

1 **August 19, 2022, Meeting Minutes**

2  
3 **Board Members**

4 Lea Tate, PsyD, President  
5 Seyron Foo, Vice President  
6 Sheryll Casuga, PsyD, CMPC  
7 Marisela Cervantes, EdD, MPA  
8 Mary Harb Sheets, PhD  
9 Julie Nystrom  
10 Stephen Phillips, JD, PsyD  
11 Ana Rescate  
12 Shacunda Rodgers, PhD

13  
14 **Board Staff**

15 Antonette Sorrick, Executive Officer  
16 Jon Burke, Assistant Executive Officer  
17 Stephanie Cheung, Licensing Manager  
18 Jason Glasspiegel, Central Services Manager  
19 Sandra Monterrubio, Enforcement Program Manager  
20 Liezel McCockran, CE/Renewals Coordinator  
21 Suzy Costa Darrow, Legislative and Regulatory Analyst  
22 Sarah Proteau, Central Services Office Technician  
23 Norine Marks, Board Counsel  
24 Heather Hoganson, Regulatory Counsel

25  
26  
27 **Agenda Item 1: Call to Order/Roll Call/Establishment of a Quorum**

28  
29 President Tate welcomed all participants. Prior to roll call, the ceremonial oath was  
30 administered to Dr. Cervantes who was reappointed to the Board and whose  
31 reappointment became effective on June 1, 2022 and would expire on June 1, 2026.

32  
33 Dr. Tate called the meeting to order at 9:03 a.m., roll was taken, and a quorum  
34 established.

35  
36 **Agenda Item 2: President's Welcome**

37  
38 Dr. Tate provided the Board mission and announced the retirement of longtime staff  
39 member, Ms. Diana Brown, and the temporary return of Ms. Norine Marks as Board  
40 counsel.

41  
42 Dr. Tate asked Dr. Rodgers to lead a mindfulness exercise.  
43

- 44 a) Mindfulness Exercise (Rodgers)  
45 b) Meeting Calendar

46  
47 There was no Board or public comment offered.

48  
49 **Agenda Item 3: Public Comment for Items Not on the Agenda.**

50  
51 There was no Board or public comment offered.

52  
53 **Agenda Item 4: Discussion and Possible Approval of the Board Meeting Minutes:**  
54 **April 29, 2022**

55  
56 Dr. Tate introduced this item.

57  
58 It was M/(Harb Sheets)/S(Rodgers)/C to approve to minutes as written.

59  
60 There was no Board or public comment offered.

61  
62 Votes: 9 Ayes (Casuga, Cervantes, Foo, Harb Sheets, Nystrom, Phillips, Rescate,  
63 Rodgers, Tate), 0 Noes

64  
65 **Agenda Item 5: Executive Officer's Report**

- 66  
67 a) Personnel Update  
68 b) COVID-19 Update

69  
70 Ms. Sorrick provided these updates.

71  
72 There was no Board or public comment offered.

73  
74 **Agenda Item 6: DCA Update**

75  
76 Dr. Tate introduced this item and Brian Clifford, DCA, provided this update which  
77 included:

- 78  
79 • SB 189 which was signed by the governor on June 30, 2022, and  
80 reinstated the remote meeting provisions of the Bagley Keen Open  
81 Meeting Act that were in place during the active COVID-19 pandemic  
82 • DCA personnel updates  
83 • A reminder regarding required trainings

84  
85 There was no Board or public comment offered.

86  
87 **Agenda Item 7: Budget Report**

88  
89 Dr. Tate introduced this item and Mr. Glasspiegel provided this update

90 Discussion ensued regarding the difference in projected versus actual costs, how the  
91 report was structured, and the state of the fund balance and fund balance reserve which  
92 had increased by a small amount due to cost saving efforts.

93  
94 Mr. Foo commented regarding the fund balance and noted the negative projections for  
95 Fiscal Year 2024/2025. He stated that this was part of the reason why the Board had  
96 been exploring and pursuing various opportunities to address the fund balance deficit.  
97 Mr. Foo commented that without the appropriate increase of the fees to reflect the  
98 previous three decades of flat fees the fund would continue to run at a deficit.

