]**
No public comments were made regarding specific agenda items that are not on the agenda.

**Agenda Item #3: Acknowledgement of Ms. Lucille Acquaye-Baddoo and Ms. Nicole J. Jones**
On behalf of the Board, Dr. Phillips read and presented a Certificate of Appreciation to former Board Member Ms. Nicole J. Jones recognizing her time and dedication to the Board during her two terms.

**Agenda Item #7: DCA Executive Update**
Christopher Castrillo, Deputy Director of the Office of Board and Bureau Services, provided the Board with the DCA Executive Update.
Agenda Item #25: Enforcement Report

a) Statistical Update

Ms. Monterrubio provided the Board with the Enforcement Report.

Dr. Jo Linder-Crow, Chief Executive Officer of CPA, asked the Board for guidance on an issue that has been raised from their members regarding a case in the Board of Psychology’s *Journal* where the individual was found to have been guilty of gross negligence. She stated that the individual communicated with clients during or after therapy through email and text and this confused CPA members as they don’t understand how communicating via text and email after the completion of therapy is considered gross negligence.

Ms. Sorrick stated that the topic is not on the agenda, but Ms. Monterrubio will speak with Dr. Linder-Crow and Dr. Winkelman privately regarding the matter.

Dr. Melodie Schaefer, CPA Division II and CAPIC, asked that the topic raised by Dr. Linder-Crow be put on a future agenda.

Agenda Item #26: Enforcement Committee Report and Consideration of Committee Recommendations

a) Child Custody Summary Report and Committee Recommendation

b) Guidelines for Petition Hearings

c) Consideration of Designation of the *Decision in the Matter of the Citation and Fine against Shari Lorraine Schreiber* (Case No. 2017090162) as a Precedential Decision

Ms. Acquaye-Baddoo and Ms. Monterrubio spoke about the Child Custody Stakeholder Meeting held in Sacramento on September 21, 2018. Stakeholders were invited to participate in the meeting to discuss concerns from the Center for Judicial Excellence (Center). The Center had a list of concerns which all the attendees triaged. The Enforcement Committee, Enforcement Unit staff, and management reviewed the prioritization list and recommend the following items be implemented.

1. Item A: Mandate child abuse/domestic violence training for subject matters experts (6 hours of each subject)

2. Item D: Screen child custody subject matters for their stance on parental alienation

3. Item M: Educate public on the “clear and convincing” evidence standard

Dr. Horn asked what it meant to screen for parental alienation. Dr. Phillips explained what is meant by screening for parental alienation, stating that the Enforcement Unit would screen for psychologists who are proponents of the Parental Alienation
Ms. Bernal asked if a psychologist can practice while they are under investigation. Ms. Monterrubio stated that during the investigation, the psychologist is entitled to due process and may practice. She stated that restrictions on the psychologist’s practice are warranted if disciplinary action is taken. Ms. Marks stated that there are special circumstances in which there can be an order that prohibits practice while the investigation and disciplinary process is continuing.

Mr. Foo confirmed with Ms. Monterrubio that of the 13 items listed in the Child Custody Summary Report, the three items presented to the Board were the only items that fall under the Board’s jurisdiction.

Dr. Schaefer encouraged the Board to have regulations that would protect a psychologist from legal action by the client in a situation where a psychologist would be required to submit client records when the client does not authorize the release of their records.

It was M(Harb Sheets)/S(Horn)/C to accept the Committee’s recommendation to implement Items A, D, and M from the Child Custody Summary Report, allow staff to work with the Office of the Attorney General on a possible statutory change regarding how mental health records can be obtained, and create and post a Fact Sheet on the Board’s website.

Ms. Monterrubio stated that Board Members have inquired whether the Office of the Attorney General (OAG) should make a recommendation to grant or deny a petition for every petition hearing. She stated that if the Board would like staff to request that the assigned Deputy Attorney General (DAG) make a recommendation at the hearing, Board staff will let the DAG know.

Discussion ensued regarding receiving a recommendation from the DAG. Board Members expressed that the DAG’s recommendation would be taken under advisement in closed session discussions.

It was M(Foo)/S(Harb Sheets)/C to request that the DAG make a recommendation to grant or deny a petition at every hearing.

