

## MINUTES OF BOARD MEETING

December 20, 2024

**Primary Location (Members/Staff):**

Department of Consumer Affairs  
1625 N. Market Blvd., El Dorado Room  
Sacramento, CA 95834

**Teleconference Locations / Additional Locations at Which the Public Could Observe or Address the Board and Where Members Were Present:**

8920 Wilshire Blvd., Ste. 334  
Beverly Hills, CA 90211

2888 Eureka Way, Ste. 200  
Redding, CA 96001

12803 Pimperl Way  
San Diego, CA 92129

Bureau of Automotive Repair  
Hercules Field Office  
625 Alfred Nobel Dr., Suite A  
Hercules, CA 94547

TriCentre Building  
333 S. Anita Drive, Room D  
Orange, CA 92868

**Board Members**

Lea Tate, PsyD, President  
Shacunda Rodgers, PhD, Vice President  
Seyron Foo  
Mary Harb Sheets, PhD  
Julie Nystrom  
Stephen Phillips, JD, PsyD  
Ana Rescate

**Board Members Absent**

Sheryll Casuga, PsyD, CMPC  
Marisela Cervantes, EdD, MPA

45 **Board Staff**

46 Jonathan Burke, Interim Executive Officer  
47 Stephanie Cheung, Licensing Manager  
48 Sandra Monterrubio, Enforcement Program Manager  
49 Cynthia Whitney, Central Services Manager  
50 Troy Polk, Continuing Professional Development and Renewals Coordinator  
51 Evan Gage, Special Projects Analyst  
52 Cecilia Voon, Board Liaison  
53 Anthony Pane, Board Counsel  
54 Sam Singh, Regulatory Counsel  
55

Friday, December 20, 2024

56  
57 **Agenda Item #1: Call to Order/Roll Call/Establishment of a Quorum**

58  
59 Dr. Tate called the meeting to order at 1:00 p.m. A quorum was present and due notice  
60 had been sent to all interested parties.  
61

62 **Agenda Item #2: Public Comment for Items Not on the Agenda**

63  
64 Dr. Tate called for public comment.  
65

66 Two members of the public commented from the San Diego location where Board  
67 Member Dr. Harb Sheets was present.  
68

69 The first speaker, a retired California psychologist, commented that over the past 35  
70 years she has perceived that the board's Enforcement Unit has turned to increasingly  
71 harsh discipline against licensees who have committed minor to moderate deviations  
72 from the standard of care. She called for a more measured approach to discipline, and  
73 argued the time period prior to 2000 was the model for this approach. She produced a  
74 sealed envelope which she turned over to Dr. Harb Sheets.  
75

76 The second speaker, a retired physician, largely echoed the first speaker's sentiments,  
77 and called for a revision of the current Disciplinary Guidelines to consider letters of  
78 education to be used as a minimum standard of discipline instead of five-years'  
79 probation. He commented that the board's efforts should be spent trying to keep as  
80 many licensees in the workforce as possible, rather than on eliminating them through  
81 discipline.  
82

83 **Agenda Item #4: Review and Possible Approval of the Board's Sunset Report**

84  
85 Dr. Tate introduced this item and Dr. Phillips provided the update, starting on page one  
86 of the meeting materials.  
87

88 Dr. Phillips called for Board comments for Section 1 of the Sunset Review materials.  
89

90 Dr. Harb Sheets commented on the inclusion of Student Research Psychoanalysts,  
91 which registration was unfamiliar to her.

92  
93 Dr. Phillips explained that Student Research Psychoanalysts were simply a registration  
94 type on their way to becoming Research Psychoanalysts.

95  
96 Mr. Foo commented that he was present at the Board meeting on July 9-10, 2020,  
97 although the Sunset Review indicates he was absent. He requested that be corrected.

98  
99 Dr. Phillips called for public comment.

100  
101 David DeBus expressed a lack of understanding of what a Research Psychoanalyst  
102 does, but that he was fearful that they might generate research to incorporate  
103 psychedelics in therapy.

104  
105 Dr. Phillips commented on the similarities and differences between Research  
106 Psychoanalysts and other licensed mental health professionals.

107  
108 No further public comment was offered on Section 1.

109  
110 Dr. Phillips moved on to Section 2, starting on page 31 of the meeting materials.