99  
100 It was stated that there would be a more in-depth and detailed presentation on the Board  
101 budget at the November Board meeting.

102  
103 There was no further Board and no public comment offered.

104  
105 **Agenda Item 8: Presentation by Health Professions Education Foundation on**  
106 **Licensed Mental Health Services Provider Education Program (LMHSPEP) and**  
107 **Mental Health Loan Assumption Program (MHLAP); Discussion and Questions to**  
108 **Follow.**

109  
110 Dr. Tate introduced this item and Ms. Michelle Crouch, Program Officer for the  
111 Department of Healthcare Access and Information (HCAI), presented this item.

112  
113 Discussion ensued on outreach and how licensees would know about this program to  
114 be able to apply. It was determined that the Board could make a reference in the  
115 journal/newsletter.

116  
117 There was no further Board or public comment offered.

118  
119 **Agenda Item 9: Licensing Committee Report and Consideration of Committee**  
120 **Recommendations**

121  
122 a) Licensing Report

123  
124 Ms. Cheung provided this report.

125  
126 Discussion ensued regarding how to interpret the data provided on the report  
127 attachments. Ms. Cheung provided clarification.

128  
129 Public Comment

130  
131 Melody Shaefer asked about average timeframes of renewal which were provided by Mr.  
132 Glasspiegel.

133  
134 There was no further comment offered.

135

136 Dr. Harb Sheets, Committee Chair, stated that Agenda Item 12 would be taken next and  
137 the remaining items in the Licensing Committee Report would be discussed subsequent  
138 to Agenda Item 12.  
139

140 **Agenda Item 12: Association of State and Provincial Psychology Boards (ASPPB)**  
141 **EPPP2 Update – May 16-17, 2022 - Townhall Meeting Report**  
142

143 Dr. Casuga provided this update and stated that Dr. Matt Turner, ASPPB, would be in  
144 attendance to answer questions.  
145

146 Dr. Turner stated there had been two town hall meetings for Licensing Boards and one  
147 town hall meeting for stakeholders and that there would be a recording available through  
148 ASPPB.  
149

150 Dr. Harb Sheets asked Dr. Turner about a timeframe of when ASPPB would make a  
151 decision as to whether or not to require the EPPP-2.  
152

153 Dr. Turner stated it was his understanding the next Board of Directors meeting for ASPPB  
154 would be in October and it was possible that they could make a decision at that time.  
155

156 Discussion ensued regarding the necessity of measuring competency in practice for  
157 psychologists.  
158

159 There was no further Board comment and no public comment offered.  
160

161 Dr. Harb Sheets stated they would continue with item 9(b) and would take public comment  
162 for all of item 9 at the end.  
163

164 b) Multiple Test Takers Statistical Report (L. Snyder)  
165

166 Ms. Snyder provided this report.  
167

168 There was no Board comment offered.  
169

170 c) Continuing Education and Renewals Report (L. McCockran)  
171

172 Ms. McCockran provided this update.  
173

174 There was no Board comment offered.  
175

176 d) Board Response to Psychologist Applications – Correspondence Review (S.  
177 Cheung)

178 Dr. Harb Sheets introduced, and Ms. Cheung presented this item.

179 Discussion ensued about the process of licensure and the type of communication  
180 templates that are used, and access to the processing timeframes that applicants have,  
181 which are listed on the Board website and updated regularly.

182 Dr. Casuga asked for more information as to the types of testing accommodations  
183 available to applicants.

184 Ms. Snyder provided a summary of the types of accommodations that can be applied for  
185 in taking the licensing exams, which are listed on the Board website.

186 Ms. Marks commented that item 9(d) would typically be up before the Licensure  
187 Committee for review and discussion and since the Licensure Committee would not  
188 meet until 2023, she suggested that a motion be made for Board delegation to Dr. Harb  
189 Sheets and Dr. Cervantes to meet with staff and counsel and go over the item,  
190 correspondence templates, including comments received, and to revise this agenda  
191 item to bring back to the Board Meeting in November.

