

BACKGROUND PAPER FOR THE California Board of Psychology

**Joint Sunset Review Oversight Hearing, March 18, 2025
Assembly Business and Professions Committee and the
Senate Committee on Business, Professions and Economic
Development**

BACKGROUND, IDENTIFIED ISSUES, AND RECOMMENDATIONS

BRIEF OVERVIEW OF THE CALIFORNIA BOARD OF PSYCHOLOGY

History and Function of the California Board of Psychology

The State of California began regulating the practice of psychology in 1958 with the enactment of the Psychology Certification Act (Act).¹ The Act defined the practice of psychology, established the Psychology Examining Committee under the Board of Medical Examiners (now the Medical Board of California) to administer and enforce the Act, set forth requirements for persons to become certified psychologists, and prohibited non-certified individuals from representing themselves as psychologists² and rendering or offering to render psychological services for a fee. However, the Act did not restrict anyone from practicing psychology, provided they did not represent themselves as a psychologist. By 1967, having grown concerned about potential consumer harm, the State repealed the Act and enacted the Psychology Licensing Law (Licensing Law), ensuring unlicensed psychologists could no longer render or offer to render psychological services for a fee.³

The Psychology Examining Committee was renamed the Board of Psychology (Board) in 1990⁴ and became a standalone entity under the Department of Consumer Affairs (DCA) in 1998.⁵ Through its administration and enforcement of the Licensing Law, the Board regulates psychologists, psychological associates, psychological testing technicians, research psychoanalysts, and student research psychoanalysts.

Psychologists practice psychology, which is defined as the methods of understanding, predicting, and influencing the behavior of patients, including their emotions, motivation, learning, perception, and

¹ AB 2712 (Grant et al.), Chapter 2320, Statutes of 1957.

² The Act specified that a person represents themselves to be a psychologist when they hold themselves out to the public by any title or description using the words psychological, psychologist, or psychology and under such title or description offer to render or render psychological services for remuneration.

³ SB 1158 (Beilenson), Chapter 1677, Statutes of 1967. Between 1973 (SB 1130 (Coombs), Chapter 658, Statutes of 1973) and 2015 (AB 1374 (Levine), Chapter 529, Statutes of 2015), unlicensed persons (including psychological assistants) could perform limited psychological functions for free.

⁴ AB 858 (Margolin), Chapter 888, Statutes of 1989.

⁵ SB 1983 (Greene), Chapter 589, Statutes of 1998.

interpersonal relationships. Psychologists are permitted to diagnose and engage in non-pharmacological treatment and prevention.⁶ Becoming a psychological associate is one of the recognized paths allowing the accrual of the supervised professional experience necessary for licensure as a psychologist. They may perform all of the functions of a psychologist but only under the supervision of a licensed psychologist and they may not accept payment directly from clients.⁷

Psychological testing technicians administer and score standardized psychological tests and observe and describe clients' test behavior and test responses under the supervision of licensed psychologists.⁸ Psychological testing technicians are prohibited from selecting tests or versions of tests, interpreting test results, writing test reports, or providing feedback to clients.⁹

Research psychoanalysts engage in clinical psychoanalysis as adjuncts to their academic teaching, research, or training duties. Psychoanalysis focuses on making structural changes and modifications of a person's personality by promoting awareness of unconscious, maladaptive, and habitually recurrent emotional and behavioral patterns.¹⁰ Student research psychoanalysts have the same scope of practice as research psychoanalysts but must operate under the supervision of a research psychoanalyst with at least five years of postgraduate clinical experience in psychoanalysis.¹¹

In particular, the Board is responsible for the following: establishing pathways to licensure/registration; ensuring that licensees/registrants maintain competency; advocating for and implementing statutory and regulatory changes to further the Board's consumer protection mission while maintaining access to psychological services; investigating complaints against licensees/registrants and taking disciplinary action where appropriate; and educating consumers, licensees/registrants, students, and other stakeholders about the practice of psychology and associated services and the laws that govern them.

Mission Statement

The Board adopted the following mission statement in its 2024-2028 Strategic Plan:

“The Board of Psychology protects consumers of psychological services by licensing psychologists, regulating the practice of psychology, and supporting the evolution of the profession.”

Board Membership and Committees

The Board is comprised of nine members, five licensed psychologists and four members of the public who are not licensed by the Board or any other DCA healing arts board. The Governor is responsible for appointing five licensee members and two public members. The Speaker of the Assembly and the Senate Rules Committee are each responsible for appointing one additional public member. Members of the Board may serve no more than two consecutive four-year terms. However, Board members may serve up to one additional year during the appointment and qualification of a successor. The Governor has the power to remove any member for neglect of any duty, incompetence, or unprofessional conduct.¹² Each

⁶ Bus. and Prof. Code § 2903.

⁷ Bus. and Prof. Code § 2913.

⁸ Bus. and Prof. Code §§ 2999.100, 2999.102.

⁹ Bus. and Prof. Code § 2999.100.

¹⁰ Board of Psychology, *2025 Sunset Review Report*, at 83.

¹¹ 16 Cal. Code Regs. § 1373.

¹² Bus. and Prof. Code § 2924.

member of the Board receives a per diem of \$100 for official board duties as well as compensation for related travel expenses.¹³

The current composition of the Board is as follows:

Name and Bio	Original Appointment	Expiration of Current Term	Appointing Authority
<p style="text-align: center;">Lea Tate (President) Professional Member</p> <p>Tate has been the local recovery coordinator for the Northern California Healthcare System at the Department of Veterans Affairs since 2012. Tate has been providing executive assessments at the Plousha Moore Group since 2019. She is a current member of the American Psychological Association. Tate earned a Doctorate in clinical psychology and a Master of Arts in psychology from the California School of Professional Psychology, and a Bachelor of Arts in psychology from the University of California, Berkeley.</p>	12/07/2018	06/01/2026	Governor
<p style="text-align: center;">Shacunda Rodgers (Vice President) Professional Member</p> <p>Rodgers is a licensed clinical psychologist in private practice and the founder of Melanin Meet Mindfulness, a wellness-based program for African-American women dedicated to teaching the principles of mindfulness. She was a licensed clinical psychologist for Concept Healthcare from 2014 to 2016 and at Kaiser Permanente from 2006 to 2013. Rodgers is a member of the American Psychological Association and the Society for Personality Assessment. She earned a Doctor of Psychology degree in clinical psychology from the University of Tennessee and a Bachelor of Arts degree in psychology from Vanderbilt University.</p>	11/27/2019	06/01/2027	Governor
<p style="text-align: center;">Julie Nystrom Public Member</p> <p>Nystrom has been a Principal Consultant at the California State Senate for over 20 years, where she currently works for the Senate Rules Committee. She has a Bachelor’s degree in political science from Sacramento State University.</p>	09/21/2020	06/01/2028	Senate

¹³ Bus. and Prof. Code § 103.

