


MEMORANDUM

DATE	January 25, 2017
TO	Board of Psychology Members
FROM	 Cherise Burns Central Services Manager
SUBJECT	Agenda Item #21 (a) and (b) Regulation Update and Review

a) Update on 16 CCR Sections 1391.1, 1391.2, 1391.5, 1391.6, 1391.8, 1391.10, 1391.11, 1391.12, 1392.1 – Psychological Assistants

Staff is currently working to create the Initial Statement of Reasons, and Notice of Proposed Regulations with Informative Digest, which are needed to begin the regulatory process with the Department of Consumer Affairs. Staff have made additional changes to the Proposed language for the regulatory package.

Action Requested:

Staff recommends the Board review and approve the changes in the attached proposed language and give the Executive Officer the authority to proceed with the rulemaking file.

Attachment A: Proposed language

b) Title 16, CCR, Section 1387(b)(10)(11) and 1387.1 – Verification of Experience and Supervision Agreement Forms.

This Rulemaking File was noticed for the initial 45 day comment period on April 1, 2016. The hearing took place at the May 2016 Board meeting. The final regulatory package was approved by the Department of Consumer Affairs and the Department of Finance, and was delivered to Office of Administrative Law (OAL) for review on December 22, 2016. OAL must review the rulemaking and provide the Board its decision by February 7, 2017.

Action Requested:

This item is for informational purposes only. No action is required at this time.

Attachment B: Order of Adoption

1 **§1391.1. Registration; Limitation of Registration Period.**

2
3 (a) Any person who meets the requirements of section 2913 of the Code desiring to
4 supervise may apply for registration as a psychological assistant by submitting shall
5 submit an application on a form 15-303 (rev. 9/16), which is hereby incorporated by
6 reference provided by the Board. If applying for a registration with more than one
7 supervisor, the person shall also submit form PSB 100 (10/16).

8 (b) Registration as a psychological assistant shall be limited to a cumulative total of six
9 years (72 months). Each registration shall be subject to annual renewal pursuant to
10 section 1391.12. For any psychological assistant registered prior to the effective date of
11 this subdivision, subsequent renewals or registrations shall be limited to a cumulative
12 total of six years (72 months) from the date of the psychological assistant's next
13 registration or renewal, whichever occurs first.

14 Upon showing of good cause as determined by the Board, these specified time
15 limitations may be reasonably modified.

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17 **NOTE: Authority cited:** Section 2930, Business and Professions Code. Reference:
18 Section 2913, Business and Professions Code.

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21 **§ 1391.2. Withdrawal of Applications.**

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23 An aApplications for registration which that hasve-not been completed within ninety (90)
24 days after additional information has been requested by the Board shall be deemed to
25 be withdrawn.

26
27 **NOTE: Authority cited:** Section 2930, Business and Professions Code. Reference:
28 Section 2913, Business and Professions Code.

29
30
31 **§ 1391.5. Statement of Purpose; Supervision Required.**

32
33 (a) A psychological assistant shall be under the direction and supervision of a licensed
34 psychologist or board-certified psychiatrist who is employed in the same setting in which
35 the psychological assistant is employed. A licensed psychologist who is supervising
36 psychological assistants must comply with the supervision course requirements set forth
37 in section 1387.1.

38 (b) The supervisor shall provide a minimum of one (1) hour per week of individual
39 supervision to the psychological assistant, unless more such supervision is required
40 under Section 1387 or by the nature of the psychological functions performed by the
41 psychological assistant.

42 (c) A registered psychological assistant ~~employed by one of the organizations specified~~
43 ~~in section 2913 of the code may receive delegated supervision pursuant to section~~
44 ~~1387(c) from a qualified psychologist or a board certified psychiatrist other than the~~
45 primary 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.~~

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

§1391.6. Supervisor's Responsibility.

(a) Every supervisor of a psychological assistant shall ~~have~~ be responsible for supervising the psychological functions performed by the psychological assistant and ensuring that 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 psychological assistant ~~extent, kind and quality of the psychological functions performed by the assistant are consistent with the supervisor's training and experience, and ensure that the psychological assistant~~ complies with the provisions of the code, the Board's regulations, and the ethical standards established by the American Psychological Association.

(b) The supervisor shall ~~inform~~ ensure that each client or patient is informed, prior to the rendering of services ~~by the psychological assistant, that the psychological assistant is~~ unlicensed and is under the direction and supervision of the supervisor, ~~as an employee~~ Each client or patient shall also be informed and that the supervisor shall have access to the client or patient's chart in fulfilling his/or her supervisory duties.

(c) The supervisor shall be available to the psychological assistant 100% of the time the psychological assistant is performing psychological functions. The availability can be in-person, by telephone, by pager or by other appropriate technology.

(d) The supervisor shall ensure that a plan is in place to protect the client or patient or ~~elient~~ in the event a client or patient crisis or emergency occurs during any time the supervisor is not physically present at the established site at which the supervisee is working. The supervisor shall ensure that the supervisee thoroughly understands the plan in the event a client or patient crisis or emergency occurs.

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

§ 1391.8. Employer Supervisor-Employee Psychological Assistant Business Relationship.

(a) No ~~supervisor or employer of a psychological assistant may charge~~ pay a fee, monetary or otherwise, ~~require monetary payment in consideration for the employment or supervision provided of a psychological assistant.~~ The supervisor or employer shall supply all provisions necessary to function as a psychological assistant.

(b) The psychological assistant shall have no proprietary interest in the business of the supervisor or the employer.

(c) The psychological assistant shall not rent, lease, sublease, or lease-purchase office space from any entity for purposes of functioning as a psychological assistant.

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

§ 1391.10. Annual ReportsUpdate.

One year after the effective date of the psychological assistant registration and annually thereafter, every psychological assistant shall submit to the Board ~~On or before the expiration of a registration, every supervisor of a psychological assistant shall submit to the Board an update for the registration that is completed by the supervisor, and signed by the psychological assistant~~ **on a form provided by the Board.** a report for the registration period showing: Such **form** shall include the following:

(a) ~~The nature of the psychological functions performed by the psychological assistant being supervised.~~ **Name and registration number of the psychological assistant.**

(b) Identification of the primary psychological functions that the psychological assistant is performing.

(c) Name, license number, phone number and email address of all primary supervisors since the effective date of the registration or the last update.

(c) Certification of employment. Address of all locations where psychological services are currently being provided.

(d) The period of supervision.

(e) The type and amount of supervision received.

(f) Attestation that the primary supervisor has completed the required six-hour course in supervision within the last two years.

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

(g) A signed attestation from all current primary supervisors that during the period supervised, the psychological functions performed by the psychological assistant has demonstrated an overall performance at or above the level of competence expected for his or her level of education, training and experience, and were performed at a level satisfactory to ensure safety to the public.

(h) Failure to submit a completed annual update shall render the registration ineligible for renewal.

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

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

Within thirty (30) days after the termination of the employment ~~any change or addition of a primary supervisor or in the location where services are being rendered by the of a psychological assistant, the employer~~ psychological assistant shall notify the Board in

writing of such termination, on form PSB 101 (11/16), setting forth the date thereof. If a change of supervisor has occurred and the psychological assistant is accruing Supervised Professional Experience, a new supervision agreement, pursuant to section 1387, is required.

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 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, registration number, registration expiration date, and renewal amount of the psychological assistant;

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

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

(4) Phone number and email 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 within 60 days after its expiration shall become void cancel, and a new application for registration shall be submitted by the employer will be required for a registration to issue.~~

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.

183 **Note: Authority cited: Section 2930 and 2940, Business and Professions Code.**
184 **Reference: Sections ~~2688~~2948 and ~~2689~~2987, Business and Professions Code.**
185

California Board of Psychology

Order of Adoption

Proposed additions are shown as underlined

Proposed deletions are shown as ~~strike through~~

1. Amend section 1387 of Division 13.1 of Title 16 of the California Code of Regulations to read as follows:

(10) ~~Except for the accrual of SPE by a psychological assistant in a private practice setting as provided for in section 1387(b)(11), p~~Prior to the start of the experience, the primary supervisor and the supervisee shall together prepare an agreement document that outlines the structure and sequence of the planned program of supervision to accomplish the goals and objectives of the plan ("plan") experience. Accrual of hours prior to preparing such an agreement may result in those hours not counting toward the licensure requirements. The original agreement shall accompany the application for registration, if any, and identify identifies 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; and
- 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 supervisee as to whether or not he or she is performing as expected.

Additionally, the agreement document shall reflect that both supervisor and supervisee have discussed and understand each term of SPE as required by the California Code of Regulations. ~~The primary supervisor shall maintain the document until the hours of supervised experience are completed.~~

(11) Once the supervised experience SPE outlined in the agreement document has been completed, the primary supervisor shall submit to the supervisee both the agreement, unless previously submitted to the Board, pursuant to Section 1387 (b) (10) and a verification of experience form signed by the primary supervisor under penalty of perjury, directly to the Board both the document and a verification of the experience signed by the primary supervisor under penalty of perjury, in a sealed envelope, signed across the seal for submission to the Board by the supervisee along with his or her application. The verification shall certify to completion of the hours consistent with the terms of the supervision agreement document. The supervisor must indicate, in his / or her best professional judgment, whether the supervisee demonstrated an overall

performance at or above the level of minimal competence expected for the supervisee's level of education, training and experience. When SPE is accrued in a formal pre-doctoral internship or postdoctoral 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 supervisee did not demonstrate an overall performance at or above level of competence expected for the supervisee's level of education, training and experience, the SPE may not count towards the licensure requirements.

~~(11) Due to lack of standardization in training, a psychological assistant in a private practice setting shall submit the plan as described in subsection (b)(10) for supervised professional experience to the Board for prior approval as provided for in section 2914(c) of the Code prior to the accrual of SPE. A private practice setting is defined as those settings allowed pursuant to section 1387(a)(1)(C) and 1387(a)(2)(D), accept a Welfare and Institutions Code section 5614 clinic or a Health and Safety Code section 1204.1 clinic. SPE that is accrued prior to the approval of the plan will not count toward qualifying the applicant for licensure.~~

(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.

Note: Authority cited: Section 2930, Business and Professions Code. Reference: Sections 2911 and 2914, Business and Professions Code.

2. Amend section 1387.1 of Division 13.1 of Title 16 of the California Code of Regulations to read 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 possess and maintain a valid, active license free of any formal disciplinary action, and shall immediately notify the 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 ~~b~~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).

(c) Primary supervisors shall be in compliance at all times with the provisions of the Psychology Licensing Law and 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.

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

(f) Primary supervisors shall be responsible for monitoring the welfare of the trainee's clients.

(g) Primary supervisors shall ensure that each client or patient is informed, prior to the rendering of services by the trainee (1) that the trainee is unlicensed and is functioning under the direction and supervision of the supervisor; (2) that the primary supervisor shall have full access to the treatment records in order to perform supervision responsibilities and (3) that any fees paid for the services of the trainee must be paid directly to the primary supervisor or employer.

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

(j) Primary supervisors shall have no familial, intimate, business or other relationship with the trainee which would compromise the supervisor's effectiveness, and/or which would violate the Ethical Principles and Code of Conduct of 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.

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

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

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

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

BOARD MEETING MINUTES

**State Capitol, Room 112
Sacramento, CA 95814
(916) 324-0333**

Thursday, February 9, 2017

Stephen Phillips, JD, PsyD, Board President, called the open session meeting to order at 9:15 a.m. A quorum was present and due notice had been sent to all interested parties.

Members Present:

Stephen Phillips, JD, PsyD, President
Nicole J. Jones, Public Member, Vice-President
Lucille Acquaye-Baddoo, Public Member
Alita Bernal, Public Member
Michael Erickson, PhD
Jacqueline Horn, PhD

Others Present:

Antonette Sorrick, Executive Officer
Jeffrey Thomas, Assistant Executive Officer
Sandra Monterrubio, Enforcement Program Manager
Cherise Burns, Central Services Manager
Stephanie Cheung, Licensing Manager
Jason Glasspiegel, Central Services Coordinator
Jacquelin Everhart, Continuing Education/Renewals Coordinator
Norine Marks, DCA Legal Counsel

Agenda Item #2: President's Welcome

Dr. Phillips welcomed the attendees to the Board's quarterly meeting and read the Board's mission statement. He thanked Senator Steven Glazer of the 7th district for sponsoring the Board Meeting at the State Capitol.

Agenda Item #3: Public Comment for Items not on the Agenda

Dr. Phillips explained that public comment is the opportunity for members of the public to make comments on items not on the agenda, however, he stated that the Board cannot discuss or take action on any of the comments received.

Kathleen Russell, Executive Director of the Center for Judicial Excellence addressed the Board regarding the oversight of psychologists who are appointed by the court system to work in custody and visitation proceedings in family courts. She requested that the Board consider removing the child custody checklist since it is a roadblock to public protection as it shows a severe lack of understanding about the crisis in the

family court system in California. She requested that the Board perform a thorough review of the Board's ability to investigate psychologists that are involved in family court matters. She stated that children are routinely being taken from safe, nurturing parents and are forced into contact with physically, sexually, and emotionally abusive parents. She stated that psychologists are there to heal, but that there are a number of corrupt psychologists who are using junk science and putting kids in harm's way. She provided an article from the Sacramento News and Review regarding what is happening in California's family courts for the Board to consider.