111  
112 Dr. Phillips called for Board comment.

113  
114 No Board comment was offered.

115  
116 Dr. Phillips called for public comment.

117  
118 No public comment offered on Section 2.

119  
120 Dr. Phillips moved on to Section 3, starting on page 37 of the meeting materials.

121  
122 Dr. Phillips called for Board comment.

123  
124 Dr. Rodgers asked what a "No Longer Interested Notification" is that the board sends to  
125 the Department of Justice (DOJ), as seen in item 22.

126  
127 Ms. Cheung replied that the board is required by DOJ to notify them when the board is  
128 no longer tracking a person because they are no longer a licensee or applicant of the  
129 Board.

130  
131 Dr. Harb Sheets commented that Business and Professions Code (BPC) §2914  
132 requires each applicant to possess a doctoral degree in psychology, but the regulation  
133 goes on to say that the degree needs to be in clinical psychology, this might be  
134 misleading.

136 Mr. Burke commented that staff shared this same concern and had gone back and  
137 added other fields of specialization to the definition that are not reflected in the  
138 document being viewed as part of the meeting materials.

139  
140 No further Board comments were offered.

141  
142 Dr. Phillips called for public comment.

143  
144 No public comment was offered.

145  
146 Dr. Harb Sheets referred to page 43 under the heading "Out-of-Country" and asked  
147 whether the phrase "to the satisfaction of the Board..." supported the idea that the  
148 applicant might provide an evaluation from a foreign credential evaluation service which  
149 the Board might not find satisfactory for licensing.

150  
151 Ms. Cheung commented that statute already requires applicants to submit evidence that  
152 they meet the qualifications for licensure, and they might be asked to provide additional  
153 documentation to support their application materials. She said that this was generally  
154 sufficient for most applicants.

155  
156 Dr. Phillips moved on to Section 4, starting on page 51 of the meeting materials.

157  
158 Dr. Phillips called for Board comment.

159  
160 Discussion ensued briefly on formatting issues.

161  
162 Dr. Phillips called for public comment.

163  
164 No public comment was offered.

165  
166 Dr. Phillips moved on to Section 5, starting on page 64 of the meeting materials.

167  
168 Dr. Phillips called for Board comment.

169  
170 No Board comment was offered.

171  
172 Dr. Phillips called for public comment.

173  
174 No public comment was offered.

175  
176 Dr. Phillips moved on to Section 6, starting on page 66 of the meeting materials.

177  
178 Dr. Phillips called for Board comment.

179  
180 Mr. Foo commented that the Enforcement Committee is already working to update both  
181 statutory and regulatory language, referring to the line in Section 6 that speaks as  
182 though the Board still needed to obtain statutory authority.

184 Mr. Burke confirmed that the language in Section 6 will be updated to more accurately  
185 reflect the ongoing status of the statutory and regulatory work of the Enforcement  
186 Committee.

187  
188 No further Board comment was offered.

189  
190 Dr. Phillips called for public comment.

191  
192 No public comment was offered.

193  
194 Dr. Phillips moved on to Section 7, starting on page 66 of the meeting materials.

195  
196 Dr. Phillips called for Board comment.

197  
198 No public comment was offered.

199  
200 Dr. Phillips called for public comment.

201  
202 Dr. Kramer asked for a summary of what was being discussed under Section 6, since  
203 the video materials were hard to read.

204  
205 Dr. Phillips described a recent situation where a large telehealth provider terminated a  
206 number of therapists overnight, preventing the therapists from even providing a  
207 therapeutic termination as required by ethics and by law. The section in question also  
208 touched on the Enforcement Committee's work regarding telepsychology.

209  
210 No further public comment was offered.

211  
212 Dr. Phillips moved on to Section 8, starting on page 69 of the meeting materials.

213  
214 Dr. Phillips called for Board comment.

215  
216 Dr. Harb Sheets commented that Item 64 might be a good place to point out that  
217 'something like 90% of renewals are completed online' as part of the board's response.

218  
219 Mr. Burke confirmed that there could be a line or two added about the ratio of renewals  
220 and applications received through BreEZe versus other methods.

221  
222 No further Board comment was offered.

223  
224 Dr. Phillips called for public comment.