Name and Bio	Original Appointment	Expiration of Current Term	Appointing Authority
<p style="text-align: center;">Stephen Phillips, JD, PsyD Professional Member</p> <p>Phillips has been a self-employed clinical and forensic psychologist since 2002. He has been a faculty member at the Wright Institute Los Angeles since 2001 and an adjunct faculty member at Alliant International University since 1999. He is a member of numerous psychological associations. Phillips earned a Juris Doctor degree from the University of Chicago and a Doctor of Psychology degree from the California School of Professional Psychology.</p>	09/25/2013	06/01/2024	Governor
<p style="text-align: center;">Marisela Cervantes, EdD, MPA Public Member</p> <p>Cervantes has been Chief of Staff and Assistant Corporate Secretary at Southwestern Law School since 2022. She was formerly a policy consultant at the College Futures Foundation in 2022 and a special consultant to the Dean of the College of Education at California State University, Los Angeles from 2019 to 2022. Cervantes worked for Velada Consulting from 2019 to 2022. She served as the Director for Community Partnerships at the California State University Chancellor’s Office from 2014 to 2019, as a policy consultant for the California Community Colleges from 2021 to 2022, in various roles for the Los Angeles Unified School District from 2010 to 2014, as Executive Director of the Southeast Cities Schools Coalition from 2007 to 2009, and in various positions for the California State Legislature and the California State University, Los Angeles from 2001 to 2010. She has a doctorate in educational leadership from California State University, Los Angeles.</p>	04/29/2019	06/01/2026	Speaker
<p style="text-align: center;">Seyron Foo Public Member</p> <p>Foo has worked for the Conrad N. Hilton Foundation since June 2020. He held multiple positions at Southern California Grantmakers from 2016 to 2020 and was a senior policy analyst for the City of Long Beach Public Works Department from 2015 to 2016. Foo worked in the Long Beach City Manager’s Office from 2014 to 2015. He held several positions in the office of Senate Majority Leader Ellen M. Corbett from 2009 to 2012. Foo earned a Master of Public Affairs degree from Princeton University.</p>	05/17/2017	06/01/2024	Governor

Name and Bio	Original Appointment	Expiration of Current Term	Appointing Authority
<p style="text-align: center;">Ana Rescate Public Member</p> <p>Rescate has been the LGBTQ+ communications manager at Stanford University since 2023, where she was LGBTQ+ communications specialist from 2019 to 2023. Rescate was an online advocacy manager at Planned Parenthood of Northern California from 2016 to 2019. She was the director of communications at the Teleosis Institute from 2015 to 2016 and a communications coordinator at San Diego State University from 2013 to 2016. Rescate earned a Master of Business Administration degree from Baker College and a Bachelor of Fine Arts degree in film and television from New York University.</p>	10/20/2020	06/01/2026	Governor
<p style="text-align: center;">Mary Harb Sheets, PhD Professional Member</p> <p>Harb Sheets has been a self-employed clinical psychologist since 1994 and a senior consultant and staff psychologist at Workplace Guardians, Inc. since 2000. Harb Sheets was an adjunct faculty member in advanced law and ethics at Alliant International University from 2012 to 2018 and a counseling psychologist and an adjunct faculty member at San Diego State University from 1990 to 1998. She is a member of numerous psychological associations. Harb Sheets earned a Master of Science degree and Doctor of Philosophy degree in clinical psychology from the California School of Professional Psychology.</p>	12/07/2018	06/01/2024	Governor
<p style="text-align: center;">Sheryll Casuga, PsyD, CMPC Professional Member</p> <p>Casuga has been a clinical manager at the Regional Center of the East Bay since 2022, where she has been a staff psychologist since 2014. She has been an adjunct faculty member at John F. Kennedy University since 2012. She is a member of numerous psychology associations. Casuga earned a Doctor of Psychology degree in clinical psychology and a Master of Arts degree in sport psychology from John F. Kennedy University, and a Bachelor of Science degree in sport science from the University of the Philippines.</p>	08/18/2017	06/01/2027	Governor

The Board has three standing committees and six ad hoc committees, each responsible for developing and recommending policies or policy changes to the full Board. The Board's three standing committees are:

- **Outreach and Communications Committee:** This Committee engages, informs, and educates consumers, students, applicants, licensees/registrants, and other stakeholders regarding the evolving practice of psychology, the work of the Board, and relevant laws and regulations.
- **Legislative and Regulatory Affairs Committee:** This Committee advocates for legislation and develops regulations that protect consumer health and safety. The Committee reviews, monitors, and recommends positions on legislation that affects the Board, consumers, and the profession of psychology. The Committee also recommends regulatory changes and informs the Board about the status of regulatory packages.
- **Licensure Committee:** This Committee maintains a framework for licensure/registration, examination processes, and continuing professional development (CPD) through the Board's statutes and regulations to ensure licensees and registrants meet the qualifications necessary to practice safely and ethically. The Committee communicates relevant information to its affected stakeholders.