Tilahien Yilma also addressed the Board regarding the family court system in California.

Arianna Riley stated that she was one of the children affected by the family court system and shared her experience with the Board.

Darryl Riley, Ms. Riley's father addressed the Board and indicated they flew in from Seattle to address the Board on this issue. He stated that he has another daughter that is still in the program and has not been in contact for almost a year. He urged the Board to act on this issue.

Catherine Campbell addressed the Board regarding the family court system and described how it has personally affected her.

Mark Mulholland shared his experience with the family court system with the Board. He stated that there needs to be a better system in place for child custody evaluations and that the Board needs to be held accountable for this.

Dr. Phillips requested individuals providing comment to the Board refrain from providing specific names of psychologists that they have submitted a complaint against as the Board is the final adjudicator in these matters and can only receive evidence through proper channels.

NO NAME GIVEN addressed the Board on the importance of mothers having the right to protect their kids and the improper mislabeling of child abuse cases as parental alienation cases.

Dr. Erickson stated that while the Board is touched by the testimony being given, Board Members are unable to respond to the comments being made since this item is not on the agenda. However, he clarified that if the item is placed on a future agenda, he would hope that the same individuals would return to talk about this issue.

Rebeca Tripp addressed the Board regarding the family court system and her personal experience in this regard.

Dr. Horn stated that it would be helpful to know what these issues are specifically addressing and why they are being brought up now. Dr. Phillips responded by indicating

that this is the public comment period and any individual wishing to address the Board can make public comment.

Jaclyn Qirreh thanked the Board for providing the opportunity to make public comments and addressed the Board on her experience with parental alienation. She requested the Board ban the use of parental alienation in California as it takes the focus off of the children and places it instead on the parent.

Britt Brown addressed the Board regarding the methods used to evaluate children in child custody cases.

Connie Valentine from the California Protective Parents Association discussed the abusive practices by certain psychologists in California. She urged the Board to look into this issue.

Jeffrey Perry shared his experience with the family court system.

Jaimie Gay addressed the Board regarding child custody and parental alienation. She asked the Board for oversight in these issues in hopes that her experience does not happen to other families.

Christy Ashley addressed the Board and shared her experience with the family court system.

NO NAME GIVEN addressed the Board and shared her experience with the family court system as well as with the Board.

Kathleen Russell addressed the Board once again and explained that she has been in open dialogue with the Board's Enforcement Manager and that these are current issues related to the Board's child custody checklist and the procedures the Board uses in investigating and disciplining psychologists working in family courts.

Ms. Marks indicated that based on the comments heard by the Board today, staff can present the complaint and investigation procedures for child custody evaluators at a future meeting, so the Board has a better understanding of this process.

Agenda Item #4: Approval of Minutes: November 17-18, 2016

It was M(Horn)/S(Acquaye-Baddoo) to approve the minutes as modified.

Vote: 6 aye (Jones, Phillips, Horn, Bernal, Erickson, Acquaye-Baddoo)

Agenda Item #5: Budget Report

Ms. Burns provided an update to the Board's budget and explained the budget process. She explained that the Board's budget for Fiscal Year 2016/2017 started as \$5,013,000; however, revisions and adjustments have been made, and the Board's budget now stands at \$4,764,000.

Mark Ito, DCA Budget Analyst, presented to the Board. He explained the budget reports that were provided in the Board meeting packets. He explained that DCA uses incremental budgeting which means that we use the prior year's budget act as the starting point to determine the next year's budget.

Mr. Ito referred to the Analysis of Fund Condition report and noted that the Board's months in reserve is on a downward trend which is because the Board is currently spending more than it brought in. However, he pointed out that the Board currently has \$7,500,000 in outstanding General Fund loan repayments and that \$6,300,000 is projected to be repaid in Fiscal Year 2018/2019 which leaves an additional \$1,200,000 to be repaid later. Dr. Horn asked how many months in reserve is considered healthy. Mr. Ito indicated that typically three to six months is what would trigger a General Fund loan repayment.

Mr. Ito reported on the Board's expenditure projections. He noted that as of month six of the current fiscal year, it is projected that the Board will overspend its budget by \$15,000. However, he noted that there is budget bill language that allows health care boards to pursue a current year augmentation for the Office of the Attorney General and Office of Administrative Hearings and that staff is currently in the process of pursuing this augmentation.

Mr. Ito explained the Psychology Fund Balance Comparison (Budgeted and Actuals), Psychology Expenditure Comparison (Budgeted vs. Actual), and Psychology Revenue Comparison (Projected vs. Actual) reports that were provided in the Board meeting packets. He also explained the difference between the discretionary and non-discretionary budget items.

Dr. Erickson asked Mr. Ito if the Board is doing well with its budget or if he had any recommendations. Mr. Ito stated that the Board is doing a great job with its budget and that he worked with Board staff last year to realign budget items to more accurately reflect where the Board's budget is being spent.

Dr. Phillips thanked Mr. Ito for his presentation.

Agenda Item #6: Enforcement Report

Ms. Monterrubio provided the Enforcement Report to the Board. She indicated that Curtis Gardner was recently hired as the Board's Probation Coordinator and that there are currently no vacancies in the Enforcement Unit. Since reported that since July 1, 2016, the Board received 657 complaints, issued 19 enforcement citations, and referred 27 cases over to Office of the Attorney General for formal discipline. She also reported

185 that enforcement staff is currently monitoring 45 probationers of which seven are out of
186 compliance. Dr. Erickson asked what staff does with probationers that are not in
187 compliance. Ms. Monterrubio responded by explaining that it depends on the type of
188 violation. For minor violations such as missing a cost recovery payment or quarterly
189 report, those can be addressed by the issuance of a citation; but more serious violations
190 are referred to the Office of the Attorney General.

191
192 Ms. Monterrubio referred to the Enforcement Performance Measures Report which was
193 provided as a hand-carry item. She indicated that the Board opens complaints within
194 seven days on average which is lower than the target of nine days. She indicated that
195 the average number of days for formal discipline is 624 days with the target being 540
196 days. She explained that this is the hardest target to meet since it involves outside
197 factors, including the investigation unit and the Office of the Attorney General. Ms.
198 Monterrubio indicated that she is proud of the Enforcement Unit for their efforts to meet
199 the established target dates.

200 201 **Agenda Item #7: Press Releases on Board Enforcement Actions**

202
203 Ms. Monterrubio stated that at the November Board Meeting, the Board received public
204 comments regarding concerns about the Board's use of press releases. She indicated
205 that the Board is a consumer protection agency and is committed to protecting
206 consumers of California from harmful licensees and practices. She stated that in
207 keeping with its statutory mandate to protect consumers of psychological services, the
208 Board may issue press releases including, but not limited to, unlicensed activity, sexual
209 misconduct, revocations, fraud and criminal arrests and convictions.

210
211 Ms. Monterrubio indicated that the Board works with the DCA Office of Public Affairs
212 and its Legal Affairs Division as well as the Office of the Attorney General to ensure that
213 the information being published is accurate and informative. She stated that most press
214 releases are issued once a case has been adjudicated; however, there are instances
215 where a press release is issued immediately due to the egregiousness of the case, such
216 as cases involving child molestation, child abuse, elder abuse, unlicensed activity, or
217 fraud.

218
219 Ms. Monterrubio referred to the letter from Senator Jerry Hill to Ms. Sorrick dated
220 February 1, 2017 that was provided as a hand-carry item. She indicated that the letter
221 thanked the Board for its efforts in consumer protection and endorsing the posting of
222 arrests in press releases and social media following the filing of an accusation. Dr.
223 Phillips noted that it is fairly infrequent for the Board to issue a press release. Ms.
224 Monterrubio stated that all press releases issued by the Board since 2014 can be
225 viewed on the Board's website under Publications.

226
227 Ms. Acquaye-Baddoo thanked Ms. Monterrubio for her report.

228 229 **Agenda Item #8: Enforcement Mail Ballot Procedures – Discussion and Possible** 230 **Change to Policy**

231
232 Ms. Monterrubio indicated that there was a discussion on this issue at the November
233 Board Meeting and therefore, she has provided the Board with an overview of the mail
234 ballot process as well as the Board's hold policy. She stated that for Stipulated
235 Settlements, the Deputy Attorney General will draft a memo explaining the rationale
236 behind the recommendation to adopt the Decision. For Proposed Decisions drafted by
237 an Administrative Law Judge (ALJ), the ALJ will explain the rationale for the Decision
238 within the document itself.

239
240 Ms. Monterrubio stated that, as a courtesy to the Board, staff sends a spreadsheet to
241 each member once a week listing the names of every case that is expected to go out for
242 vote that week. Board members are given ten days to vote to either Adopt, Hold for
243 Discussion, or to Recuse Oneself. She explained that a minimum of five votes to adopt
244 must be received to adopt the Decision, while a minimum of two votes to hold for
245 discussion must be received to move the matter to the next Board meeting. She noted
246 that a vote to reject or not adopt the proposed action or hold a decision for discussion
247 means that the Board member either disagrees with one or more portions of the
248 proposed action and do not want it adopted as the Board's decision or the Board
249 Member has a question or concern about the decision and would like to discuss the
250 matter with fellow Board members.

251
252 Ms. Monterrubio noted that if a Decision were to be non-adopted, the transcript will be
253 ordered, and the case is referred back to Board to write its own decision. She stated
254 that failure to obtain a quorum will also cause the matter to be non-adopted and moved
255 to next Board meeting.

256
257 Dr. Horn thanked Ms. Monterrubio for her report. She indicated that there have been a
258 few times that she wanted to discuss something about a Decision due to concerns;
259 however, since she was the only one that felt it warranted a discussion, there was no
260 way to discuss it. She indicated that she feels that a requirement for two votes to hold
261 for discussion does not allow the Board Members to do their job and raise concerns.
262 Although she understands that it will cause delays, she proposed changing the number
263 of votes required to hold a matter for discussion to one.

264
265 Dr. Phillips added that he has found inaccuracies in Decisions and voted to hold the
266 matter for discussion which did not happen since he was the only one who voted to hold
267 it. He stated that changing it to require only one vote to hold would ensure that the
268 Board is being mindful as to what they are signing off on, but that he also sees the
269 advantage for the process to move quickly for consumer protection.

270
271 Ms. Marks clarified an earlier statement made by Ms. Monterrubio. Ms. Monterrubio had
272 stated that a minimum of five votes to adopt must be received to adopt the Decision.
273 Ms. Marks clarified that a minimum of five votes are required to act since five constitutes
274 a quorum of the Board. Therefore, she indicated that if five votes were received, four of
275 which were to adopt and one were to non-adopt, the Decision would still be adopted.

Ms. Acquaye-Baddoo asked what would the Board need to do if it wanted to change the requirement for holding a Decision for discussion to one vote. Ms. Monterrubio stated that this is an internal policy; therefore, the Board would need to make a motion and vote on it.

Ms. Sorrick stated that if the Board votes to change the requirement to one vote to hold for discussion, it might want to consider changing it back to two votes once all nine members have been appointed to the Board. Discussion ensued.

It was M(Horn)/S(Jones)/C to change the Board policy that if one Board member votes to hold a Decision for discussion, then the Decision would be brought back to the next Board meeting for discussion.

Vote: 6 aye (Jones, Phillips, Horn, Bernal, Erickson, Acquaye-Baddoo) 0 no

Agenda Item #9: Overview of the Legislative Process Presentation

Ms. Burns presented an overview of the legislative process as well as the Board's and Staff's roles and responsibilities during the process. She thanked staff from the DCA Office of Legislative and Regulatory Review for their assistance in preparing the presentation.

Agenda Item #10: Executive Officer's Report

a) Organization Update

Ms. Sorrick announced that a new Probation Coordinator has been hired in the Enforcement Unit as well as a Limited Term Licensing Analyst in the Licensing Unit. She stated that as of today, the only vacancy is the Licensing/BreEZe Coordinator position in the Licensing Unit.

b) DCA Update

Ms. Sorrick referred to the information provided in the Board meeting packets.

Agenda Item #11: Strategic Plan Update

Ms. Bernal provided the Board with a Strategic Plan update. Ms. Sorrick indicated that the timeframe for four of the items listed under goal 2.1 had to be moved out since the Licensing Committee is still reviewing language to bring to the Board.

Agenda Item #12: Communications Plan Update

Ms. Sorrick reported that a draft stakeholders list was sent to the Board members by Mr. Leitzell and that it will be discussed at the next Outreach and Education Committee meeting.

Agenda Item #13: Social Media Update

Ms. Bernal said the Board is experiencing trolls on its Twitter page. Ms. Burns explained that trolls are those who are tagging the Board in inappropriate posts that keep getting re-Tweeted. Ms. Burns stated that we have asked DCA's Office of Public Affairs to come talk to the Board about the use of social media and whether or not certain social media platforms are efficacious.

Ms. Bernal indicated that this will be continued to be reviewed at the next Outreach and Education Committee meeting and further information will be reported back to the Board.