192 It was M/(Tate)/S(Cervantes)/C to delegate to Licensure Committee and staff to meet  
193 and go over the comments and bring back a revised version that incorporates the  
194 comments to the November Board meeting.

195  
196 There was no Board or public comment offered.  
197

198 Vote: 9 Ayes (Casuga, Cervantes, Foo, Harb Sheets, Nystrom, Phillips, Rescate,  
199 Rodgers, Tate), 0 Noes

200  
201 e) Legislation: Acceptable Verification of Pre-Licensure Coursework  
202 Requirements, Business and Professions Code sections 2915.4 and 2915.5  
203 (S. Cheung)  
204

205 Ms. Cheung provided this update.  
206

207 Dr. Rodgers provided comment of support for additional options to show proof of pre-  
208 licensure coursework.

209  
210 It was M/(Foo)/S(Cervantes)/C to support the Licensure Committee request to approve  
211 the proposed amendments and delegate authority to the Executive Officer to seek an  
212 author for legislation regarding to these requirements.  
213

214 There was no public comment offered.  
215

216 Vote: 9 Ayes (Casuga, Cervantes, Foo, Harb Sheets, Nystrom, Phillips, Rescate,  
217 Rodgers, Tate), 0 Noes

218  
219 Approved Text  
220

221 **2915.4.**

222 (a) Effective January 1, 2020, an applicant for licensure as a psychologist shall show, as  
223 part of the application, that he or she has completed a minimum of six hours of  
224 coursework or applied experience under supervision in suicide risk assessment and  
225 intervention. This requirement shall be met in one of the following ways:

226  
227 (1) Obtained as part of ~~his or her~~ the applicant's qualifying graduate degree  
228 program. To satisfy this requirement, the applicant shall submit to the board a  
229 transcript indicating completion of this coursework. In absence of this coursework  
230 title in the transcript, the applicant shall submit a written certification from the  
231 registrar, department chair, or training director of the educational institution or  
232 program from which the applicant graduated stating that the coursework required  
233 by this section is included within the institution's curriculum required for  
234 graduation at the time the applicant graduated, or within the coursework that was  
235 completed by the applicant.

236  
237 (2) Obtained as part of ~~his or her~~ the applicant's applied experience. Applied  
238 experience can be met in any of the following settings: practicum, internship, or  
239 formal postdoctoral placement that meets the requirement of Section 2911, or  
240 other qualifying supervised professional experience. To satisfy this requirement,  
241 the applicant shall submit to the board a written certification from the director of  
242 training for the program or primary supervisor where the qualifying experience  
243 has occurred stating that the training required by this section is included within  
244 the applied experience.

245  
246 (3) By taking a continuing education course that meets the requirements of  
247 subdivision (e) or (f) of Section 2915 and that qualifies as a continuing education  
248 learning activity category specified in paragraph (2) or (3) of subdivision (c) of  
249 Section 2915. To satisfy this requirement, the applicant shall submit to the board  
250 a certification of completion.

251  
252 (b) Effective January 1, 2020, as a one-time requirement, a licensee prior to the time of  
253 his or her first renewal after the operative date of this section, or an applicant for  
254 reactivation or reinstatement to an active license status, shall have completed a  
255 minimum of six hours of coursework or applied experience under supervision in suicide  
256 risk assessment and intervention, as specified in subdivision (a). Proof of compliance  
257 with this section shall be certified under penalty of perjury that he or she is in  
258 compliance with this section and shall be retained for submission to the board upon  
259 request.

260  
261 *(Added by Stats. 2017, Ch. 182, Sec. 1. (AB 89) Effective January 1, 2018.)*

262  
263 **2915.5.**

264 (a) Any applicant for licensure as a psychologist as a condition of licensure, a minimum  
265 of six contact hours of coursework or applied experience in aging and long-term care,  
266 which may include, but need not be limited to, the biological, social, and psychological

267 aspects of aging. This coursework shall include instruction on the assessment and  
268 reporting of, as well as treatment related to, elder and dependent adult abuse and  
269 neglect.