225  
226 No public comment was offered.

227  
228 Dr. Phillips moved on to Section 9, starting on page 69 of the meeting materials.

229  
230 Dr. Phillips called for Board comment.

232 Mr. Burke commented that, once staff realized that DCA was going to provide most of  
233 the waivers that staff thought they would have to obtain through Statute, staff developed  
234 new language to address the COVID-19 Emergency. That new language was included  
235 here as an update to Issue # 2.

236  
237 Mr. Foo suggested that from pages 76 to 97 there could be a list of topics that the  
238 various two-person committees undertook and the associated Board action that  
239 followed.

240  
241 Dr. Phillips asked Mr. Burke about the feasibility of adding this information and Mr.  
242 Burke confirmed it could be done.

243  
244 Mr. Foo suggested including a line or two about foreign degree evaluations for  
245 Research Psychoanalysts, along the lines that following the transfer of this license type  
246 from the Medical Board of California (MBC) to the Board, the Board was currently  
247 looking into this matter.

248  
249 No further Board comments were offered.

250  
251 Dr. Phillips called for public comment.

252  
253 No public comment was offered.

254  
255 Dr. Phillips moved on to Section 10, starting on page 95 of the meeting materials.

256  
257 Dr. Phillips called on Mr. Burke to explain the content of this section.

258  
259 Mr. Burke commented on a number of problematic issues identified by the Board for  
260 which solutions had been put forth, which had already been considered and voted upon  
261 by the Board. These matters will be addressed at the Sunset Review hearings.

262  
263 Dr. Phillips called for Board comment.

264  
265 No Board comment was offered.

266  
267 Dr. Phillips called for public comment.

268  
269 Tyler Rinde from California Psychological Association (CPA) commented about CPA's  
270 concerns regarding an exception to client-patient privilege.

271  
272 Dr. Phillips clarified that the Board invited CPA to participate in the stakeholder  
273 meetings on this topic, but that CPA had declined any such invitations.

274  
275 No further public comment was offered.

276  
277 Dr. Phillips moved on to Section 11.

278  
279 Dr. Phillips called for Board comment.

280  
281 Mr. Foo commented on the reimbursement rates cited in the Administrative Procedure  
282 Manual (APM) and asked that staff confirm that the APM is updated to reflect current  
283 State and Federal rates.  
284  
285 Mr. Burke commented that updates to the APM are made at the staff level and then  
286 ratified by the Board. Staff could review the APM to verify that it is concurrent with State  
287 and Federal rates.  
288  
289 No further Board comment was offered.  
290  
291 Dr. Phillips called for public comment.  
292  
293 No public comments were offered.  
294  
295 Dr. Phillips moved on to Section 11, starting on page 97 of the meeting materials.  
296  
297 Dr. Phillips called for Board comment.  
298  
299 No Board comment was offered.  
300  
301 Dr. Phillips called for public comment.  
302  
303 No public comment was offered.  
304  
305 Dr. Phillips concluded his report with a note of appreciation to staff for their efforts on  
306 drafting the Sunset Review document.  
307  
308 Dr. Tate called for a motion to approve the Sunset Report.  
309  
310 It was (M)Tate(S)Foo(C) to approve the Sunset Report.  
311  
312 Dr. Phillips called for Board comment.  
313  
314 Dr. Harb Sheets asked for clarification as to whether a vote to approve the Sunset  
315 Report would mean an end to any further modification to it at the February 2025, Board  
316 meeting.  
317  
318 Mr. Burke confirmed that the February 2025, Board meeting would come too late to  
319 allow for further discussion of the topics within the Sunset Review. The Sunset Report is  
320 due to the Legislature by January 6, 2025, meaning the discussion at this meeting is the  
321 final review before submission.  
322  
323 Dr. Phillips called for public comment.  
324  
325 No public comment was offered.  
326  
327 Votes

328 7 Ayes (Foo, Harb Sheets, Nystrom, Phillips, Rescate, Rodgers, Tate), 2 Absent  
329 (Casuga, Cervantes), 0 Noes

330

331 **ADJOURNMENT**

332

333 Mr. Polk commented that attendance at the meeting today provided 2 hours of CPD  
334 credit under Category 1.

335

336 The meeting adjourned at 2:50 p.m.