Agenda Item #14: Website Update

Ms. Burns provided the top five website pages that get the most views and asked if staff should provide other pages as well. She asked if it would be more beneficial for the staff to track the pages the Board finds most important. Dr. Phillips stated that feedback from Board members and staff should be solicited as to which pages are the most important. Ms. Burns indicated that staff will gather this information and add it to the agenda for the next Outreach and Education Committee meeting.

Agenda Item #15: Update on Newsletter

Ms. Bernal presented the 2016 *Fall Journal*.

Agenda Item #16: Outreach Activities Update

Ms. Bernal reported that Dr. Erickson and senior staff went to lunch with CPA on February 8, 2017 to discuss outreach, legislation, and regulation for 2017. Dr. Erickson indicated that due to circumstances, there was not much time for discussion, but that a conversation has been started.

Ms. Sorrick stated that following the lunch with CPA, she, Dr. Erickson, Dr. Phillips, and staff made some legislative visits. She indicated that they were able to meet with Assembly Member Salas and Assembly Member Brough, as well as with staff from Senator Bate's office and Senator Hill's office. She stated that the goal of the visits was to talk about what is going to be introduced in the 2017-18 legislative session as well as to provide a recap of 2016 legislation. She noted that the recap of 2016 focused on the concerns the Board had with Applied Behavior Analysis, continued concerns regarding Workers' Compensation, telehealth, and college mental health provision funding. She stated that there seemed to be a lot of interest in telehealth and access to care in rural

369 areas and with veterans. Dr. Phillips also noted that they discussed the Board-
370 sponsored legislation regarding continuing education on suicide assessment and
371 intervention. Dr. Erickson stated that the visits were very helpful and productive.
372

373 Dr. Phillips thanked staff for their hard work.
374
375

376 **Agenda Item #17: Access to Mental Healthcare in the State of California**
377 **Campaign Update**
378

379 Ms. Bernal said this campaign has been completed and the Outreach and Education
380 Committee will consider other campaigns at its next meeting,
381

382 Ms. Burns added that there will also be telehealth article in the upcoming newsletter that
383 will be part of a multi-part series.
384
385

386 **Agenda Item #18: Petition for Early Termination of Probation – Gary Schummer,**
387 **PhD**
388

389 Administrative Law Judge Marilyn Woollard presided. Deputy Attorney General John
390 Gatschet was present and represented the People of the State of California. Gary
391 Schummer, PhD was present and represented himself.
392

393 **Agenda Item #19: Closed Session**
394

395 The Board met in closed session pursuant to Government Code Section 11126(c)(3) to
396 discuss disciplinary matters including the above petition, petitions for reconsideration,
397 stipulations, and proposed decisions.
398
399
400
401
402
403
404

405 **Thursday, February 10, 2017**
406

407 Stephen Phillips, JD, PsyD, Board President, called the open session meeting to order
408 at 9:05 a.m. A quorum was present and due notice had been sent to all interested
409 parties.
410

411 **Members Present:**

412 Stephen Phillips, JD, PsyD, President
413 Nicole J. Jones, Public Member, Vice-President
414 Lucille Acquaye-Baddoo, Public Member

Alita Bernal, Public Member

Michael Erickson, PhD

Jacqueline Horn, PhD

Others Present:

Antonette Sorrick, Executive Officer

Jeffrey Thomas, Assistant Executive Officer

Sandra Monterrubio, Enforcement Program Manager

Cherise Burns, Central Services Manager

Stephanie Cheung, Licensing Manager

Jason Glasspiegel, Central Services Coordinator

Jacquelin Everhart, Continuing Education/Renewals Coordinator

Norine Marks, DCA Legal Counsel

Agenda Item #20: Legislative Update

Ms. Jones referred to the Legislative Matrix provided in the meeting packets. She indicated that everything is currently a “Watch” since the Policy and Advocacy Committee has not had a chance meet and review any of the bills. Ms. Burns stated that the legislative session has just started; therefore, bills are still being introduced. She indicated that some of the bills are considered intent language and do not reference any code sections at this time; however, the bills will develop over time.

a) Legislative Proposals for the 2017 Legislative Session

1) Omnibus Proposal – Amendments to Business and Professions Code Sections 2290.5 (Telehealth; Patient Consent; Hospital Privileges and Approval of Credentials for Providers of Telehealth Services) and 2987 (Fee Schedule)

Ms. Jones explained that omnibus proposals are ways to clean up statutory language and make non-controversial changes. Ms. Burns explained that each year, the Senate Business, Professions, and Economic Development Committee (Senate BP&ED) reaches out to the boards and bureaus within DCA for any clean-up language or non-controversial changes to the Business and Professions Code which get combined into one large omnibus bill.

Ms. Burns indicated that the Board approved omnibus language at its November 2016 Board meeting to allow psychological assistants to pay their own registration fees. She indicated that the proposed changes will bring section 2987 into conformity with the changes made by SB 1193 (Chapter 484, Statutes of 2016) which was the Board’s Sunset Bill. Ms. Burns stated that the proposed language has already been submitted to the Senate BP&ED and that the language will be put into a bill that will be submitted by the Committee. She indicated that a bill number has not yet been assigned, but that the Committee is working with other boards and bureaus to incorporate their changes into the bill.

462 2) AB 89 (Levine) Suicide Risk Assessment and Intervention Coursework
463 Requirements – Addition of Section to the BPC (Coursework in Suicide Risk
464 Assessment and Intervention)
465

466 Ms. Jones introduced the discussion on Suicide Risk Assessment and
467 Intervention coursework requirements and indicated that there were some hand-
468 carry materials that have been provided. She reminded the Board that this
469 process has been ongoing for quite some time now, and that there has been a lot
470 of activity on this issue within the last year. She indicated that at the May 2016
471 Board meeting in Los Angeles, the Licensing Committee made two proposals to
472 the Board, neither of which were carried. She stated that the Licensing
473 Committee was asked to take the issue back to the Committee level and take a
474 thorough look at the issue. Ms. Jones indicated that the Licensing Committee
475 received public input and brought the issue back to the Board at its November
476 2016 meeting. At that time, the Board adopted a motion to move forward with this
477 legislation and directed staff to work with Assembly Member Levine's office to
478 develop language for a bill. Ms. Jones stated that AB 89 has been introduced by
479 Assembly Member Levine. She indicated that there has been a lot of discussion
480 on this issue and that transparency has been a key value throughout the
481 process. She stated that at this time, the Board needs to take a look at the
482 language and determine what position it wants to take.
483

484 Dr. Phillips acknowledged the hard work and research that former Board Member
485 Dr. Harlem put into this issue.
486

487 Ms. Burns provided a brief history of the Board's efforts on this issue which was
488 explained in more detail in the Board meeting materials. She stated that, at the
489 November 2016 Board meeting, Board members expressed a desire to have the
490 statutory language reflect the Board's intentions with proposing this legislation.
491 The Board approved the Suicide Risk Assessment and Intervention coursework
492 requirement legislative proposal and instructed staff to move forward with the
493 language and work with Assembly Member Levine's office. Levine had previously
494 informed staff of his desire to author the bill if the proposal was approved.
495

496 Ms. Burns stated that since the November 2016 Board meeting, staff has
497 developed legislative intent language for the Board's consideration which was
498 included in the Board meeting materials, and has submitted the amendments
499 made at the November 2016 Board meeting to Assembly Member Levine's staff
500 for inclusion in the bill text. Ms. Burns indicated that Assembly Member Levine
501 introduced AB 89 on January 9, 2017, which includes the Suicide Assessment
502 and Intervention coursework requirement text as approved by the Board.
503

504 Ms. Burns stated that if approved, the legislative intent language would be
505 submitted to Assembly Member Levine's office for inclusion in AB 89. She stated
506 that the bill will not be moved to any committee until the Board is ready for it to
507 be. She indicated that intent language is pretty common and provides context as

to why the Board is taking action. She explained that intent language does not wind up in the statutory language, but is kept as a part of the record.

Discussion ensued. Dr. Horn and Ms. Jones made comments regarding the Request for Approval of Proposed Legislation document that was provided for the Board's review at its November 2016 Board meeting.

Dr. Horn raised her concern about the Board addressing other boards in its intent language. Dr. Phillips reminded the Board that in his veto message of AB 2198, the Governor asked licensing boards to look at their own requirements with regard to training in suicide assessment and to take whatever actions are needed. Dr. Phillips stated that it is not within the Board's purview to encourage other licensing boards to address this issue.

Ms. Jones suggested that the Board first review the bill itself and then return to its discussion regarding the intent language. Ms. Burns summarized the changes that the Board requested that have been made to the bill language. Ms. Sorrick suggested that, if the Board is okay with the language, that it be on record to be the sponsor of this bill.

Ms. Burns presented the draft intent language and explained the structure of the document. She noted that the Board of Behavioral Sciences indicated that they performed an assessment on this issue and determined that they did not need to add any additional requirements and requested to be removed from the intent language.

Ms. Jones indicated that she appreciates staff citing the sources in the draft language and once again thanked Dr. Harlem for his work on this issue.

Dr. Horn requested that the year that the Centers for Disease Control came up with their statistics be added in section (a)(1). Ms. Jones also requested that the year be added for each citation made in the document. Ms. Sorrick also requested that "California" be changed to "the Department of Health Care Services Suicide Prevention Program" in section (a)(3).

Dr. Horn requested that the statistics in section (a)(2) on the percentage of people who die by suicide that have seen a mental health professional prior to their death be highlighted as she feels that information is extremely important. Dr. Phillips questioned the relevancy of the information provided in section (a)(2) and asked if it needs to be included. Discussion ensued. Ms. Bernal recommended adding California data along with the national data provided in section (a)(1). Dr. Horn stated that the issue may be with the relevance of this data and how the data is collected. Dr. Erickson asked if the Board needed to approve the intent language in order to move forward with the bill. Ms. Burns replied that the bill can be moved forward without the intent language and that it is more important for the Board to decide if it wants to be the sponsor on the bill. Dr. Phillips suggested that the Board solely look at the issue of AB 89 and that the intent language be

deferred to the Policy and Advocacy Committee for further review and consideration.

Ms. Jones stated that the Board received written comments on this issue for consideration.

Craig Lomax commented before the Board in support of AB 89 and indicated that he appreciates the Board's objectivity and transparency throughout the process. He stated that the coursework requirement is not burdensome or inappropriate and that the Board's efforts would not be in vain and that it will save lives. He commented that the Board Members are leaders, not in just psychology, but in other mental health professions, and that this effort is an important statement for other professionals to look at and say that all mental health professionals need some foundation in suicide prevention. Mr. Lomax stated that he is hopeful that the Board will move forward today and not risk any further delays. He stated that he appreciates that the Board kept the requirement for students intact as well as for current licensees.

Dr. Jo Linder-Crow, Chief Executive Officer of the California Psychological Association, stated that she recognizes the Board's intention in considering sponsoring this bill as suicide is a crippling issue in this society. She stated that when the Governor vetoed AB 2198 two years ago, that bill would have required all mental health professionals, including psychologists, to complete a continuing education course in suicide assessment and treatment management. In the veto message, the Governor stated that California has an extensive regulatory scheme that aims to ensure that California physicians, psychologists and counselors are skilled in the healing arts to which they have committed their lives and that rather than further regulating this field, he asked licensing boards to evaluate the issues which this bill raises and take whatever actions are needed. Dr. Linder-Crow stated that this Board did an admirable job in fulfilling his request by conducting surveys and received a healthy response. She indicated that the Board's survey demonstrated that psychology students and trainees receive this training as required by their training programs and that 97% said suicide risk assessment is required as part of their training; 92% said it is a required part of a trainee's supervised experience. Additionally, she stated that the qualitative portion of the Board's survey showed that it is not one course that is offered, but a continuum of training woven throughout the training program.

