

**California Board of Psychology  
Department of Consumer Affairs**

**INITIAL STATEMENT OF REASONS**

**HEARING DATE:** Wednesday, December 1, 2021

**SUBJECT MATTER OF PROPOSED REGULATIONS:** Retired License Status

**SECTIONS AFFECTED:** Title 16, California Code of Regulations (CCR), Add Section 1381.10; Amend sections 1392 and 1397.69.

**INTRODUCTION:**

Senate Bill (SB) 1193 (Hill, Chapter 484, Statutes of 2016) was signed by Governor Brown, on September 22, 2016. This bill added Section 2988.5 to the Business and Professions Code (BPC), effective January 1, 2017, which gives the California Board of Psychology (Board) the authority to issue a retired license to a psychologist who holds a current license issued by the Board, which necessitates the promulgation of regulations. This bill was the byproduct of the sunset review process, in which the Senate and Assembly business and professions committees recommended the Board provide recommendations to the legislature to establish a retired license. At the time the legislative proposal was submitted, retired licenses were the most common constituent inquiry legislative staff received from the Board's licensees.

**The Problems to be Addressed and Anticipated Benefits:**

Although SB 1193 gave the Board the statutory authority to issue retired licenses, it does not specify the provisions and procedures for obtaining such a license status. The purpose of the proposed regulatory language is to specify the requirements for obtaining and maintaining a psychologist license in retired status.

Currently, licensed psychologists who no longer wish to practice must utilize the inactive status every two years and pay the biennial renewal fee of \$60 (which includes the \$20 for the Mental Health Professions Education Fund). Alternatively, licensed psychologists who choose not to renew their license in an inactive status can let their license expire, and the license will cancel, automatically, after three years of the expiration date. There are no regulations that specify the requirements of licensees who wish to place their licenses in a retired status.

These proposed regulations will implement, interpret, and make specific the provisions of BPC section 2988.5. This proposal will also provide clarification to the statutory requirements in applying to place a license in retired status. Further, these proposed regulations will allow the Board to grant retired status for eligible licensed psychologists and provide a more accurate representation of their license status on the Department of Consumer Affairs' (DCA) License Search for the public. The proposed regulations also

set the fee to apply for a license in retired status. Finally, they outline the requirements for returning from a retired status to an active status, should the licensee want an active license again.

Specifically, the regulatory proposal is as follows:

**Add Section 1381.10, to Title 16, of the California Code of Regulations (CCR).**

**Specific Purpose:**

This proposal adds Section 1381.10 to Title 16, Division 13.1, in the Board's regulations, to be titled "Retired Status." BPC section 2988.5 authorizes the Board to issue, upon application from a licensee who holds a license in current status, a retired license that neither needs to, nor can be, renewed. The application process ensures that the licensee establishes eligibility to change their status. This section directs a licensee on how to apply to have their license placed in a retired status, how to return the license to active status, and sets limitations on changing the status from active to retired.

**16 CCR 1381.10, subsection (a)**

**Specific Purpose:**

Subsection (a) provides clear direction on how to apply for a license in retired status by incorporating the required application form by reference.

**Factual Basis/Rationale:**

To apply for a license in retired status, subsection (a) requires a licensee to be in a license status of Current Active or Current Inactive. This makes specific the provision requiring that a psychologist hold a current license or one "capable of being renewed," as required by BPC 2988.5. A current license can be either active or inactive. In order to be a license "capable of being renewed," it must be brought up to an Active or Inactive status to qualify for the retired status.

To apply for a license in a retired status, subsection (a) requires a psychologist to submit an application on Form PSY 900 (New 2021), incorporated by reference, which specifies the information an applicant is required to provide when requesting his or her license be placed in retired status. Form PSY 900 (New 2021) is necessary to ensure that each applicant establishes, and the Board can ascertain, compliance with statutory requirements in BPC Section 2988.5.

**Form PSY 900 (New 2021), Application For Psychologist Requesting Retired Status**

*Section I: Applicant Information*

Collects the applicant's name, date of birth, license number, and Social Security Number (in accordance with BPC section 30), which is necessary for the Board to accurately determine and verify the identity of the applicant.