In addition to its standing committees, the Board has the following six ad hoc committees, three of which are active and three of which are no longer active but may be reactivated by the Board as needed:

- **Enforcement Committee (Active):** This Committee is responsible for protecting the health and safety of consumers of psychological services through active enforcement of the statutes and regulations governing the safe practice of psychology in California. The Committee reviews the Board's disciplinary guidelines and enforcement statutes and regulations and recommends changes to the entire Board.
- **Research Psychoanalyst Ad Hoc Committee (Active):** This Committee reviews issues related to registering, regulating, and taking enforcement action against research psychoanalysts and student research psychoanalysts.
- **Sunset Review Committee (Active):** This Committee reviews Board staff's responses to the Assembly Business and Professions and the Senate Business, Professions and Economic Development Committee's sunset questionnaire before submission to the full Board.
- **Examination for Professional Practice in Psychology (EPPP) Part 2 Ad Hoc Committee (Inactive):** This Committee reviewed issues related to part 2 of the national examination proposed by the Association of State and Provincial Psychology Boards (ASPPB).
- **Telepsychology Committee (Inactive):** This Committee developed regulations for the practice of psychology conducted remotely.
- **Budget Ad Hoc Committee (Inactive):** This Committee addressed the Board's prior budget imbalance.

The Board is required to meet at least once per year.¹⁴ Board meetings and committee meetings with three or more board members present are subject to the Bagley-Keene Open Meeting Act. Five members of the Board constitute a quorum.¹⁵ Since the Board's prior sunset review, it has held 16 Board meetings, 1 strategic planning session, and 17 committee meetings.

Staff

The Licensing Law authorizes the Board to employ an executive officer. The Board's former Executive Officer left the Board in September 2024, at which time Assistant Executive Officer Jonathan Burke was appointed Interim Executive Officer. On March 3, 2025, Mr. Burke was appointed Executive Officer. The Assistant Executive Officer position is vacant and the Board is in the hiring process.

According to its February 10, 2025 organizational chart, the Board has 27.3 authorized staff positions and two temporary help positions. The Board currently has two Office Technician vacancies. The Board reports staff turnover has increased since its last sunset review, particularly among Office Technician positions. The Board reports that its executive leadership meets biweekly with unit managers, quarterly with all managers, and monthly in an all-staff forum to improve communication and service coordination.

Board staff must complete training on various topics, such as information security and sexual harassment. The DCA provides mandatory trainings for staff via its Learning Management System, which offers webinars, tutorials, and resources to support professional development. Additional courses are available such as those offered by DCA's Diversity, Equity, and Inclusion (DEI) Committee.

The Board budgets between \$17,000 and \$18,000 per FY for external staff training, though the most it has spent in a single FY is \$1,000. Board staff report that few, if any, staff positions necessitate external training and that the Board was hesitant to spend those funds due to budget challenges.

Fiscal and Fund Analysis

The Board is entirely self-funded by the collection of application, renewal, and examination fees, with renewal fees generating roughly 80 percent of the Board's revenue. Fees, or their minimum amount, are set in statute, and the Board may increase fees to their statutory maximum through regulation.

The Board's fee schedule was modified in 2024 following a 2021 fee analysis confirming increases were necessary to correct a structural deficit. Neither the Board's initial application nor renewal fees had been increased since 1992 despite growing operational costs. As such, the Board's authorized expenditures regularly outpaced its revenues resulting in a budget imbalance. At the request of the Board, Senate Bill (SB) 816 (Roth), Chapter 723, Statutes of 2023, modified the following fees:

- Increased the psychologist application fee from not more than \$50 to \$236.
- Set the application fee for the California Psychology Law and Ethics Examination (CPLEE) at \$127.
- Set the initial psychologist license fee at \$231.
- Increased the biennial renewal fee for a psychologist from \$400 to \$795 and authorized the Board

¹⁴ Bus. and Prof. Code § 2926.

¹⁵ Bus. and Prof. Code § 2927.

to adopt regulations to further increase the fee up to \$1,100.

- Increased the application fee for registration as a psychological associate from not more than \$75 to \$424.
- Increased the annual renewal fee for registration of a psychological associate from not more than \$75 to \$224 and authorized the Board to adopt regulations to further increase the fee up to \$400.
- Increased the statutory cap for the delinquency fee from not more than \$150 to \$397.50. However, the delinquency fee remains set at 50% of the renewal fee for each license type.
- Established a \$184 fee for fingerprint hard card processing for out-of-state applicants.
- Deleted the \$25 fee for a psychological testing technician to add or change a supervisor.
- Established a \$210 fee for a psychological associate to add or change their supervisor.

The Board's current fee schedule is as follows:

Fee	Current Fee Amount	Statutory Limit	% of Total Revenue Since FY 2020-21
Psychologist – Initial Application	\$236	\$236	1.6%
Psychologist – CPLEE – Application	\$127	\$127	3.3%
Psychologist – Initial License	\$231	\$231	5.7%
Psychologist – Renewal (Biennial)	\$795*	\$1,100	78.1%
Psychologist – Inactive Renewal (Biennial)	\$221**	\$221	1.2%
Psychologist – Renewal Delinquency Fee	\$398	\$398	1.3%
Psychologist – Inactive Renewal Delinquency Fee	\$111	\$111	0.1%
Psychologist – Duplicate License Fee	\$5	\$5	0.1%
Psychologist – Retired License	\$75	\$75	0.2%
Psychological Associate – Initial Application	\$424	\$424	1.3%
Psychological Associate – Renewal (Annual)	\$224	\$400	1.4%
Psychological Associate – Add/Change Supervisor	\$210	\$210	0.2%
Psychological Associate – Renewal Delinquency Fee	\$112	\$112	0.0%
Psychological Testing Technician – Initial Application	\$75	\$75	0.0%
Psychological Testing Technician – Renewal (Annual)	\$75.00	\$75.00	N/A
Psychological Testing Technician – Renewal Delinquency Fee	\$37.50	\$75.00	N/A
Research Psychoanalyst – Initial Application	\$150.00	\$150.00	N/A
Research Psychoanalyst – Renewal (Biennial)	\$75.00	\$75.00	N/A
Student Research Psychoanalyst – Initial Application	\$150.00	\$150.00	N/A
Student Research Psychoanalyst – Renewal (Biennial)	\$75.00	\$75.00	N/A
Psychologist - Continuing Education Audit	\$10	\$10	1.7%
Out of State Fingerprint Hard Card	\$184***	\$184	0.0%
License Verification Fee	\$5	\$5	0.1%
File Transfer Fee	\$10	\$10	0.5%
*Total cost is \$825 after \$20 Mental Health Practitioner Education Fund fee and \$10 continuing education audit fee			
**Total cost is \$241 after \$20 Mental Health Practitioner Education Fund fee			
***Total cost is \$233 after \$32 DOJ fee and \$17 FBI fee			