Dr. Linder-Crow stated that taking a single course will not suffice, but what will save lives is greater access to mental health care in our communities and on our campuses and access to a vast array of helpful, high-quality resources developed by organizations that have a sole focus on this issue. She stated that she agrees with Mr. Lomax in that that this Board has an opportunity to provide real, meaningful leadership on this issue. She suggested making this issue an area to focus on in the Board's outreach efforts and partner with CPA to make available resources even more available to clinicians and consumers. She stated that she urges the Board to redirect its resources and energy into a different

602 effort that might actually save lives. She indicated that CPA cannot support this
603 bill, but CPA is willing and eager to shed a light on this issue and do some work
604 that can hopefully reduce the level of suicide.
605

606 Dr. Erickson thanked Dr. Linder-Crow for her comments and noted that the
607 research the Board did focused on students who will be completing training
608 programs and becoming psychologists. He indicated that, in practical terms, this
609 is a very low number in terms of whether the field of psychologists has adequate
610 suicide training and the Board has not spent much time surveying its
611 approximately 20,000 licensees to see what their level of training is, which he
612 thinks is also very important. He stated that this bill invites licensees to take an
613 inventory of what they know about suicide prevention and whether they are up to
614 date, and he does not see this bill as requiring one six-hour course because
615 people can obtain this requirement in other ways. Therefore, he indicated that
616 taking a six-hour course is not the major thrust of this legislation. He stated that
617 he thinks that moving forward on this bill shows that it is a very important issue.
618

619 Dr. Phillips stated that although psychologists may be the some of the best-
620 trained clinicians in suicidality issues, he thinks the Board should aspire to
621 ensure that all psychologists are properly trained in this area. He indicated that
622 he has spoken to a substantial number of psychology students many of whom
623 who have felt that they have received inadequate training in their graduate
624 programs and training sites. He stated that he thinks that there are vast
625 inconsistencies and that there is enough inconsistency that the Board needs to
626 make certain that the training is being obtained and thinks that this bill is a great
627 compromise. He also indicated that he does not think that the Legislature is in
628 the best position to determine what type of specialized training needs to be done
629 by trainees and licensees, and that it is better left to the Board's discretion. He
630 stated that the Board is exercising its discretion after reviewing the information
631 gathered and has determined that this is the best approach to take. He stated
632 that his thinking on this issue has evolved over time after hearing and reading a
633 lot of data, and he feels that this is one way to ensure that people are aware of
634 this training. He stated that he does not think that sponsoring this bill prevents
635 the Board from engaging in outreach efforts in this area with CPA.
636

637 Dr. Horn stated that she agreed with virtually everything Dr. Linder-Crow said,
638 but she does not see things as mutually exclusive. She thinks it would be a great
639 idea for the Board to partner with CPA in an outreach campaign. She stated that
640 her thinking on this issue has evolved as well. She indicated that she was initially
641 opposed and her thinking changed based upon the information received over the
642 course of the discussions of this issue. She indicated that she thinks this will
643 always be an area where people feel they need more training because it is a
644 complex issue; but she also recognizes that people are getting this training along
645 the way and this has been addressed in the language. She indicated that a six-
646 hour course is not required; therefore, this bill is much different from the bill that
647 was vetoed in 2014. She acknowledged that psychologists are well trained but

648 she wants to ensure that everyone is assessing if they have the skills and the
649 knowledge in this area.

650
651 Ms. Acquaye-Baddoo stated that the Board has evolved in its thinking given the
652 additional information that has been provided over time. She stated that the
653 Board is willing to take all information that it has been given and drill down to
654 ensure that this bill will benefit everyone.

655
656 Ms. Bernal stated that the Outreach and Education Committee would be more
657 than thrilled to work with CPA on an outreach campaign.

658
659 Ms. Jones said she appreciates the historical perspective of this issue. She
660 stated that although the Board did oppose the original bill for various reasons,
661 throughout the process, the Board has evolved in its way of looking at this. She
662 thanked Dr. Linder-Crow for her input and Mr. Leitzell for his hard work on the
663 intent language.

664
665 It was M(Phillips)/S(Erickson)/C to approve the proposed language of AB 89, for
666 staff to continue working with Assembly Member Levine's office, and for the
667 Board to be listed as the official sponsor of the bill.

668
669 Vote: 6 aye (Acquaye-Baddoo, Erickson, Jones, Phillips, Horn, Bernal) 0 no
670

671 The Board further discussed the draft intent language. Ms. Jones requested
672 additional input and stated that the Policy and Advocacy Committee will be
673 reviewing the intent language and recommended changes in March and it will be
674 brought back to the April 2017 Board meeting.

675
676 Dr. Erickson stated that section (a)(4) needs to be clearer about whether the
677 training being discussed is only for psychologists versus other mental health
678 professionals. Dr. Horn commented that she agrees with Dr. Erickson but also is
679 not sure if the section needs to be there at all. She also addressed section (b)
680 and noted that it is not stated strongly enough. She also recommended that when
681 training is being discussed, to put it in the order that it happens - from graduate
682 school, to internship, and to post-doctoral training.

683
684 Dr. Linder-Crow commented that section (b) makes sweeping statements that
685 leave the impression that perhaps psychologists are not trained very well. She
686 stated that she is also concerned about section (c) which states that it is the
687 intent of the Legislature which is stating that this document is speaking for the
688 author of the bill. It states that this bill will ensure that all psychologists receive a
689 minimum level of education or training in suicide risk assessment and
690 intervention. To imply that this bill will establish a baseline for training for
691 psychologists is not accurate since the baseline for training for psychologists is
692 established in their training programs, and this language is misleading to the
693 Legislature. Dr. Linder-Crow stated that, based on Board Members' earlier

694 comments, the intention of the bill is to create an environment where
695 psychologists could do an assessment of their own training in this area.

696
697 Dr. Erickson expressed his concern with section (d) and whether the Board
698 wants to encourage other boards. He asked if this language is helpful or if it
699 overreaching. Ms. Jones said the Board would be revisiting this issue.

700
701 Dr. Horn noted that if section (c) was read alone, it sounds like psychologists are
702 currently deficient in this training.

703
704 Ms. Bernal recommended using the terminology “all health care professionals” in
705 section (d) rather than naming specific boards.

706
707 Ms. Jones stated that the Board will not going to be taking any action on this item
708 because there are changes that need to be made by the Policy and Advocacy
709 Committee and that the revised document will be reviewed again by the full
710 Board at its April 2017 Board meeting.

711
712 **b) Legislative Items for Future Meeting**

713
714 Ms. Jones said the Board does not have any items at this time.

715
716 **c) Update Regarding the California Child Abuse and Neglect Reporting Act (CANRA)**
717 **and Mandated Reporting – Penal Code Sections 261.5, 288, and 11165.1**

718
719 Ms. Burns stated that the Board previously requested an opinion from the Attorney
720 General but due to litigation on this issue, the request was withdrawn. On January 9, a
721 decision was rendered by the Court of Appeals of the State of California, Second
722 Appellate District which affirmed the judgment of the Los Angeles County Superior
723 Court trial. Board staff is now working with the Opinions Unit of the Office of the
724 Attorney General to determine whether the Board will need to submit a new request for
725 a legal opinion.

726 Dr. Phillips commented that the court’s decision seems to indicate that sexting among
727 people under the age of 18 may constitute a reportable offense under CANRA.

728
729 **Agenda Item #21: Regulatory Update and Review: Possible Action**

730
731 **a) Update on 16 CCR Sections 1391.1, 1391.2, 1391.5, 1391.6, 1391.8, 1391.10,**
732 **1391.11, 1391.12, 1392.1 – Psychological Assistants**

733
734 Mr. Glasspiegel referred the Board Members to an updated memorandum dated
735 February 3, 2017 that was provided as a hand-carry item. He stated that staff is
736 currently working to create the Initial Statement of Reasons and Notice of Proposed
737 Regulations with Informative Digest. He indicated that additional changes have been
738 made to the proposed language, which are indicated in red font. Mr. Glasspiegel
739 explained that the changes that were made were to address the Office of Administrative
740 Law’s requirements that we include form numbers in the regulatory language and

741 explain the necessity and statutory authority for collecting the information requested on
742 the form.

743
744 Dr. Phillips asked if the Board was going to be requiring the form by referencing it in
745 language to be in compliance with OAL. Mr. Glasspiegel explained that form names can
746 be referenced in the language, or the specific information to be collected must be
747 itemized out in the language. He further explained that minor changes could be made
748 through a section 100 change which is much easier than a full regulatory change. Ms.
749 Marks clarified that the minor changes that could be made through a section 100
750 change would include non-substantive issues such as changing the name of the
751 Governor or the Board's address; but if the Board decided to include a new data point
752 for applicants or to make more substantive changes, then it would need to go through
753 the regulatory process.

754
755 Mr. Glasspiegel stated that staff is requesting the Board to approve the changes in the
756 proposed language.

757
758 Ms. Marks asked if the Board wanted this matter set for hearing. Ms. Jones inquired
759 regarding the necessity of a hearing. Ms. Marks clarified that either way, there must be
760 a 45-day public comment period, and that the Board would have to adopt the language
761 at the end of the public comment period. She noted that this Board usually does
762 conduct a hearing.

763
764 Discussion ensued. Mr. Glasspiegel explained that previously the Business, Consumer
765 Services, and Housing Agency provided a waiver to DCA boards that allowed boards to
766 notice proposed language before it went through a review from DCA, Agency and the
767 Department of Finance, but the rulemaking file would have to be reviewed and submitted to
768 the Office of Administrative Law (OAL) within one year. He stated that the waivers no
769 longer exist and that now the review process must be completed before the proposed
770 regulatory language is noticed. He also noted that, with the new process, the review
771 period no longer counts toward the one-year deadline to submit rulemaking files to OAL.

772
773 Dr. Linder-Crow clarified that the proposed language will no longer reference an
774 employer/employee relationship for psychological assistants. She stated that the
775 guidance that CPA has been giving for years is that the psychological assistant
776 relationship must be a W-2 relationship rather than a contractor relationship. She asked
777 what impact this change would have on this guidance.

778
779 Ms. Marks indicated that she does not see the change in 2913 which used to refer to a
780 person who may be employed, which has since changed, as dispositive of the
781 relationship between the supervisor and the trainee. She clarified that, when
782 determining if someone is an employee, many factors have to be considered such as
783 who has control over the workplace and the work to be done, who sets the schedule,
784 and which clients are going to be seen by the person in question. She stated that the
785 same factors would have to be considered for psychological assistants.

Dr. Linder-Crow stated that she understands the relationship between supervisor and supervisee, but asked if this is going to create a separate relationship of employer/employee that will change the guidance that CPA gives to psychologists who are going to be hiring psychological assistants. Ms. Marks indicated that it is her understanding that the changes to the statute and regulations changes the nature of who files the registration, and changes the fact that the statute no longer refers to a person who may be employed, however, she indicated that it would not necessarily change the basic relationship that existed before, or the nature of the analysis of who controls the aspects of the work to be done, and that supervisors are responsible for seeking their own counsel.

Discussion ensued. Dr. Erickson stated that it seems to him that the Board made a realization that identifying the employer/employee relationship in statute was not necessary since the Internal Revenue Service is clear that it must be an employer/employee relationship since there are guidelines that state that, if the person doing the work doesn't have full control, which a psychological assistant does not, they must be considered an employee. Dr. Horn commented that section 1391.8 states that the supervisor or employer shall supply all provisions necessary to function as a psychological assistant; that independent contractors provide all their own provisions, but supervisors of psychological assistants must provide the provisions necessary to function as a psychological assistant. Dr. Phillips added that he thinks that the real distinction is the extent of control that the person who is paying for work being done has. He stated that, if someone has control over how the work is done, which the supervisor of a psychological assistant has, that, as he understands it, it would constitute an employer/employee relationship regardless of what the Board calls it; therefore, the guidance that CPA has been giving would not change.

It was M(Phillips)/S(Horn)/C to approve the changes in the proposed language and give the Executive Officer the authority to proceed with the rulemaking file and set the matter for hearing.

Vote: 6 aye (Acquaye-Baddoo, Erickson, Jones, Phillips, Horn, Bernal) 0 no

b) Update on 16 CCR Sections 1387(b)(10)(11) and 1387.1 – Verification of Experience and Supervision Agreement Forms

Mr. Glasspiegel reported that the Rulemaking File was noticed for the initial 45-day comment period on April 1, 2016 and that the hearing took place at the May 2016 Board meeting. He indicated that the final regulatory package was approved by DCA and the Department of Finance, and it was delivered to the Office of Administrative Law (OAL) on December 22, 2016. He indicated that OAL advised staff on February 1, 2017 of the need for a 15-day notice of modified text to make non-substantive changes to the original language, and that staff noticed the text on February 7, 2017. He indicated that the comment period will end February 22, 2017. Ms. Jones inquired if the notice had been posted on social media. Mr. Glasspiegel stated that it had not yet been posted on social media, but that he would get it posted. Ms. Sorrick clarified that this is a follow-up to a bill by Assembly Member Levine from 2014 which allowed the Board to receive

verification of experience forms directly from trainees along with their applications for licensure, provided specific procedures are followed.

Mr. Glasspiegel noted that the word “may” has been changed to “shall” as suggested by OAL. Dr. Horn indicated that section 1387.1(c) indicates that primary supervisors shall be in compliance at all times with the provisions of the Psychology Licensing Law and the Medical Practice Act, whichever is applicable, and inquired if it needs to be changed to read “or” the Medical Practice Act, whichever is applicable. Ms. Marks commented that if a supervisor is a psychiatrist, they would have to comply with the Psychology Licensing Law in addition to the Medical Practice Act. Dr. Horn stated that if that is the case, then the phrase “whichever if applicable” needs to be removed. Discussion ensued. Ms. Sorrick stated that the Board could address this change in the “pathways” language so it would not jeopardize or hold up this package. Dr. Horn stated that she does not believe people are currently confused as to which Practice Act they need to follow but thinks the language is still unclear. Dr. Phillips stated that there seems to be a consensus among Board members to address this issue under “pathways” rather than making any further modifications to the text of the current package.

It was M(Acquaye-Baddoo)/S(Horn)/C to approve the modified language as written and to give the authority to the Executive Officer to adopt the language at the end of the public comment period if no negative comments are received.