270  
271 (b) In order to satisfy the coursework requirement of this section, the applicant shall  
272 submit to the board a transcript indicating completion of this coursework. In absence of  
273 this coursework title in the transcript, the applicant shall submit a written certification  
274 from the registrar, department chair, or training director of the educational institution or  
275 program from which the applicant graduated stating that the coursework required by this  
276 section is included within the institution's required curriculum for graduation at the time  
277 the applicant graduated, or within the coursework, that was completed by the applicant.  
278

279 (c) (1) If an applicant does not have coursework pursuant to this section, the applicant  
280 may obtain evidence of compliance as part of their applied experience in a practicum,  
281 internship, or formal postdoctoral placement that meets the requirement of Section  
282 2911, or other qualifying supervised professional experience.

283  
284 (2) To satisfy the applied experience requirement of this section, the applicant shall  
285 submit to the board a written certification from the director of training for the program  
286 or primary supervisor where the qualifying experience occurred stating that the  
287 training required by this section is included within the applied experience.  
288

289 (d) If an applicant does not meet the curriculum or coursework requirement pursuant to  
290 this section, the applicant may obtain evidence of compliance by taking a continuing  
291 education course that meets the requirements of subdivision (d) or (e) of Section 2915  
292 and that qualifies as a learning activity category specified in paragraph (2) or (3) of  
293 subdivision (c) of Section 2915. To satisfy this requirement, the applicant shall submit to  
294 the board a certification of completion.

295  
296 (e) A written certification made or submitted pursuant to this section shall be done under  
297 penalty of perjury.

298  
299 *(Amended by Stats. 2021, Ch. 647, Sec. 10. (SB 801) Effective January 1, 2022.)*  
300

301 Dr. Harb Sheets opened public comment for Agenda Items 9(a) – 9(b).

302  
303 There was no public comment offered.  
304

305 **Agenda Item 10: Licensing Timeframes Update – Short-term and Long-Term**  
306 **Solutions to the Application Backlogs** (S. Cheung)  
307

308 Ms. Cheung provided this update. Topics included: Historical staffing statistics and  
309 processing times, the volume of new applications received, and the efforts made to obtain  
310 more positions through a Budget Change Proposal.

311  
312 Public Comment

313  
314 Dr. Jo Linder Crow, CPA, thanked the Board and staff for adding this item to the agenda  
315 and their attention to the issue of wait times.

316  
317 Dr. Elizabeth Winkelman, CPA, echoed the comments of Dr. Linder Crow and discussed  
318 the attached CPA survey results that were included in the materials.

319  
320 Dr. Eric Samuels, Psy.D. and President of Alameda Psychological Association provided  
321 comments about average wait times.

322  
323 Dr. Melody Schaefer and Dr. Michelle Willingham echoed previous comments made.

324  
325 Dr. Harb Sheets stated her appreciation for the comments provided and her  
326 understanding of the frustration licensees and applicants had expressed throughout the  
327 budget and staffing challenges the Board has faced.

328  
329 Mr. Foo echoed appreciation for the feedback provided and complimented the Licensing  
330 Unit staff for their professionalism in how the concerns expressed had been responded  
331 to.

332  
333 Discussion ensued regarding goals for application turnaround time and the general  
334 timeline for application processes and communication as well as contextual information  
335 as to how vacant positions would be filled.

336  
337 Dr. Tate expressed appreciation for the robust discussion, comments provided from  
338 participants and the efforts made to find short and long-term solutions for this difficult  
339 problem.

340  
341 There was no further Board or public comment offered.

342  
343 **Agenda Item 11: Enforcement Report**

344  
345 Dr. Tate introduced this item and Ms. Monterrubio provided this update.

346  
347 Discussion ensued regarding performance measures, case volume and targets for the  
348 Enforcement Unit.

349  
350 There was no further Board and no public comment offered.

351  
352 **Agenda Item 13: Legislative and Regulatory Affairs Committee Report and**  
353 **Consideration of Committee Recommendations**

354  
355 Dr. Cervantes, Committee Chair, introduced this item and Ms. Costa Darrow provided  
356 updates on each item.

