BOARD TELECONFERENCE MEETING

Department of Consumer Affairs
1625 N. Market Blvd., El Dorado Room (Second Floor, Room 220)
Sacramento, CA 95834
(no board member was present at this location)

The Board of Psychology held its Board Meeting, as noted above, and via telephone conference at the following locations:

- 8920 Wilshire Blvd. 1000 N. Alameda St.
  Beverly Hills, CA 90211 Los Angeles, CA 90012
  (310) 275-4194 (213) 610-8866 ext. 221

- 9330 Carmel Mountain Road, Suite A 500 Davis St, Suite 100
  San Diego, CA 92129 San Leandro, CA 94577
  (858) 484-8332 (510) 618-6108

- Lassen Training Room Cerritos Field Office-HQIU
  Caltrans District 2 West Venture Building, 1st Floor 12750 Center Court Drive South,
  Redding, CA 96001 Suite 750
  (530) 225-3426 Cerritos, CA 90703

- Omni Hotel
  700 San Jacinto Blvd.
  Austin, TX 78701
  (512) 476-3700

Friday, November 8, 2019

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

Stephen Phillips, JD, PsyD, Board President, called the open session meeting to order at 1:05 pm. A quorum was present and due notice had been sent to all interested parties. Board Members not present at the noticed address participated in the teleconference from duly-noticed public locations.

Members Present
Stephen Phillips, JD, PsyD, President
Seyron Foo, Vice-President
Alita Bernal
Sheryll Casuga, PsyD
Marisela Cervantes
Jacqueline Horn, PhD
Lea Tate, PsyD
Members Absent
Mary Harb Sheets, PhD

Legal Counsel
Norine Marks

Board Staff
Antonette Sorrick, Executive Officer
Jeffrey Thomas, Assistant Executive Officer
Cherise Burns, Central Services Manager
Stephanie Cheung, Licensing Program Manager
Sandra Monterrubio, Enforcement Program Manager
Evan Gage, Special Projects Analyst

Agenda Item #2: President’s Welcome

Dr. Phillips delivered opening remarks after establishment of a quorum.

Members of the public who identified themselves on the call included Dr. Jo Linder-Crow and Dr. Elizabeth Winkelman of the California Psychological Association (CPA), and Catherine Campbell from the California Protective Parents Association.

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

Ms. Campbell commented that she appreciated the Board looking at the family court crisis and called to mind an issue of institutional betrayal leading to institutional courage. Ms. Campbell requested that the Board self-reflect and use institutional courage itself.

Agenda Item #4: Review and Possible Approval of Board’s Sunset Report

Ms. Sorrick introduced this item and explained that the purpose of this meeting was to finalize the draft Sunset Review report for submission to the Business and Professions Sunset Review Committee by the December 1, 2019 deadline.

Discussion ensued as the Board reviewed the draft Sunset report.

Dr. Horn asked about items in Section 1 highlighted in yellow, whether those highlighted items would be unhighlighted based on updated meeting attendance. Dr. Phillips replied that highlighting in this section would be removed based on meeting attendance and Ms. Sorrick explained that legislative and regulatory information would remain highlighted until the last moment, in order to capture the most up-to-date status.

Mr. Foo asked about question #16, namely regarding the obstacles faced in hiring staff. Ms. Sorrick replied that not only do applicants have to take a test, but that they must also be eligible based on certain qualifications. Military background and college
education weigh into this eligibility and ranking. The Board might identify a candidate who could be a good fit for a Board position only to have DCA’s Office of Human Resources (OHR) deny that candidate as not being ‘reachable’ on an eligibility list, and then the Board would be unable to make an offer of employment. Ms. Sorrick explained that OHR is contemplating developing a single administrative classification, but that this is still in the works. If and when this comes to pass, this might lessen the obstacle(s) the Board faces in hiring promising candidates.

As Board discussion continued, minor revisions to wording and sentence order were captured live and incorporated directly into the Sunset report.