Vote: 6 aye (Acquaye-Baddoo, Erickson, Jones, Phillips, Horn, Bernal) 0 no

Agenda Item #22: Telepsychology Committee Report and Consideration and Possible Action on Committee Recommendations

a) Consideration and Possible Approval of Proposed Additions to California Code of Regulations, Title 16, to Address Standards of Practice for Telehealth

Dr. Erickson reported that the Telepsychology Committee met on February 3, 2017 to discuss and refine the proposed additions to the Board’s regulations regarding the practice of telehealth services. He stated that the Committee considered a written letter from the Federal Trade Commission regarding the use of telehealth services for speech pathology and audiology services. Dr. Erickson noted that, after consideration of the letter, the Committee did not feel that the proposed language limited access to telehealth services and, therefore, did not run afoul of the intent of the FTC.

Dr. Erickson referred to draft language that was provided as a hand-carry item that aims to accomplish guidelines for licensed California psychologists to provide telehealth to clients and patients.

Dr. Horn noted that the language makes it clear that we are talking about health care. Dr. Erickson agreed. Ms. Jones asked if there has been any additional feedback regarding the proposal since the November Board meeting. Ms. Sorrick indicated that

the public comment received at the November Board meeting was taken into consideration during the February 3, 2017 Committee meeting.

Dr. Elizabeth Winkelman, CPA, thanked the Board for allowing her to provide comment. She indicated that the language is complicated because it bases the rules on residency rather than based on the location of the patient and the provider. She indicated that there are two issues that are unclear and potentially restrictive. She stated that the language states that a licensee may also provide psychological health care services to a patient or client who initiates psychological health care services while in this state, but who may not be a resident of this state. She indicated that it sounds like it would exclude subsequent telehealth services since it omits the phrase "via telehealth." She indicated that this seems to be implying that a non-resident cannot initiate services via telehealth from out of state.

Dr. Phillips said that it would be clearer to add the phrase "via telehealth" to the proposed amendments in subsection (a) so that it reads "A licensee may also provide psychological health care services via telehealth to a patient or client who initiates psychological health care services while in this State, but who may not be a resident of this State." Dr. Phillips also commented that in terms of out of state people calling into the State to speak to a provider here, he stated that is something that should be up to the jurisdiction in which the person is located, rather than the Board giving its licensees permission to do it.

Dr. Phillips also indicated that the first sentence of subsection (a) should be amended to read "A licensee is permitted to provide psychological health care services via telehealth to an originating site in this State, as defined in section 2290.5 of the Code, and to provide psychological health care services via telehealth to a patient or client who is a resident of California who is temporarily located outside of this State, subject to the laws and regulations of the other state where either the licensee or the patient is located."

Ms. Jones thanked former Board member Dr. Andrew Harlem for his work on this issue. It was M(Jones)/S(Bernal)/C to accept the language with amendments and proceed with the rulemaking file.

Vote: 6 aye (Acquaye-Baddoo, Erickson, Jones, Phillips, Horn, Bernal) 0 no

Ms. Marks suggested adding this proposed new section to article 8: Rules of Professional Conduct and numbering it as section 1396.8. The Board agreed to allow staff to select the appropriate section.

Dr. Phillips expressed his thanks to Dr. Winkelman and Dr. Melodie Schaffer for providing their contributions to the language.

Agenda Item #23: Licensing Report

Ms. Cheung referred to the Licensing Report that was provided in the Board Meeting packets. She indicated that the processing time for licensure applications as of January 26, 2017 was 25 business days. She also referred to the Licensing Population Report indicating that as of January 26, 2017, there were 17,660 current licensed psychologists, 1,528 active psychological assistants and 279 active registered psychologists.

Ms. Cheung also reported on licensing staffs' efforts regarding consolidating psychological assistant registrations for those individuals who currently hold multiple registrations, since psychological assistants are now only required to hold one registration instead of registered to each separate employer.

Ms. Cheung also indicated that the Licensing Committee will continue to discuss the Pathways to Licensure at its next meeting after which the Board will be conducting two stakeholder meetings, one in Northern California in May and another in Southern California in August, to solicit feedback regarding the proposed changes.

Ms. Bernal asked why there was no data provided for 2013/2014 on the Licensing Report. Ms. Sorrick explained that this was the period during which we were transitioning to the new BreEZe system; therefore, data was not available.

Agenda Item #24: Continuing Education Report

Ms. Everhart presented the Continuing Education report that was provided in the Board meeting packets. She clarified that in the Continuing Education Audits report for January through April 2016, the information contained in the "Failed" column represents the number of licensees who failed once the audit had been completed, which is also reflected in the CE Audit Overview: Pass vs. Fail report, which indicates that 13% of licensees who were audited during this period failed the audit. She noted that the most common reason for failing an audit is that the licensee did not complete enough hours of continuing education. Ms. Everhart also reported that from October 28, 2016 through January 25, 2017, the Board issued a total of six citations for continuing education deficiencies of which four have come into compliance while two are still out of compliance.

Dr. Phillips announced that Ms. Everhart has accepted a new position as an Associate Governmental Program Analyst with the Department of Justice and will be leaving the Board of Psychology. He gave her a card from the Board members and thanked her for her contributions. Ms. Everhart stated that she has enjoyed working for the Board of Psychology.

Agenda Item #25: Public Comment on Items not on the Agenda and Recommendation for Future Licensing Committee Meetings

No comments or recommendations were received.

973 **Agenda Item #26: Review and Consider Amendments to Board Administrative**
974 **Procedures Manual**

975
976 Mr. Glasspiegel indicated that there are three additions to be made to the Board
977 Administrative Manual which were previously approved by the Board.

978
979 It was M(Acquaye-Baddoo)/S(Jones) to adopt the amendments to the Board
980 Administrative Manual.

981
982 Vote: 6 aye (Acquaye-Baddoo, Erickson, Jones, Phillips, Horn, Bernal) 0 no
983

984
985 **Agenda Item #27: President's Report**
986

987 Dr. Phillips thanked Senator Steven Glazer for arranging the room for the Board
988 meeting. He also announced that Deputy Attorney General Joshua Templet will be
989 getting married in the next week and shared congratulations.

990
991 **a) 2017 Meeting Calendar and Locations**
992

993 Dr. Phillips referred to the 2017 Board Meeting/Event Calendar provided in the meeting
994 packets.

995
996 **b) Committee Updates**
997

998 Dr. Phillips stated that there are still three vacancies on the Board, therefore, there are
999 no Committee updates to provide at this time. He thanked the Board Members for
1000 pulling double-duty on committees during these vacancies.

1001
1002 **Agenda Item #28: Recommendations for Agenda Items for Future Board Meetings**
1003

1004 Ms. Everhart provided the recommendations as made by the Board members
1005 throughout the meeting:
1006

- 1007 • Process by which child custody evaluation complaints are processed and
1008 investigated by the Board
- 1009 • Central Services staff to ascertain which pages of the Board's website are most
1010 important to track by determining the types of questions received by staff instead
1011 of solely reporting on the top five pages
- 1012 • Add California statistics into the intent language for AB 89 and provide the
1013 minutes from today's discussion to the Policy and Advocacy Committee for their
1014 meeting to review the intent language
- 1015 • Clarify language regarding Practice Acts in section 1387.1(c) in Pathways
- 1016 • Possible use of probationary status

1017
1018 **Adjournment**
1019

1020 The Board adjourned at 2:46 p.m.

1021

1022

1023


1024 Original signed by Stephen Phillips, JD, PsyD

1025 President

Date

1026

MEMORANDUM

DATE	October 31, 2018
TO	Board Members
FROM	 Stephanie Cheung Licensing Manager
SUBJECT	Agenda Item 23(a)(2) Proposed Amendments to Title 16 of the California Code of Regulations: <ul style="list-style-type: none">• § 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)

Background:

The Licensing Committee has completed their review relating to Pathways to Licensure at the October 25, 2018 meeting. Staff has provided the recommended changes by the Committee for the Board's review (See Attachment A1 or A2).

Attachments:

A1: Regulatory Proposal (Marked)

A2: Regulatory Proposal (Unmarked)

Action Requested:

Review proposed amendments and approve language as amended. Once approved, recommend the Board to adopt the language as written and proceed with the rulemaking file.

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§ 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) “~~b~~Board” means the Board of Psychology, and the term

(b) “~~e~~Code” 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.

§ 1381. Applications.

All applications shall be accompanied by such evidence, statements or documents as ~~therein~~ required to establish that the applicant meets all of the requirements for ~~licensing~~ licensure or registration as set forth in the ~~e~~Code.

Note: Authority cited: Section 2930, Business and Professions Code. Reference: Sections 2940 and 2941, Business and Professions Code.

§ 1381.1. Abandonment 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.

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~~§ 1381.2. Petition for Hearing.~~

~~An applicant for examination or licensure whose credentials indicate ineligibility shall be notified of the deficiency. The applicant may correct the deficiency indicated or in the alternative file a request for hearing before the appropriate committee.~~

~~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 a~~Any applicant approved to take or retake a ~~b~~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 2914, 2931, 2940, 2941, and 2942, Business and Professions Code.~~

§ 1381.5. Failure to Pay Initial License Fee.

~~An application shall be deemed to have been abandoned~~withdrawn if an applicant fails to pay the initial license fee within ~~three years~~thirty-six (36) months after notification by the ~~b~~Board that the fee for licensure is due. An applicant whose application has been deemed ~~withdrawn~~abandoned may again be eligible for licensure upon the filing of a new application and meeting all current ~~licensing~~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~~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).

~~Note: Authority cited: Section 2930, Business and Professions Code. Reference: Sections 2940 and 2983, Business and Professions Code.~~

~~§ 1381.6. Permit Processing Times.~~

~~“Permit” as defined by the Permit Reform Act of 1981 means any license, certificate, registration permit or any other form of authorization required by a state agency to engage in a particular activity or act. Processing times for the board's various programs are set forth below. The actual processing times apply to those applicants who have passed all appropriate examinations.~~

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Program	Maximum time for notifying the applicant, in writing, that the application is complete and accepted for filing, or that the application is deficient and what specific information is required	Maximum time after receipt of a complete application to issue or deny license	ACTUAL PROCESSING TIMES FOR ISSUANCE OF A LICENSE BASED ON PRIOR TWO YEARS		
			Minimum	Median	Maximum
Psychological Assistants	60	60	34	69	202
Psychologists	60	180	102	403	1,832
Registered Psychologists	180	-0-	4	15	216
		(Retroactive approval to date of completion)			

Note: Authority cited: Section 2930, Business and Professions Code. Reference: Section 15736, Government Code.

§ 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

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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 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 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.~~

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~~(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.~~

Note: Authority cited: Section 2930, Business and Professions Code. Reference: Section 25, Business and Professions Code.

§ 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 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 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.

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~~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.~~

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~~(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.

§ 1382.4. Child Abuse Assessment, Detection, Intervention, and Reporting Training Requirements.

(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 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 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

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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.~~

Note: Authority cited: Sections 28 and 2930, Business and Professions Code.
Reference: Section 28, Business and Professions Code.

§ 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:

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(1) Obtained as part of 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 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.~~

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

~~§ 1382.6. Aging and Long-Term Care Training Requirements.~~

~~All persons applying for a license as a psychologist who began their graduate training on or after January 1, 2004, shall, in addition to all other requirements for licensure, have completed coursework in aging and long-term care which shall include but not be limited to the biological, social, and psychological aspects of aging, and shall submit documentation thereof of the board. The coursework in aging and long-term care shall consist of not less than a combined total of ten (10) contact hours focused on this topic.~~

~~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, 2004.~~

~~Note: Authority cited: Section 2915.5 and 2930, Business and Professions Code.
Reference: Section 2915.5, Business and Professions Code.~~

§ 1386. Revised Criteria for Evaluation of Education.

(a) Only those doctorate degrees ~~which~~that are designated as being earned in a department or school of psychology, ~~educational psychology or education with the 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~~field of specialization in counseling psychology or educational psychology shall be accepted as an earned doctorate degree as specified in section 2914, subdivisions (b) and (c)(1) through (3), of the Code. If compliance with section 2914 of the Code~~it is not evident on the official transcript, the Board may require that any doctorate degree earned in education with the field of specialization in counseling psychology or educational psychology be certified by the registrar as such a degree.~~

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

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§ 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/licensure requirements stated in section 2914(ed) of the Business and Professions Code.~~ This section also applies to all These trainees accruing hours of SPE supervised experience 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 ~~that~~ 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.~~

(ab) Pursuant to section 2914(ed) of the eCode, 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.