Collects the street address, city, state, and Zip Code, which is necessary to maintain an address of record for Board communication and public posting on the Board's website or the DCA License Search, as required by BPC section 27 and 16 CCR 1380.5.

Collects the telephone number and electronic mail address, if any, which is necessary for the Board to contact the applicant during the application process regarding any discrepancies and the status of the application, as well as with any other issues regarding the license after the status has changed.

*Section II: Mandatory Conviction and License Discipline Disclosure Questions*

This section of the form asks the applicants to disclose if there is any disciplinary action against any license by a government agency or other disciplinary body since the license was last renewed. This ensures that the board will have information regarding discipline since the licensee last renewed, even if the license has expired. It also asks if the applicant has been convicted of or pled guilty or *nolo contendere* to any felony, misdemeanor, infraction, or other criminal offense under the laws of any state, the United States, or a foreign country, since the licensee last renewed the license. These questions are necessary for the Board to identify if the license is subject to discipline by the Board, and to identify if grounds for denial of the retired status application exist, pursuant to BPC section 2988.5(a).

*Section III: Statement of Applicant*

The application requires the applicant to sign the application, under penalty of perjury under the laws of the State of California, declaring that the information provided is true and correct. The Board requires the application to be signed under penalty of perjury to ensure the application contains a truthful, factual representation of those facts that support the eligibility of the applicant made in good faith. The Board relies upon applicants' self-reported information in evaluating applications. The certification requirement better protects consumers, because it helps ensure that only applicants who meet license requirements, as demonstrated by their application materials, will be eligible for status change, and that only eligible applicants have their applications granted.

Civil Code section 1798 *et seq.* (the Information Practices Act), requires collections of personally identifying information to be made in compliance with a series of

requirements. Persons completing this form are advised of the authority under which the form is completed, including the legal bases and limitations on collection and use.

Civil Code section 1798(a) requires the name of the agency and the division within the agency that is requesting the information. This requirement is met with the portion of the Notice on Collection stating “the Department of Consumer Affairs and the California Board of Psychology collect...”

Civil Code section 1798(b) requires “the title, business address, and telephone number of the agency official who is responsible for the system of records and who shall, upon request, inform an individual regarding the location of his or her records and the categories of any persons who use the information in those records.” This requirement is met with the final paragraph of the form, entitled “contact information,” which sets out not only the contact information for questions about the form and to access records, but also the Department’s Privacy Policy.

Civil Code section 1798(c) requires “the authority, whether granted by statute, regulation, or executive order which authorizes the maintenance of the information.” Personally identifying information is collected under the authority of Business and Professions Code sections 325 and 326 for purposes of investigating complaints and conducting required background checks for licensure. Further, BPC section 30 outlines the collection and use of Taxpayer Identification Numbers and Social Security Numbers, pursuant to Section 17520 of the Family Code and 42 U.S.C.A. § 405(c)(2)(C).

Civil Code section 1798(d) requires “With respect to each item of information, whether submission of such information is mandatory or voluntary.” Civil Code section 1798(e) requires stating “the consequences, if any, of not providing all or any part of the requested information.” The form satisfies these requirements with a subheading reading “Mandatory Conviction and License Discipline Disclosure Questions” and with a further statement in Section III that the applicant understands that omissions of material fact maybe cause for denial, suspension, or revocation of a license. Additionally, the end of form disclosure provides, under “Mandatory Submission” that “Submission of the requested information is mandatory. The Board cannot consider your application for licensure or renewal unless you provide all of the requested information.”

Civil Code section 1798(f) requires the form to include “the principal purpose or purposes within the agency for which the information is to be used.” This is satisfied by the statement under the heading “Collection and Use of Personal Information” indicating the Business and Professions Code sections, as discussed above.

Civil Code section 1798(g) requires a statement of “Any known or foreseeable disclosures which may be made of the information pursuant to subdivision (e) or (f) of Section 1798.24.” This is stated via the text in the form reading:

### **Possible Disclosure of Personal Information**

We make every effort to protect the personal information you provide us. However, we may need to share the information you give us with other government agencies. This may include sharing any personal information you gave us. The information you provide may also be disclosed in the following circumstances:

- In response to a Public Records Act request, as allowed by the Information Practices Act.
- To another government agency as required by state or federal law.
- In response to a court or administrative order, a subpoena, or a search warrant.