Fees are deposited into the Psychology Fund for appropriation by the Legislature. The Legislature determines the Board's annual budget, and the Board's expenses cannot exceed its authorized expenditures. Unspent funds are reverted to the Board's reserve fund. Though there is no statutory minimum reserve level, existing law prohibits the Board from accumulating more than 24 months in reserve.¹⁶ In FY 2024-25, the Board's budget authority is \$8,088 million, with 7.7 months' operating expenses in reserve. The Board does not anticipate a deficit in the next five years.

The table below provides an overview of the Board's fund condition:

Fund Condition		<i>(Dollars in Thousands)</i>				
	FY 2020/21	FY 2021/22	FY 2022/23	FY 2023/24	FY 2024/25	FY 2025/26 (projected)
Beginning Balance	\$11,044	\$8,785	\$6,220	\$5,701	\$5,405	\$5,719
Revenues and Transfers	\$4,690	\$4,288	\$5,730	\$7,473	\$9,014	\$9,033
Total Resources	\$15,734	\$13,073	\$11,950	\$13,174	\$14,419	\$14,752
Budget Authority	\$6,306	\$7,125	\$7,919	\$8,430	\$8,088	\$8,331
Expenditures	\$6,168	\$6,777	\$7,201	\$7,769	\$8,700	\$8,876
Loans to General Fund	-\$900*	\$0	\$0	\$0	\$0	\$0
Accrued Interest, Loans to General Fund	\$0	\$0	\$12	\$0	\$0	\$0
Loans Repaid From General Fund	\$0	\$0	\$900	\$0	\$0	\$0
Fund Balance	\$8,666	\$6,296	\$5,661	\$5,405	\$5,719	\$5,876
Months in Reserve	15.3	10.5	8.7	7.5	7.7	7.7

*The Board's \$900,000 loan to the General Fund in FY 2020-21 was paid back in full in FY 2022-23 with \$12,000 in interest.

The Board's enforcement program accounts for the largest share of the Board's expenditures (35 percent), followed by DCA Pro Rata costs (what it pays DCA for administrative and investigative services) (20 percent), administration (19 percent), and examination and licensing (16 percent).¹⁷ DCA Pro Rata expenses have nearly doubled over the past four FYs.

The Board has submitted one BCP in the past four FYs; in FY 2021-22, the Board successfully requested funding to augment the Board's expert witness budget and to support court reporter expenses to align the Board's budget more closely with actual costs.

Licensing

Per its statutory mandate, the Board licenses psychologists and registers psychological associates and psychological testing technicians. As of January 1, 2025, the Board also registers research psychoanalysts and student research psychoanalysts, who were previously under the jurisdiction of the

¹⁶ Bus. and Prof. Code § 128.5(a).

¹⁷ Board of Psychology, *2025 Sunset Review Report*, at 33.

Medical Board of California. The Board's population of licensees and registrants has steadily increased over the past four FY. With more than 20,000 active licensees, psychologists comprise most of the Board's licensee/registrant population. Comparatively, there are approximately 1,800 registered psychological associates, 75 psychological testing technicians, 70 research psychoanalysts, and 20 student research psychoanalysts.¹⁸ There are roughly 100 more licensed psychologists and 400 more registered psychological associates since FY 2020-21.¹⁹

The Board strives to conduct an initial review of applications for licensure and registration within 60 days and 180 days, respectively. Review times have halved since the Board's prior sunset review from more than 60 days to fewer than 30 days for both license and registration applications. Application processing times have similarly improved, but continue to exceed the Board's 14-day goal for complete applications. In FY 2023-24, it took the Board 32 days and 34 days, on average, to process complete and incomplete applications, respectively.

The Board has hired a Retired Annuitant to assist with processing applications, redirected a Special Projects Coordinator to assist with licensing functions, and identified statutory changes to remove barriers to licensure and streamline the licensure process. For example, the Board has made additional applications available online and enabled online payment for the CPLEE.

Before issuing an initial license, the Board must verify that the application meets the minimum qualifications for licensure, collect the requisite fees, and conduct a criminal history background check for which applicants are required to submit fingerprints.²⁰ Board staff review applicants' background reports from the DOJ and the FBI. Applicants with a conviction history are asked to provide court-certified documentation regarding the arrest and conviction. If the conviction is substantially related to the practice of psychology, the Board may deny an application.²¹ Since its prior sunset review, the Board reports having denied two applications for registration as a psychological associate based on criminal history determined to be substantially related to the profession's qualifications, functions, or duties.²² The Board also checks BreEZe (DCA's licensing and enforcement system) and the ASPPB Disciplinary Data Bank to determine whether applicants have been subject to disciplinary action by another DCA entity or in another jurisdiction.

At the time of license or registration renewal, licensees and registrants must self-report, under penalty of perjury, whether they have had any license disciplined by a government agency or other disciplinary body. The Board's Enforcement Unit reviews applicable arrest and conviction records, which it receives from the DOJ, to determine whether an arrest and conviction are substantially related to the practice of psychology. If a licensee/registrant's arrest and conviction are substantially related, the Board may seek to revoke their license or registration.

Existing law requires the Board to expedite the licensure process and waive related fees for applicants who are the spouse or domestic partner of active duty personnel stationed in California and licensed to practice psychology in another state.²³ Over the past five FYs, the Board has expedited 281 applications.

¹⁸ Board of Psychology, *January 31, 2025 Licensure Committee Meeting Materials*, Attachment A.

¹⁹ Board of Psychology, *2025 Sunset Review Report*, at 39-40.

²⁰ Bus. and Prof. Code § 144.

²¹ Bus. and Prof. Code § 2960(a).

²² Bus. and Prof. Code § 480.