Vote: 7 aye (Acquaye-Baddoo, Bernal, Foo, Harb Sheets, Horn, Phillips, Tate), 0 no
The Board and Mr. Josh Templet, Deputy Attorney General, discussed whether the Board should consider making certain decisions precedential to provide guidance in prosecuting cases. The Board discussed Consideration of Designation of the Decision in the Matter of the Citation and Fine Against Sharri Lorraine Schreiber as a Precedential Decision. Mr. Templet stated he is not aware of a downside of making a decision precedential.

It was M(Foo)/S(Tate)/C to designate the Schreiber case as precedential.

Vote: 7 aye (Acquaye-Baddoo, Bernal, Foo, Harb Sheets, Horn, Phillips, Tate), 0 no

Kathleen Russell, Center for Judicial Excellence, thanked the Board for taking meaningful action in their decision to mandate child abuse and sexual violence training for experts. Ms. Russell asked the Board some questions regarding the required training. She also stated that there was a national NPR story on parental alienation and reunification camps and urged the Board to listen to the hour-long episode.

Dr. Phillips stated that Ms. Russell’s questions regarding the child abuse and sexual violence trainings will be discussed at an Enforcement Committee Meeting and that Ms. Monterrubio will be able to provide the details thereafter.

Agenda Item #22 – Policy and Advocacy Committee Report – Consideration and Possible Approval of Committee Recommendations

a) Review and Consideration of Revisions to the Goal of the Policy and Advocacy Committee

The Board, Ms. Sorrick, and Ms. Marks discussed language for the Legislative and Regulatory Affairs Committee goal.

It was M(Harb-Sheets)/S(Acquaye-Baddoo)/C to adopt the revised goal.

Vote: 7 aye (Acquaye-Baddoo, Bernal, Foo, Harb Sheets, Horn, Phillips, Tate), 0 no

The revised goal reads as follows:

The goal of the Legislative and Regulatory Affairs Committee is to advocate for legislation and develop regulations that provide for the protection of consumer health and safety. The committee reviews, monitors and recommends positions on legislation that affects the Board, consumers, and the profession of psychology. The Committee also recommends regulatory changes and informs the Board about the status of regulatory packages.
b) Review and Consideration of Proposed Legislation: Potential Action to Take Positions on Bills

1) Newly Introduced Bills – Potential Action to Recommend Active Positions to the Board

A) AB 544 (Brough) Professions and vocations: inactive license fees and accrued and unpaid renewal fees

Ms. Burns provided the Board with an overview of the bill.

The Board discussed the provisions of the bill, the Board’s current practices regarding renewal applications, and whether to take a position on the bill. The Board agreed that they would not be able to provide a position without seeing the amended language of the bill. They expressed concern with the way the bill is currently written. The Board decided that a letter of concern should be drafted and provided to the authors.

It was M(Tate)/S(Horn)/C to delegate to staff to draft a letter of concerns and to work with the Legislative and Regulatory Affairs Committee to draft the letter.

Vote: 7 aye (Acquaye-Baddoo, Bernal, Foo, Harb Sheets, Horn, Phillips, Tate), 0 no

B. AB 1145 (Garcia) Child abuse: reportable conduct

Ms. Burns provided an overview of the bill. The Board discussed taking a Support position.

Dr. Elizabeth Winkelman, CPA, thanked the Board for considering the bill. Dr. Winkelman stated that CPA supports this bill and she believes it brings clarity to child abuse reporting.

It was M(Harb Sheets)/S(Acquaye-Baddoo)/C to adopt a Support position on AB 1145 (Garcia).

Vote: 7 aye (Acquaye-Baddoo, Bernal, Foo, Harb Sheets, Horn, Phillips, Tate), 0 no

C. SB 53 (Wilk) Open meetings

Ms. Burns provided an overview of the bill. She stated that Board staff’s recommendation is to take an Oppose position. Ms. Burns stated the Board currently utilizes a two-person committee structure when necessary due to concerns for employee safety. There have been threats made towards enforcement analysts; therefore, enforcement analysts names are not made public for purposes of committee meetings.
Dr. Phillips stated that the bill would be problematic. He stated that this bill would eliminate the ability for staff to attend Enforcement Committee meetings. Dr. Phillips also stated that if he and another Board member attended the same conference and were in the same room, for example when he and Dr. Horn attended the ASPPB conference, then it would have to be publicly noticed.

Dr. Tate stated she opposed the bill due to the safety of Board staff.

Ms. Sorrick stated that if the Board would like to oppose the bill, Board staff can reiterate in the opposition letter that transparency is a value the Board identified in the strategic plan and it is a priority; however, in the limited circumstances this would not allow the Board to function efficiently.