Finally, Civil Code section 1798(h) requires the form to state “the individual’s right of access to records containing personal information which are maintained by the agency.” This is accomplished through the part of the form entitled “access to personal information.” The form states “You may review the records maintained by the Board that contain your personal information, as permitted by the Information Practices Act. See below for contact information.”

### **16 CCR 1381.10, subsection (b)(1), (b)(2)**

#### Specific Purpose:

Subsections (b)(1) and (b)(2) define eligibility criteria to qualify for a license in retired status.

#### Factual Basis/Rationale:

To apply for a license in retired status, subsection (b)(1) clarifies “otherwise restricted by the board,” in BPC Section 2988.5, subdivision (a). The Board defines “otherwise restricted by the board” to mean that the license is not currently on probation and is not a probationary license, or the licensee is not restricted from practice by the Board.

To apply for a license in retired status, subsection (b)(2) clarifies “subject to discipline under this chapter” in BPC Section 2988.5, subdivision (a). A license “subject to discipline” means that there are no pending Accusations or Interim Suspension Orders (ISO) filed pursuant to the Administrative Procedures Act, or evaluations pursuant to BPC Section 820 or other restriction imposed by a court order; e.g., pursuant to Section 23 of the Penal Code.

A “license” that is “subject to discipline” does not include an application that has been denied, for which a Statement of Issues has been filed, because a licensee cannot apply for a “retired license” without first obtaining a license in Active status.

This means that a license in retired status is only for a licensee whose license is in good standing, and not a method for preempting disciplinary action. While the Board can still discipline a license in retired status, it would violate consumer protection to allow someone to present themselves as having a retired status while the Board reasonably believes discipline could be forthcoming. Specifically, if an Accusation or ISO has been filed, the Board has begun the disciplinary process. Thus, if an order pursuant to BPC

Section 820 has been issued, the Board has sufficient investigatory evidence to support the 820 order and to reasonably believe that discipline will be forthcoming.

**Section 1381.10, subsection (c)(1)**

Specific Purpose:

Subsection (c) specifies the requirements for restoring a license in retired status to active status, if the retired status was approved less than three years prior. The delineation of a three-year mark is pursuant to BPC section 2988.5. Subsection (c)(1) requires the licensee to submit Form PSY 905 (New 2021), incorporated by reference, and pay the biennial renewal fee and all additional fees prescribed by BPC section 2987 and 16 CCR 1397.69, respectively.

Factual Basis/Rationale:

Applicants are required to submit Form PSY 905 (New 2021), incorporated by reference, which specifies the information an applicant is required to provide when applying to restore a license in retired status to active status. The data required by Form PSY 905 (New 2021) is necessary to ensure that the applicant establishes, and the Board can ascertain, compliance with statutory requirements to allow the Board to restore the license to active status pursuant to BPC section 2988.5.

**Form PSY 905 (New 2021), Application For Psychologist To Restore To Active Status**

*Section I: Applicant Information*

Collects the applicant's name, date of birth, license number, and Social Security Number (in accordance with BPC section 30), which is necessary for the Board to accurately determine and verify the identity of the applicant.

Collects the street address, city, state, and Zip Code, which is necessary to maintain an address of record for Board communication and public posting on the Board's website or the DCA License Search, as required by BPC section 27 and 16 CCR 1380.5).

Collects the telephone number and electronic mail address, if any, which is necessary for the Board to contact the applicant during the application process regarding any discrepancies and the status of the application, as well as any other issues regarding the license after re-activation.

*Section II: Application Questions (If Less than 3 Years)*

This section of the form asks the applicants to disclose if there is any pending or current enforcement action against his or her license by a government agency or other disciplinary body. It also asks if the applicant has been convicted of or pled guilty or *nolo*



*contendere* to any felony, misdemeanor, infraction or other criminal offense, under the laws of any state, the United States, or a foreign country, since the applicant last renewed his or her license. These questions are necessary for the Board to identify if grounds for denial exist, pursuant to the statutory requirements of BPC section 2988.5, subdivisions (d)(1)(A) and (d)(2)(F).

This section also requires the applicant to complete the Conviction/License Discipline form if “Yes” is marked for the above questions. This is necessary to obtain an explanation, from the applicant, for the Board to better determine if the license is eligible for restoration to active status, pursuant to BPC section 2988.5, subdivision (d).