²³ Bus. and Prof. Code § 115.5.

Moreover, existing law requires the Board to waive renewal fees, continuing professional development requirements, and other renewal requirements as determined by the Board for a licensee/registrant called to active duty of the United States Armed Forces or the California Guard, subject to specific conditions.²⁴ Since the Board's prior sunset review, it has waived a renewal fee for one licensee.

Education

Psychologists are required to have a qualifying doctoral degree and complete coursework in specific subject areas, including human sexuality, child abuse assessment, alcohol/chemical dependency, spousal/partner abuse, aging and long-term care, and suicide risk intervention and assessment.²⁵ They are also required to complete at least two years (3,000 hours) of supervised professional experience under a licensed psychologist. Psychological associates must have a qualifying master's or doctoral degree or be an admitted candidate for a qualifying doctoral degree.²⁶

Psychological testing technicians must have a qualifying bachelor's or graduate degree or proof of enrollment in a graduate degree program. They must also complete at least 80 hours of education and training related to psychological or neuropsychological test administration and scoring, as follows: 20 hours of direct observation of administering and scoring tests; 40 hours of administering and scoring tests in the presence of a licensed psychologist; and 20 hours of education on topics including law and ethics, confidentiality, and best practices for test administration and scoring.²⁷

Applicants with doctoral degrees from outside the United States or Canada must provide the Board with an evaluation of the degree by a foreign credential evaluation service that is a member of the National Association of Credential Evaluation Services or the National Register of Health Services Psychologists.²⁸

Research psychoanalysts must graduate from an approved psychoanalytic institute with clinical training in psychoanalysis.²⁹ The Board's current online application for registration lists 21 approved research psychoanalytical institutions, but the Board retains statutory authority to approve applicants from other "institutes deemed equivalent."³⁰ Additionally, research psychoanalysts must maintain adjunct status by demonstrating that their primary professional activity is research, training, or teaching. Their fee-for-service psychoanalytic services may not comprise more than one-third of their professional time.³¹ Student research psychoanalyst applicants must provide proof of enrollment at an approved psychoanalytic institute with clinical training in psychoanalysis.³²

²⁴ Bus. and Prof. Code § 114.3.

²⁵ Bus. and Prof. Code §§ 25, 28, 2914, 2915.4, 2915.4.

²⁶ Bus. and Prof. Code § 2913.

²⁷ Bus. and Prof. Code § 2999.101.

²⁸ Bus. and Prof. Code § 2914.

²⁹ Traditionally, only psychiatrists were admitted to educational institutions of psychoanalysis, but in the 1988 settlement of the federal antitrust lawsuit *Welch et al. v. American Psychoanalytic Association et al.*, psychoanalytic institutes agreed to begin admitting psychology graduates. Due to the prior requirement for a medical degree, the Medical Board of California regulated research psychoanalysts and student research psychoanalysts until January 1, 2025, when the Board's regulatory oversight began. The Board noted in its sunset report that it intends to model its rules after the Medical Board of California's regulations, making only minor changes for clarity and consistency.

³⁰ Bus. and Prof. Code § 2950(a).

³¹ 16 Cal. Code Regs. § 1371.

³² Bus. and Prof. Code § 2950(a).

Examinations

Psychologist applicants are required to pass the CPLEE, a California-specific law and ethics exam, and the EPPP, the national licensing exam in the United States and Canada. Applicants who have been licensed in another state, U.S. territory, or Canadian province for more than two years do not have to retake the EPPP.³³ The CPLEE is developed by the Board and administered by PSI. The CPLEE costs \$127 and is a computer-based exam available at PSI locations. The exam is only offered in English. Applicants for whom English is a second language may be eligible for additional time to take licensing examinations.³⁴ The EPPP is developed by ASPPB and administered by Pearson VUE. The EPPP costs \$600, plus an \$87.50 scheduling fee, is computer-based, and is offered at Pearson VUE testing sites. The exam is provided in English only. The Board relies on DCA's Office of Professional Examination Services to audit the EPPP every five to seven years to determine whether it meets the educational and psychological testing standards prescribed in statute.³⁵ ASPPB also conducts an occupational analysis of the EPPP every seven to ten years. Its last occupational analysis was in 2016.

Over the past four FYs, more than 75% of candidates have passed the CPLEE on their first try. However, the EPPP has proven much more difficult and pass rates have declined considerably since FY 2020-21. Board staff expect pass rates to increase following the implementation of Assembly Bill (AB) 282 (Aguiar-Curry), Chapter 425, Statutes of 2023, which allows applicants to sit for either the EPPP and/or the CPLEE upon completion of the requirements for a qualifying doctoral degree. The Board reports needing more time to promulgate regulations so this change is anticipated to take effect January 1, 2027.³⁶ EPPP applicants must currently wait until they have completed 1,500 hours of supervised professional experience and obtained a qualifying doctoral degree to take the exam, but national trends indicate that applicants are more successful when they can take the exam shortly after graduation.

Below are the pass rates for the first-time and repeat candidates for both exams:

Fiscal Year	CPLEE				EPPP			
	Number of Candidates Overall	Overall Pass Rate	Number of First-Time Takers	First-Time Pass Rate	Number of Candidates Overall	Overall Pass Rate	Number of First-Time Takers	First-Time Pass Rate
FY 2020/21	1128	72%	665	78%	1694	48%	592	67%
FY 2021/22	1006	78%	561	79%	1602	40%	475	63%
FY 2022/23	1050	80%	674	80%	1751	41%	532	63%
FY 2023/24	994	78%	778	79%	1762	37%	774	58%

Continuing Professional Development

The Board requires licensed psychologists to complete 36 hours of CPD each biennial renewal cycle to maintain their license. The Board previously required 36 hours of continuing education but transitioned to a new CPD model in FY 2022-23 to include performance-based activities for maintaining competency. CPD credit may be earned by participating in professional and academic activities (e.g., attending a

³³ Bus. and Prof. Code § 2946.

³⁴ 16 Cal. Code Regs. § 1388(h).

³⁵ Bus. and Prof. Code § 139.