357



358 a) Legislation from the 2021 Legislative Session: Review and Possible Action (M.  
359 Cervantes)

360  
361 1) Board Sponsored Legislation  
362 SB 401 (Pan) Healing arts: psychology - Amendments to sections  
363 2960 and 2960.1 of the Business and Professions Code Regarding  
364 Denial, Suspension and Revocation for Acts of Sexual Contact  
365

366 Ms. Costa Darrow provided this update which was provided as information only with no  
367 action required.

368  
369 There was no Board or public comment offered,  
370

371  
372 2) Bills with Active Positions Taken by the Board  
373 A) AB 32 (Aguiar-Curry) Telehealth  
374

375 Ms. Costa Darrow provided this update, which was provided as information only, with no  
376 action required.  
377

378 There was no Board or public comment offered.  
379

380 B) SB 731 (Durazo) Criminal records: relief  
381

382 Ms. Costa Darrow provided this update and stated the Board had previously taken an  
383 oppose position on the bill due to concerns with specific felonies in the language. She  
384 stated that while our initial concern had been removed, there were still concerns from  
385 Board staff about this bill, so Board staff still recommends an Oppose position.  
386

387 Discussion ensued regarding this update, and it was determined that a motion would be  
388 made even though it was for information only.  
389

390 It was M/(Tate)S/(Phillips)/C to approve the staff recommendation to Oppose SB 731  
391 (Durazo) and to forward the Board's current concerns to the author.  
392

393 Ms. Nystrom recused herself from voting due to their position with the State Senate.  
394

395 There was no Board or public comment offered.  
396

397 Votes: 8 Ayes (Casuga, Cervantes, Foo, Harb Sheets, Phillips, Rescate, Rodgers, Tate),  
398 0 Noes, 1 Recusal (Nystrom)  
399

400  
401 3) Watch Bill  
402

403 A) AB 646 (Low) Department of Consumer Affairs: boards: expunged  
404 convictions  
405

406 Ms. Costa Darrow provided this update and stated that AB 646 (Low) failed to pass out  
407 of the Senate Appropriations Committee and was held in suspense.  
408

409 There was no further Board and no public comment offered.  
410

411 b) Legislation from the 2022 Legislative Session: Review and Possible Action (M.  
412 Cervantes)  
413

414 1) Review of Bills for Active Position Recommendations to the Board  
415 AB 2222 (Reyes) Student financial aid: Golden State Social  
416 Opportunities Program  
417

418 Ms. Costa Darrow provided this update and stated that the Legislative and Regulatory  
419 Affairs Committee saw a version of this bill on June 10, 2022. At that time, Board staff  
420 had concerns about the bill and recommended a Support if Amended position because  
421 the bill would have required the Board to track the work settings of grant recipients to  
422 certify whether these registered psychological associates were working in California-  
423 based nonprofits. The version of the bill, as amended on 8/17/2022, has these concerns  
424 removed. Additionally, the latest version has removed language requiring an annual  
425 budget appropriation because the Governor has committed funding to add 40,000 new  
426 mental health workers to California's workforce.  
427

428 Board staff recommends a Support if Amended position on AB 2222 (Reyes).  
429

430 M/(Tate)S/(Casuga)/C to adopt a Support if Amended position for AB 2222 (Reyes).  
431

432 Ms. Nystrom recused herself from voting due to their position with the state senate.  
433

434 There was no further Board and no public comment offered.  
435

436 Votes: 8 Ayes (Casuga, Cervantes, Foo, Harb Sheets, Phillips, Rescate, Rodgers, Tate),  
437 0 Noes, 1 Recusal (Nystrom)  
438

439 2) Bills with Active Positions Taken by the Board

440 A) AB 1662 (Gipson) Licensing boards: disqualification from  
441 licensure: criminal conviction  
442

443 Dr. Cervantes introduced this item and stated that comment would be taken after Ms.  
444 Costa Darrow provided summaries for the three bills.  
445

446 Ms. Costa Darrow provided a summary of this item and stated the bill died and is not  
447 moving on.  
448

449 B) AB 2754 (Bauer-Kahan) Psychology: supervising  
450 psychologists: qualifications  
451

452 Ms. Costa Darrow provided a summary of this item and stated that the bill was presented  
453 to the Governor on August 16, 2022.  
454