It then asks if the applicant has completed 36 hours of approved continuing professional development (CPD) within the preceding 24 months. It also requires the applicant to submit proof of completion of the 36 hours of CPD with the application. The question and the evidence of completion of CPD is necessary for the Board to determine if the applicant meets this requirement, within two years of the date of application to restore a license from retired status to an active status, pursuant to BPC section 2988.5, subdivision (d)(1)(C). While proof of completion of CPD is generally not required for renewals, the Board believes that when a licensee has not been practicing, potentially for up to three years prior to their application, proof that the person has maintained a level of competency is necessary for public protection.

*This section then alerts the applicant of the fingerprint requirement.* Fingerprint Submission is required in order to restore a license to active status. This information is necessary to establish the identity of the applicant and to be able to match their identity to any criminal offender record information provided by Department of Justice/Federal Bureau of Investigation (DOJ/FBI), as required by BPC section 144. Criminal offender record information is critical to the Board’s ability to determine whether there are any bases upon which the application to restore a license to active status can and should be denied.

### *Section III: Statement of Applicant*

The application requires the applicant to sign the application under penalty of perjury, declaring that the information provided is true and correct. The Board requires the application to be signed under penalty of perjury under the laws of the State of California to ensure the application contains a truthful, factual representation of those facts that support the eligibility of the applicant made in good faith. The Board relies upon an applicant’s self-reported information in evaluating the applications. The certification requirement better protects consumers, because it helps ensure that only applicants who meet license requirements, as demonstrated by their application materials, will be eligible for status change, and only eligible applicants have their applications granted.

Civil Code section 1798 *et seq.* (the Information Practices Act), requires collections of personally identifying information to be made in compliance with a series of

requirements. Persons completing this form are advised of the authority under which the form is completed, including the legal bases and limitations on collection and use.

Civil Code section 1798(a) requires the name of the agency and the division within the agency that is requesting the information. This requirement is met with the portion of the Notice on Collection stating “the Department of Consumer Affairs and the California Board of Psychology collect...”

Civil Code section 1798(b) requires “the title, business address, and telephone number of the agency official who is responsible for the system of records and who shall, upon request, inform an individual regarding the location of his or her records and the categories of any persons who use the information in those records.” This requirement is met with the final paragraph of the form, entitled “contact information,” which sets out not only the contact information for questions about the form and to access records, but also the Department’s Privacy Policy.

Civil Code section 1798(c) requires “the authority, whether granted by statute, regulation, or executive order which authorizes the maintenance of the information.” Personally identifying information is collected under the authority of Business and Professions Code sections 325 and 326 for purposes of investigating complaints and conducting required background checks for licensure. Further, BPC section 30 outlines the collection and use of Taxpayer Identification Numbers and Social Security Numbers, pursuant to Section 17520 of the Family Code and 42 U.S.C.A. § 405(c)(2)(C).

Civil Code section 1798(d) requires “With respect to each item of information, whether submission of such information is mandatory or voluntary.” Civil Code section 1798(e) requires stating “the consequences, if any, of not providing all or any part of the requested information.” The form satisfies these requirements with a subheading reading “Mandatory Conviction and License Discipline Disclosure Questions” and with a further statement in Section III that the applicant understands that omissions of material fact maybe cause for denial, suspension, or revocation of a license. Additionally, the end of form disclosure provides, under “Mandatory Submission” that “Submission of the requested information is mandatory. The Board cannot consider your application for licensure or renewal unless you provide all of the requested information.”

Civil Code section 1798(f) requires the form to include “the principal purpose or purposes within the agency for which the information is to be used.” This is satisfied by the statement under the heading “Collection and Use of Personal Information” indicating the Business and Professions Code sections, as discussed above.

Civil Code section 1798(g) requires a statement of “Any known or foreseeable disclosures which may be made of the information pursuant to subdivision (e) or (f) of Section 1798.24.” This is stated via the text in the form reading:

### **Possible Disclosure of Personal Information**



We make every effort to protect the personal information you provide us. However, we may need to share the information you give us with other government agencies. This may include sharing any personal information you gave us. The information you provide may also be disclosed in the following circumstances:

- In response to a Public Records Act request, as allowed by the Information Practices Act.
- To another government agency as required by state or federal law.
- In response to a court or administrative order, a subpoena, or a search warrant.