(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~~ an internship placement pursuant to section 2911 of the eCode, ~~which is accredited by the American Psychological Association (APA), or which is~~

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~~a member of the Association of Psychology Postdoctoral and Internship Centers (APPIC) or the California Psychology Internship Council (CAPIC) and Rregistration 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 Ccode and Rregistration with the Bboard is not required; or~~

~~(C) As a psychological assistantassociate pursuant to section 2913 of the Ccode and Rregistration with the Bboard 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:

~~(A) For postdoctoral SPE accrued on or after January 1, 2006, in In a formal post-doctoral trainingplacement program pursuant to section 2911 of the Ccode, 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 Rregistration with the Bboard 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 Ccode and Rregistration with the Bboard is not required; or~~

~~(D) As a psychological assistantassociate pursuant to section 2913 of the Ccode and Rregistration with the Bboard 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.~~

(b) 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

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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.~~

~~(23) Trainees shall have no proprietary interest in the business of the primary or delegated supervisor(s) and shall not serve in any capacity which that would hold influence over the primary or delegated supervisor(s)' judgment in providing supervision.~~

~~(34) 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.~~

Hours Worked	Within the Hours Worked, Time Spent in Supervision
0-10	1
11-20	2
21-30	3
31-40	4
Total Countable SPE	40

~~(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~~

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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.~~

(614) ~~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 herthe 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~~

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- 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~~ the supervisor's best professional judgment, whether the ~~trainees~~ supervisee demonstrated an overall performance at or above the level of competence expected for the ~~trainee's~~ supervisee'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 trainees~~ supervisee did not demonstrate an overall performance at or above the level of competence expected for the ~~trainee's~~ supervisee's level of education, training and experience, then the ~~SPE hours accrued shall~~ will 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.~~

Note: Authority cited: Section 2930, Business and Professions Code. Reference: Sections 2911 and 2914, Business and Professions Code.

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§ 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 ~~trainees~~ 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 complianceEnsure that all supervisors and trainees complyat 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.~~

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

~~(5f) Primary supervisors shall b~~Be responsible for monitoring the welfare of the trainee's clients who receive psychological services rendered by the trainees.

~~(6g) Primary supervisors shall e~~Ensure that each client or patient is informed, prior to the rendering of services by the trainee ~~(4) that:~~

~~(A) t~~The trainee is unlicensed and is functioning under the direction and supervision of the supervisor; ~~(2) that~~

~~(B) t~~The primary supervisor shall have full access to the client treatment records; in order to perform supervision responsibilities and ~~(3) that~~

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

~~(7h) Primary supervisors shall b~~Be responsible for monitoring the performance and professional development of the trainee, and including how and when the supervisor will provide periodic assessments and feedback to the trainees supervisee as to whether or not the trainee~~he or she~~ 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 h~~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 of 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.~~

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

~~(9m) Primary supervisors shall require~~Provide the trainees to review with the pamphlet “Professional Therapy Never Includes Sex.”

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~~(10a) 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 psychological associate and ensure compliance with the provisions of the Code, the Board's regulations, and the ethical standards established by the American Psychological Association.

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

§ 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.~~

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~~(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 e~~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 of published by the American Psychological Association.

~~(7e) Delegated supervisors shall be responsible for m~~Monitoring the welfare of the trainees-clients who receive psychological services rendered by the trainee while under their delegated supervision.

~~(8f) Delegated supervisors shall be responsible for m~~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 h~~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 of 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;

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(2) Notify the trainee of any current disciplinary action that disqualifies him or her 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.

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

~~§ 1387.3. Alternate Plan for Supervised Professional Experience in Non-Mental Health Services.~~

~~This section pertains only to those trainees who are preparing for practice, once licensed, in the non-mental health areas of the profession of psychology.~~

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~~Due to lack of training sites and qualified supervisors, typically in the area of applied psychological research, industrial-organizational psychology, media and social-experimental psychology, but not including those involving direct mental health services, trainees in these areas of psychology shall submit a plan for supervised professional experience to the board for approval on a case-by-case basis as provided for in section 2914(c) of the code. In all such cases, the proposed plan must be submitted by the supervisee and approved by the board prior to commencement of supervision. Supervised professional experience (SPE) which is accrued prior to the approval of the plan will not count towards licensure.~~

~~(a) Supervision Plan Required~~

~~The proposed supervision plan (“plan”) submitted by the trainee for approval shall be signed by all participants involved. It shall describe the qualifications and responsibilities of the supervisor (and co-supervisor, if appropriate) for supervision. The plan shall be developed for and shall demonstrate appropriate preparation of the trainee to practice effectively in non-mental health services, and within the specific non-mental health setting. The plan shall address how the quality of work done by the trainee working in a non-mental health role will be monitored and assure protection of the client. As used in this section, “trainee” means a psychology trainee working under the provisions of this section.~~

~~(b) Hours and Setting Requirements~~

~~(1) Pursuant to section 2914(c) 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 postdoctorally. Each year of SPE shall be completed within a thirty (30) consecutive month period. If both years of SPE (3000 hours) are completed postdoctorally, they shall be completed within a sixty (60) month period. Upon showing of good cause as determined by the board, these specified time limitations may be reasonably modified.~~

~~(2) Predoctoral SPE under this section may be accrued only as follows:~~

~~(A) In a formal internship placement pursuant to section 2911 of the code and registration with the board is not required; 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 pursuant to section 2913 of the code and registration with the board prior to commencing work is required.~~

~~(3) Postdoctoral SPE may be accrued only as follows:~~

~~(A) As a psychological assistant pursuant to section 2913 of the code and registration with the board prior to commencing work is required; or~~

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~~(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.~~

~~(c) Supervision Requirements~~

~~(1) The trainee shall be provided with supervision for 10% of the total time worked each month. At least four hours per month shall be face-to-face, direct, individual supervision with the primary supervisor. The plan shall address how the supervision will be provided. The remainder of the 10% may be provided by the delegated supervisor or co-supervisor and may include supervision via electronic means.~~

~~(2) A maximum of forty-four (44) hours per week, including the required 10% supervision, may be credited toward meeting the supervised professional experience requirement.~~

~~(3) The trainee shall have no proprietary interest in the business of the primary, delegated or co-supervisor and shall not serve in any capacity that would hold influence over the primary, delegated or co-supervisor's judgment in providing supervision.~~

~~(4) Neither the primary supervisor nor any delegated or co-supervisor shall receive payment, monetary or otherwise, from the trainee for the purpose of providing supervision.~~

~~(5) The trainee will not function under any other license with the same client or in the same setting during the supervised experience accrued pursuant to the plan.~~

~~(6) A clear and accurate record of the trainee's supervision shall be maintained. The trainee shall maintain this record in an SPE log pursuant to section 1387.5 but shall also include information relevant to the co-supervisor;~~

~~(7) Except as provided in section 1391.5(c), a primary supervisor who is a licensed psychologist may delegate supervision pursuant to section 1387.2.~~

~~(8) If the primary supervisor is unlicensed, the trainee shall also obtain a co-supervisor who meets the requirements of subsection (f).~~

~~(d) Qualifications and Responsibilities of Primary Supervisors~~ ~~The primary supervisor shall:~~

~~(1) possess a degree that meets the requirements of section 2914(b) of the code;~~

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~~(2) meet the requirements of section 2913 of the code if supervising a psychological assistant;~~

~~(3) if licensed, possess and maintain a valid, active license issued by the board free of any formal disciplinary action during the period of supervision covered by the plan. The primary supervisor shall notify the trainee of any disciplinary action that disqualifies him or her from providing supervision. If not licensed, the primary supervisor shall never have been denied, or possessed a professional license for providing psychological or other mental health services issued by any jurisdiction that was subject to discipline, or surrendered with charges pending;~~

~~(4) be employed or contracted by the same organization as the trainee;~~

~~(5) be available to the trainee 100% of the time the trainee is accruing SPE pursuant to the plan. This availability may be in person, through telephone, pager or other appropriate technology(ies);~~

~~(6) if licensed, complete a minimum of six hours of supervision coursework every two years as described in section 1387.1(b);~~

~~(7) ensure that all parties work together throughout the training experience to ensure that the trainee will be engaged in duties that are considered doctoral level;~~

~~(8) maintain ongoing communication between all parties regarding supervisory needs and experiences;~~

~~(9) ensure that all parties to the plan comply at all times with the provisions of the Psychology Licensing Law or the Medical Practice Act, whichever might apply, and the regulations adopted pursuant to these laws;~~

~~(10) ensure that all SPE accrued under the plan complies with the Ethical Principles and Code of Conduct of the American Psychological Association;~~

~~(11) monitor the welfare of the trainee's clients;~~

~~(12) ensure that each client of the trainee is informed prior to rendering of services by the trainee that the trainee is unlicensed and is functioning under the direction and supervision of the primary supervisor;~~

~~(13) monitor the performance and professional development of the trainee which shall include socialization into the practice of psychology;~~

~~(14) have the education, training, and experience in the area(s) of psychological practice for which they are providing supervision;~~

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~~(15) have or have had no familial, intimate, sexual, social, or professional relationship with the trainee which could compromise the supervisor’s effectiveness, or would violate the Ethical Principles and Code of Conduct of the American Psychological Association;~~

~~(16) not supervise a trainee who is a current or former client of psychological services provided by the supervisor; and~~

~~(17) monitor the supervision performance of all delegated supervisors and co-supervisors.~~

~~(e) Qualifications and Responsibilities of Delegated Supervisors~~

~~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.~~

~~The delegated supervisor shall:~~

~~(1) possess and maintain a valid, active license free of any formal disciplinary action during the period covered by the plan. The supervisor shall notify the trainee of any disciplinary action that disqualifies him or her from providing supervision;~~

~~(2) be employed or contracted by the same organization as the trainee;~~

~~(3) be responsible for ensuring compliance by the trainee with the provisions of the Psychology Licensing Law, the licensing laws of the Board of Behavioral Sciences, or the Medical Practice Act, whichever might apply, and the regulations adopted pursuant to these laws.~~

~~(4) ensure that all SPE accrued under the supervision delegated to them complies with the Ethical Principles and Code of Conduct of the American Psychological Association;~~

~~(5) monitor the welfare of the trainee’s clients while under their delegated supervision;~~

~~(6) monitor the performance and professional development of the trainee and is responsible for reporting this performance and development to the primary supervisor;~~

~~(7) have the education, training, and experience in the area(s) of psychological practice to be supervised;~~

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~~(8) have or have had no familial, intimate, social, sexual or professional relationship with the trainee which could compromise the supervisor’s effectiveness, or would violate the Ethical Principles and Code of Conduct of the American Psychological Association; and~~

~~(9) not supervise a trainee who is now or has ever been a psychotherapy client of the supervisor.~~

~~(f) Qualifications and Responsibilities of the Co-Supervisor (This section only applies when the primary supervisor is not licensed)
The co-supervisor shall:~~

~~(1) possess and maintain a valid, active license issued by the board free of any formal disciplinary action during the period covered by the plan. The co-supervisor shall notify the trainee of any disciplinary action that disqualifies him or her from providing supervision;~~

~~(2) complete a minimum of six hours of supervision coursework every two years as described in section 1387.1(b);~~

~~(3) monitor the performance and professional development of the trainee and is responsible for reporting this performance and development to the primary supervisor;~~

~~(4) not supervise a trainee who is a current or former client of psychological services provided by the supervisor;~~

~~(5) have or have had no familial, intimate, social, sexual or professional relationship with the trainee which could compromise the supervisor’s effectiveness, or would violate the Ethical Principles and Code of Conduct of the American Psychological Association;~~

~~(6) ensure that all parties work together throughout the training experience to ensure that the trainee will be engaged in duties that are considered doctoral level;~~

~~(7) maintain ongoing communication between all parties regarding supervisory needs and experiences; and~~

~~(8) not supervise more than five trainees under any section at any given time.~~

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

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

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(a) Except as described in subsection (b), ~~a~~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~~ of the jurisdiction wherein ~~in which~~ 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.

§ 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 weekly accounting of the following information and shall be made available to the board upon request:~~

(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).

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~~(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:~~

~~(74) The trainee's legibly printed name, signature, and date signed.~~

~~(2) The primary supervisor's legibly printed name, signature, license type and number, and date signed.~~

~~(83) Any delegated supervisor's' legibly printed name, license type and number.~~

~~(4) A description of the psychological duties performed during the period of supervised professional experience.~~

~~(5) A statement signed by the primary supervisor attesting to the accuracy of the information.~~

~~(9) The primary supervisor's printed name, signature, license type and number, and date signed.~~

~~(c) 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).~~

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

~~§ 1387.6. Psychological Assistants.~~

~~In order to accrue hours of SPE, a psychological assistant shall at all times be in compliance with the supervision requirements of section 1387 and with the requirements for psychological assistants set forth in Article 5.1 of this chapter. A psychological assistant accruing SPE in a private setting shall submit a plan for SPE to the Board for approval as provided for in section 1387(b)(11). The proposed supervision plan submitted by the psychological assistant for approval shall be signed by all participants involved. It shall describe the qualifications and responsibilities of the supervisor and/or the delegated supervisor. The plan shall be developed for, and shall demonstrate appropriate preparation of, the psychological assistant to practice effectively, and within the specific private practice setting. The plan shall address how the quality of work done by the psychological assistant will be monitored and assure protection of the client.~~

Note: Authority cited: Section 2930, Business and Professions Code. Reference: Sections 2913 and 2914, Business and Professions Code.

~~§ 1387.7. Registered Psychologists.~~

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~~Persons working as registered psychologists pursuant to section 2909 of the code in order to accrue postdoctoral hours of SPE shall at all times be in compliance with the supervision requirements of section 1387 and with the requirements for registered psychologists set forth in Article 5 of this chapter.~~

~~Note: Authority cited: Section 2930, Business and Professions Code. Reference: Section 2909, Business and Professions Code.~~

§ 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 examinations 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 ~~apply a scaled score as 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.