455 C) SB 1428 (Archuleta) Psychologists: psychological testing  
456 technician: registration  
457

458 Ms. Costa Darrow provided a summary of this item, stated the Board's previous position  
459 of Support if Amended, and that the bill had been amended on the senate floor. She  
460 stated that Board staff did not have that additional language included in the Board-  
461 approved amendments, and staff did not have any concerns about this amendment  
462 since it was consistent with our practice act. Therefore, Board staff has modified the  
463 position to a Support position on SB 1428 (Archuleta).  
464

465 This bill is on the Assembly Floor and Board staff is in the process of getting a letter  
466 approved to submit to both to the Assembly Floor and the Governor's Office.  
467

468 There was no Board comment offered.  
469

470 Public Comment  
471

472 Dr. Jo Linder Crow, CPA, thanked staff for Board support on two CPA sponsored bills AB  
473 2754 (Bauer-Kahan) and SB 1428 (Archuleta)  
474

475 No further public comment was offered.  
476

### 477 3) Watch Bills

478 A) AB 58 (Salas) Pupil health: suicide prevention policies and  
479 training.

480 B) AB 1860 (Ward) Substance abuse treatment: certification.

481 C) AB 2229 (Luz Rivas) Peace officers: minimum standards: bias  
482 evaluation.

483 D) AB 2274 (Blanca Rubio) Mandated reporters: statute of  
484 limitations.

485 E) SB 189 (Committee on Budget and Fiscal Review) State  
486 Government.

487 F) SB 1223 (Becker) Criminal procedure: mental health diversion.  
488

489 Dr. Cervantes introduced these items, stated that the status of the bills could be found in  
490 the combined packet of the meeting materials between page 281 and 320.  
491

492 This was provided as information only, with no action required.  
493

494 There was no Board or public comment offered.

495  
496 4) Legislative Items for Future Meeting. The Board May Discuss  
497 Other Items of Legislation in Sufficient Detail to Determine Whether  
498 Such Items Should be on a Future Board Meeting Agenda and/or  
499 Whether to Hold a Special Meeting of the Board to Discuss Such  
500 Items Pursuant to Government Code section 11125.4.

501  
502 Dr. Cervantes introduced this item.

503  
504 There was no Board or public comment offered.

505  
506  
507 5) Regulatory Update, Review, and Consideration of Additional  
508 Changes (M. Cervantes)

509  
510 Dr. Cervantes introduced this item which was included in the meeting materials  
511 beginning on page 321 of the combined packet meeting materials.

512  
513 This was provided as informational only with no action required.

514  
515 a) 16 CCR sections 1381.9, 1397.60, 1397.61, 1397.62, 1397.67 –  
516 Continuing Professional Development

517  
518 Mr. Glasspiegel provided this update and stated that it was approved by OAL on June  
519 29, 2022

520  
521 b) 16 CCR sections 1391.1, 1391.2, 1391.5, 1391.6, 1391.8,  
522 1391.10, 1391.11, 1391.12, 1392.1 – Registered Psychological  
523 Associates

524  
525 Mr. Glasspiegel provided this update.

526  
527 c) 16 CCR sections 1391.13, and 1391.14 – Inactive Psychological  
528 Associates Registration and Reactivating a Psychological  
529 Associate Registration

530  
531 Mr. Glasspiegel provided this update.

532  
533 d) 16 CCR sections 1392 and 1392.1 – Psychologist Fees and  
534 Psychological Associate Fees

535  
536 Mr. Glasspiegel provided this update.