Finally, Civil Code section 1798(h) requires the form to state “the individual’s right of access to records containing personal information which are maintained by the agency.” This is accomplished through the part of the form entitled “access to personal information.” The form states “You may review the records maintained by the Board that contain your personal information, as permitted by the Information Practices Act. See below for contact information.”

### **16 CCR 1381.10, subsection (c)(2)**

#### **Specific Purpose:**

Subsection (c)(2) requires the applicant to submit electronic fingerprints to conduct a criminal history record check, which is necessary to ensure that an applicant applying to restore his or her license to active status does not have any convictions about which the Board is unaware. If the applicant has previously submitted fingerprints, and those prints do not meet current compliance, the Board will let the applicant know.

#### **Factual Basis/Rationale:**

Subsection (c)(2) is necessary to allow the Board to review the applicant’s criminal history to determine whether the applicant has any convictions that are substantially related to the practice of psychology that could be a basis upon which restoration of a license to active status can and should be denied pursuant to BPC section 2988.5, subsection (d)(1)(A). In addition, should the applicant be restored to an active license status, it is important that the Board continue to receive their criminal offender information from the Department of Justice.

### **16 CCR 1381.10, subsection (d)**

#### **Specific Purpose:**

Subsection (d) applies to restoration of the license to active status three or more years from the date of issuance of the license in retired status.

Factual Basis/Rationale:

Conversely to subsection (c), this applies to a licensee with retired status seeking restoration of their license to active status three or more years after granted retired status pursuant to this section 2988.5 of the Code. This is necessary so the licensee can easily find requirements to obtain a license in active status after the three-year time period set forth in (c).

**16 CCR 1381.10, subsection (e)**

Specific Purpose:

Subsection (e) specifies that a licensee may be granted a license in retired status a maximum of two times.

Factual Basis/Rationale:

As set forth in the Board's 2014-2018 Strategic Plan, the Board has determined the need for a retired status for its licensees. Thus, a status distinct from inactive was created by the Legislature through SB 1193. On the other hand, the Board also understands that circumstances can arise that are outside of the control of individuals, and a retired licensee may see the need or want to reestablish an active license after retiring. It is necessary for the Board to have the flexibility to allow a retired licensee to attend to matters, due to unforeseen circumstances, by restoring a retired license to an active status one time within the first three years of having a license in retired status. Accordingly, the Board has determined that a licensee can return to retired status when the licensee is prepared to make the status permanent. As discussed below, a licensee who has retired, twice, will not be able to activate that license, again, and will need to apply for a new license in order to practice psychology.

**Section 1381.10, subsection (f)**

Specific Purpose:

Subsection (f) specifies that a licensee who has been granted a license in retired status, twice, must apply for a new license to obtain a license in active status.

Factual Basis/Rationale:

Because retired status was intended to be an end point for licensure, it is expected that a licensee who retires stays retired. However, as discussed above, the Board understands that external circumstances or events might change a newly-retired licensee's mind and the licensee might restore a license to active. When the restored license is then retired again, the Board intends that action to be final. Accordingly, once the retired status has been granted a second time, the retired licensee would be required to apply for a new license to return to active practice. This prevents the misuse of retired status as a means of avoiding renewal fees or other renewal requirements,

ensures that proper vetting is done regarding what the licensee may have done in the interim, and avoids the draining of the Board's resources required to make frequent changes to the status of a license.

**Amend Section 1392, Title 16, of the California Code of Regulations.**

**16 CCR 1392, subsection (d)**

Specific Purpose:

The existing language, which specifies an initial license that expires less than one year after issuance shall pay an initial licensee fee equal to 50 percent of the renewal fee, is deleted from subsection (d).

Factual Basis/Rationale:

The deletion of language is necessary to conform the regulatory language to BPC section 2982, as amended by AB 773 (Baker, Chapter 336, Statutes of 2015) for consistency. This bill makes all active and inactive licenses expire at the end of a 2-year period, from the date the license was issued, instead of on the licensee's birth date; therefore, the exception for an initial license fee for a license that expires less than one year after its issuance no longer applies.