³⁶ California Board of Psychology, *Legislative Advisory: AB 282*, https://www.psychology.ca.gov/laws_regs/ab_282.shtml.

Board meeting and academic instruction), by completing traditional continuing education courses, and by earning Board Certification from the American Board of Professional Psychology.

Applicants for renewal are required to self-certify under penalty of perjury that they have met the CPD requirements. The Board audits 2.5 to 10 percent of renewal applications monthly to verify that licensees comply. Selected licensees are sent an initial audit notice and given 60 days to submit documentation verifying their completion of CPD. Licensees found to have a deficient number of CPD hours are issued a citation and fine and expected to accrue the remaining number of hours. The audit pass rate between July 2020 and January 2024 was 89 percent. Two percent of licensees failed and nine percent of audits are still pending. The Board reports that confusion and concern stemming from the COVID-19 pandemic were the primary reasons for deficiencies. Audits were put on hold from July 2022 through July 2023 due to staffing shortages and the transition to the new CPD model. Audits resumed in August 2023 but were suspended again in February 2024 due to staff vacancies and the onboarding of new employees. The Board reports that audits resumed in 2025.³⁷

Enforcement

The Board's enforcement program is integral to its consumer protection mission and is responsible for ensuring that licensees/registrants comply with the Licensing Law and relevant regulations, investigating complaints, and taking enforcement action against licensees/registrants as appropriate.

Staff categorize complaints by severity based on the Board's referral guidelines and prioritize cases that threaten public safety. The number of complaints received by the Board has modestly increased since the Board's prior sunset review, resulting in an increase in the number of referrals for an investigation and the number of cases opened for an investigation. The Board refers severe and urgent cases (e.g., practicing under the influence of drugs or alcohol, sexual misconduct, and fraud) to the DCA's Division of Investigation (DOI), while Board staff handle less severe cases (e.g., administrative violations).

A case may be closed if the Board does not have jurisdiction over the alleged violation, but all other complaints are assigned for investigation. Following an investigation, the Board has three non-disciplinary options; the Board may close the case if, for example, there is insufficient evidence to prove a violation occurred; issue a letter of warning to educate the licensee/registrant of the requirements of the law to avoid future violations; or issue a citation and fine up to \$5,000.³⁸

The five most common violations for which citations are issued are, in no particular order, failure to comply with CPD requirements; probation violations; false or misleading advertising; unlicensed practice; and unprofessional conduct (e.g., refusing to comply with a request for records or asking a complainant to withdraw a complaint). Since FY 2021-22, the Board has issued an average of 26 citations per FY with accompanying fines averaging \$1,500. While the Board assessed \$64,500, \$28,250, and \$48,250 in fines cumulatively over the prior three FYs, the Board was only able to collect \$53,300, \$10,750, and \$22,750, respectively. Fines not paid by individuals who are not licensees/registrants are referred to the Franchise Tax Board for collections.

The Board may also issue a public letter of reproof, refer cases to local jurisdictions for criminal prosecution, or refer cases to the Office of the Attorney General (AG) for disciplinary action. The AG prepares a Statement of Issues or Accusation, which lists the charges and/or the section(s) of law alleged

³⁷ Board of Psychology, *February 27-28, 2025, Board Meeting Materials*, ¶ 13c.

³⁸ Board of Psychology, *Spectrum of Administrative Actions*, <https://www.psychology.ca.gov/consumers/spectrum.shtml>.

to have been violated. The Accusation is signed by the Board’s executive officer and served on the licensee/registrant. If the parties agree on the violations and penalties, a stipulated settlement may be reached, resulting in a license/registration surrender or probation. If the licensee/registrant does not respond, their license/registration is revoked by default.

If the licensee/registrant files a Notice of Defense, a hearing may be scheduled. The hearing is an administrative proceeding that closely resembles a court trial and presided over by an Administrative Law Judge (ALJ). After the hearing, the ALJ writes a proposed settlement that can result in revocation of the license/registration, or the license/registration being placed on probation. The proposed decision is then sent to the Board for consideration. The Board may adopt, modify, or reject the proposed decision. Once the Board has made their decision, a Decision and Order is sent to the licensee/registrant. The order becomes effective 30 days after it is adopted. The licensee/registrant can appeal the Board’s decision by submitting a Petition for Reconsideration within 30 days of the effective date of the Decision and Order. Licensees/registrants can also appeal the Board’s decision through the courts.

The Board uses Performance Measures (PM) established through DCA’s Consumer Protection Enforcement Initiative to gauge the efficiency of its enforcement program. The Board is neither meeting PM 3 (80 days), which measures how long it takes to complete the entire enforcement process for cases not transmitted to the AG nor PM 4 (540 days), which measures the number of days it takes to complete the entire enforcement process for cases transmitted to the AG. The Board attributes enforcement delays to various factors, including staff vacancies, having a limited pool of subject matter experts (SMEs) to review and opine on complaints, extended legal reviews, backlogs at the AG, inefficiencies in finalizing case files for submission, statutory barriers to obtaining necessary documentation for investigations, and lengthy timeframes for formal investigations by DOI and administrative hearings, which are beyond the Board’s control. Nonetheless, data from the Board indicate that the overall time it takes to impose formal discipline has significantly improved from 1,176 days in FY 2021-22 to 973 days in FY 2023-24. This may be due, in part, to the fact that the average time from referral to filing accusations has decreased by more than half since the Board’s prior sunset review. Additionally, the Board has limited the time given to the respondent during settlement negotiations and requested that Statements of Issues/Accusations be filed within 30 days of transmittal to the AG.

The Board is authorized to seek cost recovery for expenses incurred in cases where the licensee/registrant is ultimately subjected to discipline. Over the last four FYs, the Board has ordered 92 licensees to pay cost recovery, totaling \$1,588,954.05. As of June 2024, the Board had 220 cases over three years old (totaling more than \$2,243,332.70) that are not considered collectible due to license surrenders, revocations, and deceased licensees. The Board does not collect cost recovery on revoked or surrendered licenses unless it reinstates the license.