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(h) An applicant for whom English is ~~his or her~~ the applicant's 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~~ the applicant's 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.

Note: Authority cited: Sections 2930 and 2942, Business and Professions Code.
Reference: Sections 123, 496, 2941, 2942, 2943 and 2960, Business and Professions Code.

§ 1388.6. License Requirements and Waiver of Examination **Satisfaction of Licensure Requirements.**

~~(a) When a California licensed psychologist has been licensed for at least five years and has allowed his/her license to cancel by not renewing the license for at least three years, the psychologist shall not be required to take the EPPP.~~

~~(ab)~~ If an applicant for licensure as a psychologist ~~has been~~ is currently licensed at the doctoral level and has been so for at least two (2) years in another state, Canadian province, or U.S. territory, ~~for at least five years the applicant shall not be required to take the EPPP~~ submit documentation of a passing score on the EPPP.

~~(be)~~ An applicant for licensure as a psychologist who holds a Certificate of Professional Qualification (CPQ) issued by the Association of State and Provincial Psychology Boards (ASPPB), ~~shall not be required to take the EPPP~~ submit documentation of a passing score on the EPPP. Such an applicant shall be deemed to have met the educational and experience requirements of subdivisions (b), (c) and ~~(ed)~~ of Code section 2914.

~~(cd)~~ An applicant for licensure as a psychologist who is credentialed as a Health Service Provider in Psychology by the National Register of Health Service Providers in Psychology (NRHSPP) and ~~has been~~ who is currently licensed ~~based on a doctoral degree at the doctoral level~~ in another state, Canadian province, or U.S. territory for a minimum of five years ~~shall not be required to take the EPPP~~ submit documentation of a passing score on the EPPP. Such an applicant shall be deemed to have met the educational and experience requirements of subdivisions (b), (c) and ~~(ed)~~ of Code section 2914.

~~(de)~~ An applicant for licensure as a psychologist who is certified by the American Board of Professional Psychology (ABPP) and ~~has been~~ who is currently licensed ~~based on a doctoral degree at the doctoral level~~ in another state, Canadian province, or U.S.

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territory for a minimum of five years shall ~~not be required to take the EPPP~~submit documentation of a passing score on the EPPP. Such an applicant shall be deemed to have met the educational and experience requirements of subdivisions (b), (c) and (ed) of Code section 2914.

(ef) Although ~~the EPPP is~~some requirements are deemed to have been met ~~waived~~ under this section, an applicant must file a complete application and meet all current ~~licensing~~licensure requirements not addressed above, including payment of any fees, take and pass the California Psychology Law and Ethics Examination (CPLEE), and not been subject to discipline.

Note: Authority cited: Sections 2930 and 2946, Business and Professions Code.
Reference: Section 2946, Business and Professions Code.

§ 1389. Reconsideration of Examinations.

~~(a)~~ There shall be no reconsideration of the ~~grade~~score received on the EPPP or on the CPLEE.

~~(b)~~ Nothing in this section shall be construed to deprive an applicant of his or her rights of appeal as afforded by other provisions of law.

Note: Authority cited: Section 2930, Business and Professions Code. Reference: Sections 2942 and 2944, Business and Professions Code.

§ 1389.1. Inspection of Examinations.

~~(a)~~ All examination materials, except those owned by an examination service, shall be retained by the board at the board's office in Sacramento for a period of two (2) years after the date of the examination.

~~(b)~~ No inspection is allowed of the written examination administered by the board

Note: Authority cited: Section 2930, Business and Professions Code. Reference: Sections 2942 and 2944, Business and Professions Code; and Section 12944, Government Code.

§ 1390. Citation.

This article may be cited and referred to as the “Registered Psychologist Regulations.”

Note: Authority cited: Section 2930, Business and Professions Code. Reference: Section 2909, Business and Professions Code.

§ 1390.1. Registration.

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~~Any person desiring to register at a qualifying agency as a registered psychologist shall submit an application on a form provided by the Board.~~

~~Note: Authority cited: Section 2930, Business and Professions Code. Reference: Section 2909, Business and Professions Code.~~

~~§ 1390.2. Withdrawal of Applications.~~

~~Applications for registration which have not been completed within ninety (90) days after additional information has been requested shall be deemed to be withdrawn.~~

~~Note: Authority cited: Section 2930, Business and Professions Code. Reference: Section 2909, Business and Professions Code.~~

~~§ 1390.3. Statement of Purpose.~~

~~A person meeting the requirements set forth in section 2909(d) of the Code, may provide psychological services under supervision at a non-profit community agency that receives at least 25% of its funding from a governmental source for the purpose of training and providing services so long as that person registers with the board as a registered psychologist. The employing agency must provide the Board with evidence of the requisite level of government funding.~~

~~(a) The registered psychologist is authorized to function only in the agency to which he or she is registered and only after a registration number has been issued by the board;~~

~~(b) The registration shall be in effect for a period of 30 months from the date of issuance and cannot be renewed and the registrant cannot re-register as a registered psychologist to the same agency;~~

~~(c) The registered psychologist shall at all times be under the primary supervision of a qualified licensed psychologist who is employed by the same agency. The primary supervisor shall be available to the trainee 100% of the time that the trainee is working in such a capacity. This availability can be in person, by telephone, by pager or by other appropriate technology.~~

~~(1) The primary supervisor shall comply with the coursework requirements set forth in section 1387.1(b) of the Code.~~

~~(2) The primary supervisor shall ensure that a plan is in place 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 such an emergency.~~

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~~(d) In order to qualify as “supervised professional experience” pursuant to section 2914(c) of the Code, experience gained as a registered psychologist must comply with section 1387.~~

~~(e) Each patient or client of a registered psychologist shall be informed, prior to the rendering of services, that the registrant is unlicensed and under the supervision of a qualified licensed psychologist as an employee of the agency and that the supervisor shall have access to the patient’s chart in fulfilling his/her supervisory duties.~~

~~(f) No supervisor or employing agency of a registered psychologist may charge a fee or otherwise require monetary payment in consideration for the employment or supervision of a registered psychologist.~~

~~Note: Authority cited: Section 2930, Business and Professions Code. Reference: Section 2909, Business and Professions Code.~~

§ 1391. Citation.

~~This article may be cited and referred to as the “Psychological Assistant~~Associate ~~Regulations.”~~

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

§ 1391.1. Registration; Limitation of Registration Period.

~~(a) Any person who meets the requirements of section 2913 of the Code desiring to supervise may apply for registration as a psychological assistant~~associate by submitting an application on a form PSB 100 (Rev. 07/17), which is hereby incorporated by reference provided by the Board. If applying for a registration with more than one supervisor, the person shall also submit form PSB 101 (Rev. 07/17), which is hereby incorporated by reference, for each additional supervisor.

~~(b) Registration as a psychological assistant~~associate ~~shall be limited to a cumulative total of six~~five ~~years (60~~72 ~~months). Each registration shall be subject to annual renewal pursuant to section 1391.12. For any psychological assistant~~associate ~~registered prior to the effective date of this subdivision, subsequent renewals or registrations shall be limited to a cumulative total of six~~five ~~years (60~~72 ~~months) from the date of the psychological assistant~~associate’s ~~next registration or renewal, whichever occurs first.~~

~~Upon showing of good cause as determined by the Board, these specified time limitations may be reasonably modified.~~

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

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§ 1391.2. Withdrawal of Applications.

~~An a~~Applications for registration ~~which~~that ~~hasve~~ not been completed within ninety (90) days after additional information has been requested by the Board shall be deemed to ~~be~~ withdrawn.

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

§ 1391.3. Required Training.

~~Any person who possesses a doctorate degree which will qualify for licensure as a psychologist pursuant to Section 2914 of the code, shall be deemed to have completed “one fully matriculated year of graduate training in psychology” and will be eligible for registration as a psychological assistant upon compliance with other provisions of Section 2913 of the code.~~

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

§ 1391.4. Limited Psychological Functions.

~~As used in Section 2913 of the code, the phrase “limited psychological functions” means those functions which are performed under the direction and supervision of the qualified supervisor pursuant to the American Psychological Association’s (APA) January 1, 1997 version of the Guidelines and Principles for Accreditation of Programs in Professional Psychology and the APA Code of Conduct and Ethical Principles.~~

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

§ 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.

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(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).

~~(c) 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) 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.~~

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

§ 1391.6. Supervisor’s Responsibility.

(a) Every supervisor of a psychological assistant ~~associate~~ shall ~~have~~ be responsible for supervising the psychological functions performed by the psychological assistant and ensuring that 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 psychological associate ~~extent, kind and quality of the psychological functions performed by the assistant are consistent with the supervisor’s training and experience, and ensure that the psychological associate~~ assistant complies with the provisions of the code, the Board’s ~~B~~ regulations, and the ethical standards established by the American Psychological Association.

(b) The supervisor shall ~~inform~~ ensure that each client or patient is informed, prior to the rendering of services ~~by the psychological assistant, that the psychological associate~~ assistant is unlicensed and is under the direction and supervision of the supervisor, ~~as an employee~~ Each client shall also be informed and that the supervisor shall have access to the client’s ~~patient’s~~ chart in fulfilling his/ or her ~~supervisory~~ on duties.

(c) The supervisor shall be available to the psychological associate ~~assistant~~ 100% of the time the psychological associate ~~assistant~~ is performing psychological functions. The availability can be in-person, by telephone, ~~by pager~~ or by other appropriate technology.

(d) The supervisor shall ensure that a plan is in place to protect the ~~patient or 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 supervisee is working. The supervisor shall ensure that the supervisee thoroughly understands the plan in the event a client ~~patient~~ crisis or emergency occurs.

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(e) The supervisor shall supervise no more than three (3) psychological associates at any given time.

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

§ 1391.7. Supervised Professional Experience.

In order to qualify as “supervised professional experience” pursuant to section 2914(ed) of the Code, experience gained as a psychological ~~assistant~~associate must comply with Section 1387.

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

§ 1391.8. ~~Employer-Supervisor-Employee~~Psychological AssociateBusiness Relationship.

(a) No supervisor or employer shall have any familial, intimate, business or other relationship with the psychological associate which would compromise the employer’s or supervisor’s effectiveness, and/or which would violate the Ethical Principles and Code of Conduct of the American Psychological Association.

(b) No supervisor or employer of a psychological assistant may charge a psychological associate a fee or otherwise require monetary payment in consideration for the employment or supervision provided of a psychological assistant.

(c) The supervisor or employer shall supply all provisions necessary to function as a psychological assistantassociate.

(d) The psychological assistantassociate shall have no proprietary interest in the business of the supervisor or the employer.

(ee) The psychological assistantassociate shall not rent, lease, sublease, or lease-purchase office space from any entity for purposes of functioning as a psychological assistantassociate.

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

§ 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:~~

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~~(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.~~

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

§ 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 associate, 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.

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

§ 1391.12. Psychological Assistant Associate Renewals.

(a) A new registration shall expire annually, beginning one year after issuance. The registration of a psychological assistant associate 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;

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(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~~associate 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~~associate.

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

~~(e) 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.

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

§ 1392.1. Psychological AssistantAssociate Fees.

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

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

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

Note: Authority cited: Sections ~~2930 and 2940~~, Business and Professions Code. Reference: Sections ~~2688~~2948 and ~~2689~~2987, Business and Professions Code.

“Pathways to Licensure” Regulations Review**§ 1380.3. Definitions.**

The following general definitions shall apply whenever the terms are used throughout Division 13.1, except where specifically noted otherwise.

(a) “Board” means the Board of Psychology.

(b) “Code” 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.

§ 1381. Applications.

All applications shall be accompanied by such evidence, statements or documents as required to establish that the applicant meets all requirements for licensure or registration as set forth in the Code.

Note: Authority cited: Section 2930, Business and Professions Code. Reference: Sections 2940 and 2941, Business and Professions Code.

§ 1381.1. Abandonment of Applications.

An application shall be deemed withdrawn after thirty-six (36) months when an applicant does not furnish 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.

“Pathways to Licensure” Regulations Review**§ 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. 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 2914, 2931, 2940, 2941, and 2942, Business and Professions Code.

§ 1381.5. Failure to Pay Initial License Fee.

An application shall be deemed withdrawn if an applicant fails to pay the initial license fee within thirty-six (36) months after notification by the Board that the fee for licensure is due. An applicant whose application has been deemed withdrawn may again be eligible for licensure upon the filing of a new application and meeting all current licensure requirements, including payment of any fees. Such applicant shall be required to take and pass the California Psychology Laws and Ethics Examination (CPLEE).

Note: Authority cited: Section 2930, Business and Professions Code. Reference: Sections 2940 and 2983, Business and Professions Code.

§ 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 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 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

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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.

Note: Authority cited: Section 2930, Business and Professions Code. Reference: Section 25, Business and Professions Code.

§ 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 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 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.

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

§ 1382.4. Child Abuse Assessment, Detection, Intervention, and Reporting Training.

(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 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 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.