**16 CCR 1392, subsection (f)**

Specific Purpose:

Subsection (f) is added to set the fee for an application for a license in retired status at \$75.

Factual Basis/Rationale:

BPC section 2988.5, subdivision (a), sets the fee for a retired status license issuance at \$75.00. This is being duplicated in the Board's regulations for the readers' convenience.

**Amend Section 1397.69, Title 16, of the California Code of Regulations.**

Specific Purpose:

Proposed amendments delete the language relating to the effective date of this section. It additionally requires a licensee, who is applying to restore the license to an active status from a retired status, to submit the \$10 continuing professional development audit fee as a condition of the reactivation. It will also update the language relating to a "delinquent" license status to "expired."

### Factual Basis/Rationale:

The language establishing the 2013 effective date is not necessary, as this section has been in effect since January 1, 2013. It is necessary for the Board to require the \$10 audit fee to be consistent with BPC section 2915(h), as a license in active status is subject to CPD requirements. The language update referencing an expired license status, instead of a delinquent license status, is necessary for clarity, as it better describes the license status when a license is not renewed by the expiration date.

### Specific Technologies or Equipment:

This regulation does not mandate the use of specific technologies or equipment.

### Underlying Data:

Technical, theoretical or empirical studies or reports relied upon:

- Minutes of the January 2018 Licensing Committee Meeting.
- Minutes of the February 2018 Board Meeting.
- Fee Analysis of May 29, 2019.
- 2014-2018 Board of Psychology Strategic Plan
- Senate Bill (SB) 1193 (Hill, Chapter 484, Statutes of 2016)
- Senate Bill (SB) 1193 (Hill, Chapter 484, Statutes of 2016) Senate Floor Analysis dated 8/23/2016
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### Business Impact:

This regulation will not have a significant adverse economic impact on businesses. This initial determination is based on the following facts or evidence/documents/testimony: The only possibility of the proposal impacting businesses is if the application or restoration fees are paid for by a business. The Board assumes that this will be an infrequent occurrence as this is not a normal cost of doing business.

This regulation will not have a significant economic impact on businesses. This initial determination is based on the following facts or evidence/documents/testimony: The only possibility of the proposal impacting businesses is if the application or restoration fees are paid for by a business. The Board of Psychology (Board) assumes that this will be an infrequent occurrence, as this is not a normal cost of doing business.

The Board has determined that this regulatory proposal will not have a significant impact on the creation of jobs, new businesses, the elimination of jobs, existing businesses, or the expansion of businesses in the State of California.

The Board estimates a reduction in costs to a representative private person or business in reasonable compliance with the proposed action. This initial determination is based upon the fact that a psychologist will only have to pay one fee to enter the retired status, versus renewing their license every other year.

The Board has determined that this regulatory proposal will not affect worker safety or benefit the health and welfare of California residents. It may have a slight benefit to the state's environment because the addition of the retired status will eliminate the mailing of renewals, every two years for those with a license in retired status, thus reducing the impact to the State's environment associated with the paper production, and resources associated with the mailing of the renewal.

The Board has determined that this regulatory proposal will not have a significant impact on the creation of jobs or new businesses or the elimination of jobs or existing businesses or the expansion of businesses in the State of California.

**Economic Impact Statement:**

The Board anticipates demand for the new retired license type status to be greatest in the first two years of implementation as inactive and active licensees opt to retire and apply for the new status with lower demand annually thereafter. The Board estimates 904 licensees will retire in the first two years of implementation and 192 licensees per annually thereafter.

Applicants will be required to pay a one-time application fee of \$75 to the Board, which results in costs of approximately \$67,800 per year in the first two years of implementation (904 x \$75) and \$14,400 annually thereafter and up to \$251,000 over a ten-year period as follows:

Board of Psychology												
Retired License - Economic Impact												
Registration and License Type		Years Ongoing										
Retired Status	Costs	1	2	3	4	5	6	7	8	9	10	Total
Applications per year	Various	904	904	192	192	192	192	192	192	192	192	3,347
Retired License Fee (one-time)	\$75	\$67,784	\$67,784	\$14,431	\$14,431	\$14,431	\$14,431	\$14,431	\$14,431	\$14,431	\$14,431	\$251,019
Total Costs:		\$67,784	\$67,784	\$14,431	\$14,431	\$14,431	\$14,431	\$14,431	\$14,431	\$14,431	\$14,431	\$251,019

**Fiscal Impact Statement:**

The Board anticipates demand for the new retired license type status to be greatest in the first two years of implementation as inactive and active licensees opt to retire and apply for the new status with lower demand annually thereafter. The Board estimates 904 licensees will retire in the first two years of implementation and 192 licensees per annually thereafter.