The table below provides an overview of the Board’s cost recovery:

Cost Recovery				
	FY 2020/21	FY 2021/22	FY 2022/23	FY 2023/24
Potential Cases for Recovery	40	29	20	12
Cases Recovery Ordered	34	27	16	15
Amount of Cost Recovery Ordered	\$486,477.27	\$573,553.09	\$243,690.75	\$285,232.94
Amount Collected	\$125,483.16	\$187,492.39	\$110,779.30	\$200,168.84

The Board also has the authority to mandate restitution as a condition of license probation but has not done so in the prior four FYs. According to Board staff, Superior Courts often impose restitution in cases of Medi-Cal or other insurance fraud, and the Board requires payment of court-ordered restitution as a term of the licensee/registrant's probation.

Public Information Policies

The Board provides information to and communicates with the public and licensees/registrants via its website, email, and social media. The Board's website offers consumers the ability to verify a license; review disciplinary action taken against a license; file a complaint against a licensee/registrant; report unlicensed activity; review updates to the Licensing Law and relevant regulations; watch Board meetings and access meeting materials; view the Board's annual calendar; subscribe to the Board's Listserv; access the Board's social media accounts (Facebook, X, and LinkedIn); and review Board publications and reports. Additionally, the Board conducts quarterly meetings throughout California to increase accessibility for consumers and other stakeholders.

Workforce Development and Job Creation

The Board is currently participating in a DCA workforce development survey to identify opportunities for greater collaboration with DCA on workforce development initiatives. The Board is also in the process of implementing statutory and regulatory changes to streamline the licensing and registration processes. The Board consults with and advises schools on statutory and regulatory changes but, due to budget constraints, does not visit schools to interact with students directly. The Board also collects demographic and workforce data which is shared with the Department of Healthcare Access and Information (HCAI).

The Board partners with the HCAI on loan repayment programs where licensees work in underserved areas. Licensed psychologists pay a \$20 Mental Health Practitioner Education Fund fee through the biennial renewal process. Collected fees are transferred to the State Controller's Office to fund the Licensed Mental Health Services Provider Education Program (or LMH Grant), managed by the HCAI. The program aims to increase the number of appropriately trained mental health professional providing direct client care in a qualified facility in California. Awardees may receive a loan repayment of up to \$15,000 in exchange for a 12-month service obligation to serve medically underserved areas and/or in a qualified facility in California as determined by HCAI. The Board promotes the HCAI's loan repayment program through annual presentations and advertisements to licensees and stakeholders on its listserv, in its newsletter, and at board meetings.

PRIOR SUNSET REVIEW: CHANGES AND IMPROVEMENTS

The Legislature conducted the Board's prior sunset review in 2020-21.³⁹ During the prior sunset review, committee staff raised a number of issues and provided recommendations. Below is a summary of actions taken over the last four years to address these issues. Previous issues that were not completely addressed or are otherwise still of concern are further discussed under "Current Sunset Review Issues."

Prior Issue #1: Future Fee Increases. The Board receives no General Fund support. Its revenue stems from license, application, and examination fees. During the Board's prior sunset review, the Board's expenditures were outpacing revenues, resulting in a structural deficit. A 2021 fee analysis completed by the Board and DCA staff identified necessary fee increases. See pages seven and eight of this background paper for a list of fee changes resulting from SB 816 (Roth), Chapter 723, Statutes of 2023. The Board now projects a budget reserve equivalent to 7.7 months' operating expenses in FY 2025-26 and reports that it is no longer at risk for insolvency.

Prior Issue #2: Waiver Authority. In response to the COVID-19 pandemic, Governor Newsom issued Executive Order N-39-20, which authorized the Director of DCA to temporarily waive professional licensing requirements related to healthcare licensees. Waivers temporarily authorized the following until February 28, 2023: the Board to restore a psychologist's cancelled license without having to retake the CPLEE, a psychological trainee to request an extension to accrue supervised professional experience, and a psychological associate to request an extension of their registration beyond the 72-month limit.⁴⁰ Additionally, the Board established an Emergency Preparedness Ad Hoc Committee, which recommended that the Board seek statutory authorization to waive various provisions of the Licensing Law during a declared federal, state, or local emergency. The Board has not been granted this authority but has not continued to seek this permission.

Prior Issue #3: Unnoticed Committee Meetings. The Board must comply with the Bagley-Keene Open Meeting Act, which specifies meeting requirements for all state boards and commissions to ensure public access. However, there is an exception for meetings at which only two board members are present, though they cannot make decisions on behalf of the entire Board. During the Board's prior sunset review, stakeholders the California Psychological Association expressed concern that the Board's use of two-member committees prevented their participation and ability to provide feedback on proposed regulations affecting the profession. The Board responded by increasing the number of members on its Telepsychology Committee from two to three. The Board reports that its Enforcement Committee and some ad hoc committees (e.g., Sunset Review) remain two-member committees, which allow those committees to meet flexibly and, in the case of the Enforcement Committee, protect the anonymity of the Board's enforcement analysts, whom have been threatened in the past. The Board reports that committees share proposed changes and recommendations with the entire Board at open meetings for deliberation and public input and where approval by the majority of the Board is required.

Prior Issue #4: Foreign Degree Evaluation. At the time of the Board's prior sunset review, Business and Professions Code (BPC) § 2914 required an applicant who completed their education outside of the United States or Canada to have their transcripts evaluated by a foreign credential evaluation service that is a member of the National Association of Credential Evaluation Services. According to the Board, it

³⁹ Due to the COVID-19 pandemic, the Board's prior sunset review was completed over two years from 2020 to 2021.

⁴⁰ Board of Psychology, *Expiration of COVID-19 Waivers*.

contacted the National Register of Health Services Psychologists (NRHSP), the largest credentialing organization for psychologists and psychology doctoral students, following legislative interest in how DCA entities support foreign-trained applicants. Following a presentation from HRHSP, the Board successfully sought statutory permission to accept foreign credential evaluation services from NRHSP in SB 801 (Archuleta), Chapter 647, Statutes of 2021.