Ms. Cervantes asked, in reference to question #20, whether it should be explained that the apparent downtrend in Registered Psychologists and Registered Psychological Assistants is being driven in part by changes in the profession. Ms. Sorrick replied that the information tabulated here represents the Board’s best educated guesses based on policy changes. In particular, the downtrend might have been influenced by the imposition of the 72-month rule for psychological assistant registrations, which may have pushed many more psychological assistants to seek licensure and drop out of the psychological assistant ranks. Ms. Sorrick explained further that many locations that previously provided supervised experience were no longer eligible and this, too, may have pushed psychological assistants to seek licensure. Mr. Thomas added that recent rule changes caused psychological assistants to obtain their own single registration rather than having a separate registration for each primary supervisor. Ms. Marks commented that the older data showed the same number of registrants overall but spread out over different license types in the newer data.

Dr. Casuga pointed out that the Applied Behavioral Analysis Task Force and the EPPP2 Task Force were not listed as Ad Hoc Committees. Discussion ensued as how best to indicate the status of the various committees on the Board’s website in the most consistent way. Ms. Sorrick cautioned that this meeting should not review the goals of the various committees, as that would necessitate convening the ABA and EPPPs task forces before the December 1 deadline to accommodate those goal revisions.

It was M(Horn)/S(Casuga)/C to approve the Sunset Review report with the changes incorporated during this meeting, and to delegate to the Executive Officer the authority to make additional technical, non-substantive changes and finalize the report for submission to the legislative business and professions committees.

Public discussion ensued regarding the Board’s target date for completing investigations. Ms. Campbell asked whether PM4 included the entire duration of an investigation, from start to finish. Ms. Sorrick replied in the affirmative and emphasized that 540 days is a target date mandated to all Boards and Bureaus under DCA. Ms. Monterrubio referred Ms. Campbell to the Board’s website for this information. In reply to Ms. Campbell’s question as to why there was not a count of licensees who have multiple complaints against them, Dr. Phillips and Ms. Sorrick restated that the Board is providing specific information in response to specific requests from the Joint Sunset Review Oversight Committee and that the Board does not have the flexibility to add unsolicited information.
Ms. Campbell asked whether Subjects are notified when their case goes to the OAG and Ms. Monterrubio answered that the Subject would have been aware of a formal investigation going on, but that staff does not inform the Subject that the case would be referred to the OAG. Ms. Campbell asked how long it takes for the Board to transmit a case to the OAG and Dr. Phillips iterated that the Board is answering only the questions that were asked and that these other subjects are on the Board’s radar for future meetings.

Dr. Winkelman asked about Sections 9 and 10, regarding the way an issue becomes something to be reported during Sunset Review. Ms. Sorrick answered that technical, non-substantive issues can be reviewed in committee throughout the Sunset process, whereas more substantive changes would likely cause the Board to seek an author to pass legislation to deal with bigger issues. Ms. Sorrick further explained that all Boards and Bureaus receive the same questions for Section 9, whereas Section 10 is this Board’s place to raise its own new issues. She clarified that the issues in Section 11 during the previous Sunset Review are what appear in Section 10 for the current Sunset Review. What appears in Section 11 for the current Sunset Review will appear in Section 10 during the next Sunset Review.

Board discussion about meeting attendance ensued. No further public comment was offered.

Votes: 7 ayes (Bernal, Casuga, Cervantes, Foo, Horn, Phillips, Tate), 0 noes

Agenda Item #5: Update Regarding Mathews v. Becerra - California Child Abuse and Neglect Reporting Act (CANRA) and Mandated Reporting - Penal Code Sections 261.5, 288, and 11165.1

This item was informational only.

Agenda Item #6: 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)].

There were no recommendations made for future agenda items.

CLOSED SESSION

Agenda Item #7: The Board will Meet in Closed Session Pursuant to Government Code Section 11126(c)(3) to Discuss Disciplinary Matters Including Proposed Decisions, Stipulations, Petitions for Reconsideration, and Remands.

The Board went into closed session at 2:10 pm.

RETURN TO OPEN SESSION/ADJOURNMENT
The Board returned to open session at 2:32 pm and the meeting adjourned.