**Expenditures:** The Board indicates an Office Technician will take approximately 1 hour to process each license application at a cost of \$59 per license plus \$15 for materials and postage, which results in costs of approximately \$68,900 in the first two years of implementation and \$14,200 annually thereafter as follows:

Board of Psychology												
Retired License - Fiscal Impact (Costs)												
Registration and License Type		Years Ongoing										
Retired Status	Costs	1	2	3	4	5	6	7	8	9	10	Total
Initial License	Various	904	904	192	192	192	192	192	192	192	192	3,347
Licensing Workload (1 hour) - Office Technician	\$59	\$53,324	\$53,324	\$11,353	\$11,353	\$11,353	\$11,353	\$11,353	\$11,353	\$11,353	\$11,353	\$197,468
Materials and postage	\$15	\$13,557	\$13,557	\$2,886	\$2,886	\$2,886	\$2,886	\$2,886	\$2,886	\$2,886	\$2,886	\$50,204
<b>Total Costs:</b>		<b>\$66,881</b>	<b>\$66,881</b>	<b>\$14,239</b>	<b>\$14,239</b>	<b>\$14,239</b>	<b>\$14,239</b>	<b>\$14,239</b>	<b>\$14,239</b>	<b>\$14,239</b>	<b>\$14,239</b>	<b>\$251,019</b>

The Board will also be required to update information technology systems with estimated costs of \$4,800 to facilitate the online application process and internal accounting systems.

Total year-one costs: \$71,681

**Revenues:** Applicants will be required to pay a one-time application fee of \$75 to the Board, which results in revenues of approximately \$67,800 per year in the first two years of implementation (904 x \$75) and \$14,400 annually thereafter and up to \$251,000 over a ten-year period as follows:

Board of Psychology												
Retired License - Fiscal Impact (Revenues)												
Registration and License Type		Years Ongoing										
Retired Status	Revenues	1	2	3	4	5	6	7	8	9	10	Total
Initial License	Various	904	904	192	192	192	192	192	192	192	192	3,347
Retired License Fee (one-time)	\$75	\$67,784	\$67,784	\$14,431	\$14,431	\$14,431	\$14,431	\$14,431	\$14,431	\$14,431	\$14,431	\$251,019
<b>Total Revenues:</b>		<b>\$67,784</b>	<b>\$67,784</b>	<b>\$14,431</b>	<b>\$14,431</b>	<b>\$14,431</b>	<b>\$14,431</b>	<b>\$14,431</b>	<b>\$14,431</b>	<b>\$14,431</b>	<b>\$14,431</b>	<b>\$251,019</b>

The proposed regulations require a retired status licensee to pay a \$10 re-activation administration fee, as specified, in the event the individual opts to practice psychology. However, because the retired status is a new license type and intended for those individuals choosing to retire and discontinue practicing, the Board does not anticipate these individuals to re-activate to active licensure. As a result, the Board does not have an estimate at this time.

### **Consideration of Alternatives:**

The Board has initially determined that no reasonable alternative to the regulation would be either more effective in carrying out the purpose in which the action is proposed or would be as effective and less burdensome to the affected private persons than the proposed regulation.

Set forth, below, are the alternatives which were considered and the reasons each alternative was rejected:

The Board considered not establishing a retired status. This was rejected because of the desire for such a status from licensees and the more accurate representation of a



licensee's status on the Board's website for the public, along with the Legislature's recommendation that this license be issued by the Board, pursuant to BPC section 2988.5.

The Board considered not allowing a licensee in retired status an opportunity to return their license from retired status. This was rejected by the Board as they opted to allow a licensee one opportunity to return from retired status, back to active status, and then back to retired status one last time, before the licensee would need to apply for a new license, were they to seek active licensure again.