537  
538 e) 16 CCR 1395.2 – Disciplinary Guidelines and Uniform  
539 Standards Related to Substance-Abusing Licensees

540

541 Mr. Glasspiegel provided this update.

542

543 f) 16 CCR sections 1380.3, 1381, 1381.1, 1381.2, 1381.4, 1381.5,  
544 1382, 1382.3, 1382.4, 1382.5, 1386, 1387, 1387.1, 1387.2,  
545 1387.3, 1387.4, 1387.5, 1387.6, 1387.10, 1388, 1388.6, 1389,  
546 1389.1, 1391, 1391.1, 1391.3, 1391.4, 1391.5, 1391.6, 1391.8,  
547 1391.11, and 1391.12 – Pathways to Licensure

548

549 Mr. Glasspiegel provided this update.

550

551 g) 16 CCR sections 1380.6, 1393, 1396, 1396.1, 1396.2, 1396.3,  
552 1396.4, 1396.5, 1397, 1397.1, 1397.2, 1397.35, 1397.37,  
553 1397.39, 1397.50, 1397.51, 1397.52, 1397.53, 1397.54,  
554 1397.55 - Enforcement Provisions

555

556 Mr. Glasspiegel provided this update.

557

558 There was no Board or public comment offered for Agenda Item 13.

559

560 **Agenda Item 14: Consideration of any Written Comments and Responses and**  
561 **Possible Adoption of 16 CCR Sections 1381.10, 1392, and 1397.69 – Retired**  
562 **License, Renewal of Expired License, Psychologist Fees (Retired License)**

563

564 Mr. Glasspiegel provided a summary of this item and stated that the Board is  
565 implementing BPC Section 2988.5, which became effective on January 1, 2017, with  
566 Senate Bill (SB) 1193 (Hill, Chapter 484, Statutes of 2016). This newly added section  
567 gives the Board the authority to issue a retired license to a psychologist who holds a  
568 current license issued by the Board. This bill was the product of the sunset review  
569 process, by which the Senate and Assembly Business and Professions Committees  
570 recommended that the Board provide recommendations to the Legislature to establish a  
571 retired license. At the time the legislative proposal was submitted, retired licenses were  
572 the most common constituent inquiry legislative staff received from the Board's  
573 licensees. Although SB 1193 gave the Board the statutory authority to issue retired  
574 licenses, it does not specify the requirements and procedures for obtaining this license  
575 status. The purpose of the proposed regulatory language is to specify the requirements  
576 for obtaining and maintaining a psychologist license in retired status. This rulemaking  
577 file brings the Board in compliance with the changes enacted by SB 1193.

578

579 This package was noticed for the initial 45-day comment period on October 15, 2021.

580 The comment period for this rulemaking file ended on November 30, 2021. The

581 regulatory hearing took place on December 1, 2021. Due to the absence of any

582 negative comments, the Board voted to approve the language as noticed at the

583 February 2022 Board meeting. This package was submitted to the Office of

584 Administrative Law (OAL) for their final review on May 9, 2022. During their initial

585 review, OAL suggested some changes, which were incorporated into the modified text

586 and noticed on July 5, 2022. The comment period for this modified text ran from July 5  
587 through July 21, 2022.

588  
589 Comments were received for the Board's consideration and were included in the  
590 meeting materials. Mr. Glasspiegel noted that comments 1, 2, and 3 were received  
591 within the comment period but were generally outside the scope of the modified text. He  
592 also noted that comment 4 was received before the comment period for the modified  
593 text. Mr. Glasspiegel also noted that social security numbers are never released by  
594 Board staff, as suggested in comment 1.

595  
596 It was M/(Harb Sheets)S/(Tate)/C to not make any changes to the text in response to  
597 the  
598 comments received, and to adopt Sections 1381.10, 1392, and 1397.69 as well as  
599 delegating to the Executive Officer the authority to make any technical and non-  
600 substantive changes required by control agencies as this regulatory package is being  
601 finalized.

602  
603 Votes: 8 Ayes (Casuga, Cervantes, Harb Sheets, Nystrom, Rescate, Rodgers, Tate), 0  
604 Noes, 2 Absences (Foo, Phillips).