Note: Authority cited: Sections 28 and 2930, Business and Professions Code. Reference: Section 28, Business and Professions Code.

§ 1382.5. Spousal or Partner Abuse Assessment, Detection, and Intervention Strategies Training.

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(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 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 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.

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

§ 1386. Revised Criteria for Evaluation of Education.

(a) Only those doctorate degrees that are designated as being earned in a department or school of 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, educational psychology, or school psychology shall be accepted as an earned doctorate degree as specified in section 2914, subdivisions (b) and (c)(1) through (3), of the Code. If compliance with section 2914 of the Code is not evident on the official transcript, the Board may require that any doctorate degree be certified by the registrar.

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

§ 1387. Supervised Professional Experience (SPE).

This section applies to all trainees accruing supervised professional experience (SPE) toward meeting the licensure requirements in section 2914(d) of the Code. This section also applies to all trainees accruing SPE in areas of general applied psychology.

(a) SPE is defined as an organized program that consists of a planned, structured and administered sequence of professionally supervised, comprehensive, training experiences. SPE shall have a logical training sequence that builds upon the skills and competencies of trainees to prepare them for independent practice once licensed. SPE shall include:

(1) socialization into the profession of psychology and shall be augmented by integrated modalities including mentoring, didactic exposure, modeling, observational/vicarious learning, and consultative guidance.

(2) activities that 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 public.

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

(b) Pursuant to section 2914(d) 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 thirty (30) consecutive months. If both years of SPE (3000 hours) are completed post-doctorally, they shall be completed within sixty (60) consecutive months. Upon showing of good cause as determined by the Board, these specified time limitations may be reasonably modified.

(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 or dissertation. Pre-doctoral SPE shall be accrued as follows:

(A) In an internship pursuant to section 2911 of the Code. Registration with the Board is not required; or

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

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(C) As a psychological associate pursuant to section 2913 of the Code.
Registration with the Board prior to commencing work is 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. Post-doctoral SPE shall be accrued as follows:

(A) In a post-doctoral placement pursuant to section 2911 of the Code.
Registration with the Board is not required; or

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

(C) As a psychological associate pursuant to section 2913 of the Code.
Registration with the Board prior to commencing work is required.

(c) 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).

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

(3) A maximum of 40 hours per week can be credited toward SPE. Time spent in supervision can be counted toward the trainee's SPE. One (1) hour per week 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.

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Hours Worked	Within the Hours Worked, Time Spent in Supervision
0-10	1
11-20	2
21-30	3
31-40	4
Total Countable SPE	40

(4) 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.

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

(6) Once the SPE has been completed, the primary supervisor shall submit to the trainee 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 trainee with the trainee's application for licensure. The verification shall certify to completion of the hours 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 the supervisor's best professional judgment, whether the trainee demonstrated an overall performance at or above the level of competence expected for the trainee'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 trainee did not demonstrate an overall performance at or above the level of competence expected for the trainee's level of education, training and experience, then the SPE 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.

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

Note: Authority cited: Section 2930, Business and Professions Code. Reference: Sections 2911 and 2914, Business and Professions Code.

§ 1387.1. Responsibilities of Supervisors.

(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) Possess and maintain a valid, active license free of any current disciplinary action that disqualifies the supervisor from providing supervision, and shall immediately notify the trainee of any disciplinary action or any other license status change that affects the primary supervisor's ability or qualifications to supervise.

(3) Ensure that all supervisors and trainees comply with the provisions of the Psychology Licensing Law and regulations t.

(4) Be responsible for ensuring that all SPE is conducted in compliance with the Ethical Principles of Psychologists and Code of Conduct published by the American Psychological Association.

(5) Be responsible for monitoring the welfare of clients who receive psychological services rendered by the trainees.

(6) Ensure that each client 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 supervisor shall have full access to the client records; and

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

(7) 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 as to whether or not the trainee is performing as expected.

(8) Have no current or former financial, personal, or familial relationship with the trainee, or other relationship that could compromise the supervisor's effectiveness, or that violates the Ethical Principles of Psychologists and Code of Conduct published by the American Psychological Association.

(9) Provide the trainee with the pamphlet “Professional Therapy Never Includes Sex.”

(10) Monitor the supervision 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 psychological associate and ensure compliance with the provisions of the Code, the Board's regulations, and the ethical standards established by the American Psychological Association.

(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 supervisor shall comply with all of the following requirements:

(1) Be employed or contracted by the same entity as the trainee.

(2) Possess and maintain a valid, active license free of any current disciplinary action that disqualifies the supervisor from providing supervision, and shall

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1 immediately notify the trainee and the primary supervisor of any disciplinary action
2 initiated by the Board from which they receive their license or any other license
3 status change that affects the supervisor’s ability or qualifications to supervise.
4

5 (3) Be in compliance with the provisions of the Psychology Licensing Law, and
6 other applicable State licensing laws and regulations.
7

8 (4) Ensure that they have education, training, and experience in the areas of
9 psychological practice for which they will supervise.
10

11 (5) Be responsible for ensuring compliance by the trainee with the provisions of the
12 Psychology Licensing Law and regulations.
13

14 (6) Ensure that all SPE performed under their supervision is conducted in
15 compliance with the Ethical Principles of Psychologists and Code of Conduct
16 published by the American Psychological Association.
17

18 (7) Monitor the welfare of clients who receive psychological services rendered by
19 the trainee.
20

21 (8) Monitor and report to the primary supervisor the performance and professional
22 development of the trainee.
23

24 (9) Have no current or former financial, personal, or familial relationship with the
25 trainee, or other relationship that could compromise the supervisor's effectiveness,
26 or that violates the Ethical Principles of Psychologists and Code of Conduct
27 published by the American Psychological Association.
28

29 (c) If SPE is obtained in areas of general applied psychology, a licensed co-supervisor
30 is required if a primary supervisor is not licensed. The co-supervisor shall comply with
31 all of the following requirements:
32

33 (1) Possess and maintain a valid, active license issued by the Board free of any
34 formal disciplinary action that disqualifies the supervisor from providing supervision
35 during the period of supervision;
36

37 (2) Notify the trainee of any current disciplinary action that disqualifies him or her
38 from providing supervision;
39

40 (3) Prior to functioning as a co-supervisor and every two (2) years thereafter, the
41 co-supervisor shall complete six (6) hours of approved continuing education in
42 supervision that meets the requirements in section 1397.61(c)(1);
43

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

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(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.

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

§ 1387.4. 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, United States territory, or Canadian province in which the SPE was accrued

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

(3) in 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.

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(b) SPE can be accrued within any federal agency, provided the experience is supervised by a qualified psychologist licensed at the doctoral level in the United States or its territories.

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

§ 1387.5. SPE Log.

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 a weekly accounting of the following:

- (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) A description of the psychological duties performed during the period of SPE.
- (7) The trainee's printed name, signature, and date signed.
- (8) Any delegated supervisor's printed name, license type and number.
- (9) 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 training director shall be authorized to provide all information required in this section.

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

§ 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.

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(b) An applicant shall successfully take and pass the licensing examinations prior to being licensed. The licensing examinations 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 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 the applicant's 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 the applicant's 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.

Note: Authority cited: Sections 2930 and 2942, Business and Professions Code.
Reference: Sections 123, 496, 2941, 2942, 2943 and 2960, Business and Professions Code.

“Pathways to Licensure” Regulations Review**§ 1388.6. Satisfaction of Licensure Requirements.**

(a) If an applicant for licensure as a psychologist is currently licensed at the doctoral level and has been so for at least two (2) years in another state, Canadian province, or U.S. territory, the applicant shall submit documentation of a passing score on the EPPP.

(b) An applicant for licensure as a psychologist who holds a Certificate of Professional Qualification (CPQ) issued by the Association of State and Provincial Psychology Boards (ASPPB), shall submit documentation of a passing score on the EPPP. Such an applicant shall be deemed to have met the educational and experience requirements of subdivisions (b), (c) and (d) of Code section 2914.

(c) An applicant for licensure as a psychologist who is credentialed as a Health Service Provider in Psychology by the National Register of Health Service Providers in Psychology (NRHSPP) and who is currently licensed at the doctoral level in another state, Canadian province, or U.S. territory for a minimum of five years shall submit documentation of a passing score on the EPPP. Such an applicant shall be deemed to have met the educational and experience requirements of subdivisions (b), (c) and (d) of Code section 2914.

(d) An applicant for licensure as a psychologist who is certified by the American Board of Professional Psychology (ABPP) and who is currently licensed at the doctoral level in another state, Canadian province, or U.S. territory for a minimum of five years shall submit documentation of a passing score on the EPPP. Such an applicant shall be deemed to have met the educational and experience requirements of subdivisions (b), (c) and (d) of Code section 2914.

(e) Although some requirements are deemed to have been met under this section, an applicant must file a complete application and meet all current licensure requirements not addressed above, including payment of any fees, take and pass the California Psychology Law and Ethics Examination (CPLEE), and not been subject to discipline.

Note: Authority cited: Sections 2930 and 2946, Business and Professions Code.
Reference: Section 2946, Business and Professions Code.

§ 1389. Reconsideration of Examinations.

There shall be no reconsideration of the score received on the EPPP or on the CPLEE.

Note: Authority cited: Section 2930, Business and Professions Code. Reference: Sections 2942 and 2944, Business and Professions Code.

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§ 1391. Citation.

This article may be cited as the “Psychological Associate Regulations.”

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

§ 1391.1. Registration; Limitation of Registration Period.

(a) Any person who meets the requirements of section 2913 of the Code may apply for registration as a psychological associate by submitting an application on form PSB 100 (Rev. 07/17), which is hereby incorporated by reference . If applying for a registration with more than one supervisor, the person shall also submit form PSB 101 (Rev. 07/17), which is hereby incorporated by reference, for each additional supervisor.

(b) Registration as a psychological associate shall be limited to a cumulative total of five years (60 months). Each registration shall be subject to annual renewal pursuant to section 1391.12. For any psychological associate registered prior to the effective date of this subdivision, subsequent renewals or registrations shall be limited to a cumulative total of five years (60 months) from the date of the psychological associate's next registration or renewal, whichever occurs first.

Upon showing of good cause as determined by the Board, these specified time limitations may be reasonably modified.

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

§ 1391.2. Withdrawal of Applications.

An application for registration that has not been completed within ninety (90) days after additional information has been requested by the Board shall be withdrawn.

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

§ 1391.5. Supervision Required.

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

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

(d) Requirements for interim supervision are defined in 1387.1(d).

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

§ 1391.6. Supervisor’s Responsibility.

(a) Every supervisor of a psychological associate shall 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 psychological associate and ensure that the psychological associate complies with the provisions of the code, the Board’s regulations, and the ethical standards established by the American Psychological Association.

(b) The supervisor shall ensure that each client is informed, prior to the rendering of services, that the psychological associate is unlicensed and is under the direction and supervision of the supervisor. Each client shall also be informed that the supervisor shall have access to the client’s chart in fulfilling his or her supervisory duties.

(c) The supervisor shall be available to the psychological associate 100% of the time the psychological associate is performing psychological functions. The availability can be in person, by telephone, or by other appropriate technology.

(d) The supervisor shall ensure that a plan is in place to protect the client in the event a client crisis or emergency occurs during any time the supervisor is not physically present at the established site at which the supervisee is working. The supervisor shall ensure that the supervisee thoroughly understands the plan in the event a client crisis or emergency occurs.

(e) The supervisor shall supervise no more than three (3) psychological associates at any given time.

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

§ 1391.7. Supervised Professional Experience.

In order to qualify as “supervised professional experience” pursuant to section 2914(d) of the Code, experience gained as a psychological associate must comply with Section 1387.

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

§ 1391.8. Supervisor-Psychological Associate Relationship.

(a) No supervisor or employer shall have any familial, intimate, business or other relationship with the psychological associate which would compromise the employer's or supervisor's effectiveness, and/or which would violate the Ethical Principles and Code of Conduct of the American Psychological Association.

(b) No supervisor or employer may charge a psychological associate a fee or otherwise require monetary payment in consideration for the employment or supervision provided.

(c) The supervisor or employer shall supply all provisions necessary to function as a psychological associate.

(d) The psychological associate shall have no proprietary interest in the business of the supervisor or the employer.

(e) The psychological associate shall not rent, lease, sublease, or lease-purchase office space from any entity for purposes of functioning as a psychological associate.

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

§ 1391.11. Notification of 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 a psychological associate, or any change or addition of the location where services are being rendered by a psychological associate with the same primary supervisor, the psychological associate shall notify the Board of such termination or change, on form PSB 101 (07/17).

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

§ 1391.12. Psychological Associate Renewals.

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

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(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 after its expiration must be accompanied by the delinquency fee required in section 1392.1 in order to be renewed.

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

(d) A registration not renewed by the psychological associate within 60 days after its expiration shall be cancelled and shall not be reinstated.

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

§ 1392.1. Psychological Associate Fees.

(a) The application fee for registration as a psychological associate is \$40.00.

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

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

Note: Authority cited: Sections 2930 and 2940, Business and Professions Code. Reference: Sections 2948 and 2987, Business and Professions Code.