It was M(Bernal)/S(Acquaye-Baddoo)/C to adopt an Oppose position on SB 53 (Wilk).

Vote: 7 aye (Acquaye-Baddoo, Bernal, Foo, Harb Sheets, Horn, Phillips, Tate), 0 no

D. SB 66 (Atkins) Medi-Cal: federally qualified health center and rural clinic services

Ms. Burns provided an overview of the bill.

Dr. Winkelman, CPA, stated that CPA supports this bill. She stated that this bill is needed as it will increase access to care, especially for those with disabilities and other practical constraints.

It was M(Tate)/S(Horn)/C to adopt a Support position on SB 66 (Atkins).

Vote: 7 aye (Acquaye-Baddoo, Bernal, Foo, Harb Sheets, Horn, Phillips, Tate), 0 no

E. SB 425 (Hill) Health care practitioners: licensee’s file: probationary physician’s and surgeon’s certificate: unprofessional conduct

Ms. Burns provided an overview of the bill and its new sexual misconduct reporting requirement.

It was M(Harb Sheets)/S(Horn)/C to adopt a Support position on SB 425 (Hill).

Vote: 7 aye (Acquaye-Baddoo, Bernal, Foo, Harb Sheets, Horn, Phillips, Tate), 0 no

d) Update on California Psychological Association Legislative Proposal Regarding New Registration Category for Psychological Testing Technicians
Mr. Foo stated that CPA provided the Legislative and Regulatory Affairs Committee a
written update on their legislative proposal regarding a new registration category for
psychological testing technicians.

Dr. Winkelman, CPA, provided the Board with a summary of her written update to the
Legislative and Regulatory Affairs Committee. Dr. Winkelman stated that she
understands the Board cannot take an official position at this time.

Dr. Phillips asked if CPA has found an author. Dr. Winkelman stated that CPA does not
yet have an author, but they do have legislators who have shown interest. CPA wanted
to see if the Board would be supportive before they moved forward.

Dr. Harb Sheets asked if CPA envisions some type of exam that would be required to
receive a registration. Dr. Winkelman stated that is not currently part of the proposal.

Dr. Phillips asked if testing technicians are solely used by psychologists or if other
professions use testing technicians. Dr. Winkelman stated that CPA’s proposal would
purely be for psychological and neuropsychological testing.

Dr. William McMullen, board certified neuropsychologist, provided the Board with a
summary of the functions of a neuropsychologist. He stated that when a patient is
referred to him, he interviews the patient and then neurological and psychological tests
are administered. The administration, scoring, and interpretation of the tests can take
about two to six hours. Dr. McMullen stated that the tests are designed to be reliable
and do not require a person at the doctoral level to administer tests. He stated that he
currently has a three-month waiting list and that regulating and clarifying how testing
technicians can be used and trained would benefit access to care while maintaining
quality, as the psychologist would still be responsible and liable for technicians, which is
ture in other states as well.

Ms. Bernal asked why this issue is coming to the forefront now. Dr. Winkelman stated
that there has been a lack of clarity, and the psychological and neuropsychological
testing codes and reimbursement regulations promulgated by the Center for Medicare
and Medicaid Services were recently revised.

Dr. Tate asked how the psychologist assesses other issues regarding patient
observation, such as seeing body agitation in the patient, when a technician is
administering the tests.

Dr. McMullen stated that psychologists should always conduct the first interview to do
behavioral observations of the patient and stated that there would be training of the
testing technicians on basic behavioral observations, and when behaviors warrant the
psychologist’s intervention.
Dr. Diane Scheiner, neuropsychologist, stated she wanted to tell the Board how the use of testing technicians would benefit early career neuropsychologists. She stated that as a neuropsychologist, a majority of her time is spent in test administration and data collection. To train testing technicians would be beneficial in limiting the time spent testing, and in expanding the time spent providing interventional services. She stated that this would also provide more opportunities to educate and provide experience in neuropsychology and increase the number of people interested in the field.

Dr. Bob Tomaszewski, neuropsychologist, stated that a major issue from a clinical perspective is quality of care. He stated he has a three-month delay in seeing clients due to the time-consuming nature of the administration of tests. Dr. Tomaszewski stated that the delay in seeing patients affects clinical utility of the information gathered on the patient, minimizes effectiveness in providing clinical services, and is not cost effective. He stated that if a testing technician observes concerning behavior then they can notify the psychologist so that the psychologist may observe the patient.