605  
606 There was no Board and no public comment offered

607  
608 Approved Text

609  
610 § 1381.10. Retired Status.  
611

612 (a) Pursuant to Section 2988.5 of the Code, a psychologist who holds a current  
613 active or current inactive license, issued by the Board, may apply to place that  
614 license in retired status by submitting Form PSY 900 (New 2021), which is  
615 hereby incorporated by reference.  
616

617 (b) As used in Section 2988.5 of the Code:  
618 (1) "Otherwise restricted by the board" ~~means that the license is not~~  
619 currently ~~en~~includes probation~~or~~, subject to any other terms and  
620 conditions, or the licensee is ~~not~~ restricted from practice.  
621

622 (2) "Subject to discipline under this chapter" means ~~that there are no~~  
623 pending ~~court or administrative actions to restrict the applicant's~~  
624 practice for violations of Chapter 6.6 of Division 2 (commencing with  
625 section 2900). ~~Accusations pursuant to the Administrative Procedure~~  
626 ~~Act, Interim Suspension Orders filed pursuant to section 494 of the~~  
627 ~~Code, evaluations pursuant to Section 820 of the Code, or practice~~  
628 ~~restrictions pursuant to Penal Code section 23.~~

629 (c) To apply to restore the license to active status if the application to place  
630 the license in retired status was granted less than three (3) years prior, in  
631 addition to any other requirements in 2988.5 of the Code, the licensee shall:

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(1) Submit Form PSY 905 (New 2021), which is hereby incorporated by reference, and pay the biennial renewal fee as prescribed in section 1392(d) of the Board's regulations and all additional fees as prescribed in section 2987.2 of the Code, and section 1397.69 of the Board's regulations at the time the request to restore to active status is received;

(2) Furnish to the Department of Justice, a full set of electronic fingerprints for the purpose of conducting a criminal history record check and to undergo a state and federal level criminal offender record information search if the licensee has not been previously fingerprinted for the Board or for whom an electronic record of the submission of fingerprints does not exist in the Department of Justice's criminal offender identification database.

(d) To apply to restore the license to active status (3) or more years from the date of issuance of the license in retired status, the licensee shall comply with the requirements in 2988.5(d)(2) of the Code.

(e) The Board will not grant an application for a license to be placed in a retired status more than twice.

(f) A licensee who has been granted a license in retired status twice must apply for a new license in order to obtain a license in active status.

Note: Authority cited: Sections 2930 and 2988.5 Business and Professions Code. Reference: Sections 118, 2960, 2960.6, and 2988.5, Business and Professions Code; and Section 11105(b)(10), Penal Code.

**§ 1392. Psychologist Fees.**

- (a) \* \* \*
- (b) \* \* \*
- (c) \* \* \*
- (d) \* \* \*
- (e) \* \* \*

(f) The application fee for a retired license is \$75.00.

Note: Authority cited: Sections 2930, 2987, 2988.5, and 2989, Business and Professions Code.  
Reference: Sections 2987, 2988, 2988.5, and 2989, Business and Professions Code.

**§ 1397.69. Continuing Professional Development Audit Fee Licensee Fees.**

677 For the administration of this article, in addition to any other fees due the  
678 Board, and as a condition of renewal or reinstatement, a \$10 fee is to  
679 be paid to the Board by a licensee renewing in an active status or after  
680 inactive, ~~or delinquent~~ expired, or reactivating from a retired status.  
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682 Note: Authority cited: Sections ~~2915(g)~~ and 2930, Business and  
683 Professions Code. ~~Reference: Sections~~ 2915(jh) and 2988.5,  
684 Business and Professions Code.  
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687 **Agenda Item 15: Recommendations for Agenda Items for Future Board Meetings.**  
688 **Note: The Board May Not Discuss or Take Action on Any Matter Raised During This**  
689 **Public Comment Section, Except to Decide Whether to Place the Matter on the**  
690 **Agenda of a Future Meeting [Government Code Sections 11125 and 11125.7(a)].**  
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692 Board comment

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694 Dr. Casuga asked that the Board continue with a mindfulness exercise in the next meeting  
695 and an update from ASPPB if there is any new information.  
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697 Public comment

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699 Dr. Elizabeth Winkelman, CPA, requested updates on response times for the Licensing  
700 Unit.  
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702 **CLOSED SESSION**

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704 **Agenda Item 16 The Board Will Meet in Closed Session to Discuss and Deliberate**  
705 **on Disciplinary Matters, Pursuant to Government Code section 11126(c)(3).**  
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707 The meeting adjourned at 4:17 p.m.