Dr. Melodie Schaefer stated that, from her personal experience spanning over 10 years, patients who have cognitive deficits cannot receive an MRI unless there is psychological testing. This creates backlogs and affects patient access to care. She expressed her support for the creation of this bill and which would increase testing options for consumers.

Board Members expressed support for the creation of a bill that included a registration category for these testing technicians, required direct supervision by a psychologist, as well as, some level of training that included ethics and test administration.

Ms. Sorrick stated that board staff has been assisting CPA with technical guidance in pursuing a sunrise application. She stated that, although the Board is not ready to take a formal position, Board staff is willing to provide technical assistance to CPA.

Dr. Winkelman, CPA, expressed her appreciation to the Board for considering this item and to Board staff for their willingness to help with the technical issues.

1) Newly Introduced Bills – Potential Action to Recommend the Board Watch Bills

A. AB 8 (Chu) Pupil health: mental health professionals.

Ms. Burns provided an overview of the bill. The Board discussed writing a letter of concern to the author related to the technical provisions.

Dr. Melodie Schaefer stated that she believes that the bill brings up a consumer issue if you have someone who is unlicensed, supervising a mental health profession and possible directing psychological care. She also stated that she finds it questionable that the verbiage includes psychological interns.
Dr. Linder Crow stated that, at this time, CPA has this bill under review. The CPA Board will be discussing and providing a position at their next meeting.

Mr. Foo stated that this bill is requiring school districts to have a mental health professional on campus for every 400 pupils.

It was M(Tate)/S(Harb Sheets)/C to direct board staff to write a letter of concern to address what psychologists are permitted to do as well as to address the inappropriate supervision requirements, and to seek clarification regarding the inclusion of interns.

Vote: 7 aye (Acquaye-Baddoo, Bernal, Foo, Harb Sheets, Horn, Phillips, Tate), 0 no

B. SB 163 (Portantino) Healthcare coverage: pervasive developmental disorder or autism

Ms. Burns provided an overview of the bill. She reviewed the programmatic concerns of board staff regarding this bill, including the particulars of potential implementation.

Dr. Horn stated that in graduate training, it is not uncommon for those who are advanced in their training to supervise people who are at lower levels of training. Those who are supervising are being supervised by psychologists. Dr. Horn stated that it is important for licensees to be competent in supervision.

Board discussion ensued regarding as to whether the 500 hours discussed in the bill would or should be counted towards licensure requirements since the bill did not address this question.

Dr. Melodie Schaefer stated that she believes that the 500 hours can count towards licensure if the supervisor is a licensed psychologist. She suggested adding clarifying language to clarify that if a psychological assistant or a registered psychologist is hired, the registrant still needs to abide by the Board regulations regarding required supervision even if they are not counting these hours towards licensure.

Dr. Elizabeth Winkelman, CPA, stated that CPA supports this bill. She stated that the intent of this bill is to expand access to services.

It was M(Tate)/S(Bernal)/C to direct staff to draft a letter of concern with technical clarification that psychological assistants and registered psychologists still need to operate under the supervision requirements set forth in the Board’s Practice Act.

Vote: 7 aye (Acquaye-Baddoo, Bernal, Foo, Harb Sheets, Horn, Phillips, Tate), 0 no

C. SB 201 (Wiener) Medical procedures: treatment or intervention: sex characteristics of a minor
Mr. Foo stated that this bill previously was a Watch bill. He stated that it is now a two-year bill and will be moving forward.

Agenda Item #23 - Legislative Items for Future Meetings. The Board May Discuss Other Items of Legislation in Sufficient Detail to Determine Whether Such Items Should be on a Future Board Meeting Agenda and/or Whether to Hold a Special Meeting of the Board to Discuss Such Items Pursuant to Government Code Section 11125.4

No Board or public comments were made regarding specific legislative agenda items for future Board meetings.

Agenda Item #27 - Recommendations for Agenda Items for Future Board Meetings. Note: The Board May Not Discuss or Take Action on Any Matter Raised During This Public Comment Section, Except to Decide Whether to Place the Matter on the Agenda of a Future Meeting [Government Code Sections 11125 and 11125.7(a)]

No Board or public comments were made regarding specific agenda items for future Board meetings.

Meeting adjourned at 2:43 p.m.

Original signed by Stephen Phillips, JD, PsyD