Prior Issue #5: Pathway to Licensure. During the Board’s prior sunset review, it reported an increase in application processing times, and the number of pending applications outpaced completed applications. In response, the Board conducted a comprehensive review of licensing-related statutes and regulations and engaged with stakeholders to identify potential reforms. At that time, the Board recommended “restructuring existing registration categories to expand training opportunities for registrants; updating outdated terminologies to reduce confusion; changing the definition of qualified primary supervisors; modifying continuing education requirements, and more.”⁴¹ SB 801 (Archuleta), Chapter 647, Statutes of 2021, included the Board’s recommendations.

Prior Issue #6: License Reinstatement. The Board previously did not have the authority to reinstate the license of someone who voluntarily surrendered it due to declining cognitive function. During its 2020-21 sunset review, the Board requested authorization to reinstate a license that had been voluntarily surrendered for non-disciplinary reasons in cases where medication or surgery could restore cognitive function. SB 801 (Archuleta), Chapter 647, Statutes of 2021, granted the Board that authority.

Prior Issue #7: Authority of the Licensure Committee. As previously mentioned, the Bagley-Keene Open Meeting Act requires the Board's meetings, where more than two members are present, to adhere to specific meeting requirements and be open to the public. However, the Bagley-Keene Open Meeting Act allows the Board to conduct a closed-session meeting to protect the privacy of an individual licensee/registrant or applicant. The Board’s Licensure Committee routinely uses this exception to discuss licensing-related requests from applicants, such as more time to accrue supervised professional experience for personal or health reasons. The Board previously reported that having to bring the committee’s recommendations to the full Board for approval resulted in licensing delays and requested the ability to delegate the final authority to review and decide such requests to the Licensure Committee in closed sessions. SB 801 (Archuleta), Chapter 647, Statutes of 2021, granted the Board that authority.

Prior Issue #8: School Oversight. In 2016, SB 1193 (Hill), Chapter 484, Statutes of 2016, required applicants for a psychologist license to graduate from a college or university accredited by a regional accrediting agency recognized by the United States Department of Education. That bill included a pathway to licensure for students enrolled in unaccredited institutions. The Board reports successfully implementing that bill and believes no further updates are necessary.

Prior Issue #9: Research Psychoanalyst Registration. During the Board’s prior sunset review, research psychoanalysts and student research psychoanalysts were under the purview of the Medical Board of California, a vestige from 1997 when research psychoanalysts were first recognized in statute. SB 815 (Roth), Chapter 294, Statutes of 2023, transferred oversight of research psychoanalysts and student research psychoanalysts from the Medical Board of California to the Board beginning January 1, 2025. The Board requests additional statutory changes. See Issue #9 in this background paper's “Current Sunset Review Issues” section for further discussion.

⁴¹ Board of Psychology, *2025 Sunset Review Report*, at 79.

Prior Issue #10: AB 2138 (Chiu/Low), Chapter 995, Statutes of 2018. In 2018, AB 2138 (Chiu/Low), Chapter 995, Statutes of 2018, substantially limited the Board’s ability to deny applications based on criminal history. In particular, that bill prohibited the Board from denying an application due to a nonviolent, nonsexual, or nonserious conviction that occurred more than seven years preceding the application unless the applicant was convicted of a crime substantially related to the profession of psychology or subject to formal discipline by a licensing board. That bill also prohibited the Board from issuing a denial based on offenses that have been dismissed or expunged. Additionally, AB 2138 required the Board to report data on license denials, publish criteria to determine whether a prior offense is substantially related to licensure, and provide denied applicants with certain information. The Board reports successfully implementing AB 2138 and believes no further updates are necessary.

Prior Issue #11: Enforcement Workload and Resources. During the Board’s prior sunset review, it reported an increase in the complaints received but could not attribute the rise to any particular cause. The Board noted that it uses DCA's guidelines to prioritize complaints, but stakeholders shared concerns about the Board’s investigation tactics and timeframes. At the time, the Board outsourced its investigations to DOI, a centralized service for all regulatory entities under the DCA umbrella. The Board reported that it had begun using an internal special investigator to augment DOI’s investigations but no longer does. Since the Board’s last sunset review, it has also assessed its enforcement processes through DCA’s Organizational Improvement Office to identify ways to streamline processes.

Prior Issue #12: Sexual Behavior. Before the Board's previous sunset review, the Board pursued legislation to define “sexual behavior” as inappropriate contact or communication of a sexual nature. The proposed legislation would have *required* an Administrative Law Judge’s proposed decision to include a license revocation order when there is a finding that a licensee/registrar of the Board engaged in sexual behavior. The proposed legislation was never introduced, but the Board was successful in passing SB 401 (Pan), Chapter 298, Statutes of 2022, which, in part, revised the definition of sexual behavior and added it to the list of what is considered unprofessional conduct for which an ALJ *may* order revocation of a license.

Prior Issue #13: Publishing Disciplinary Action Outcomes. Licensees previously expressed concerns about the Board publishing summaries of disciplinary actions taken by the Board (e.g., public citation, decision, or letter of reprimand) in its quarterly newsletter. The Board asserted that doing so was critical for consumer protection and educational for licensees and registrants. The Board continues to publish disciplinary information in its quarterly newsletter and reports that it has not been made aware of having posted any erroneous information.

Prior Issue #14: Conversion Therapy. In 2012, the Legislature banned conversion therapy for individuals under the age of 18. Conversion therapy attempts to change the sexual orientation of an individual. During the Board’s prior sunset review, the Board reported that while it could discipline licensees who violated this prohibition, there were many outstanding regulatory questions, including whether the Board should establish minimum and maximum penalties. Moreover, the Board reported that it was unclear whether it could investigate cases filed by a minor because the release form allowing the Board to obtain patient records must be signed by a parent or legal guardian. Lastly, there was discussion about whether the Legislature should increase the statute of limitations to ensure the Board can take disciplinary action against licensees who violate the law. The Board reports finalizing regulations to add minimum and maximum penalties to its disciplinary guidelines. See Issue #10 in this background paper's “Current Sunset Review Issues” section for further discussion.

Prior Issue #15: Temporary Practice Provisions. BPC § 2912 allows a psychologist licensed in another state or Canada at the doctoral level to offer psychological services in California for 30 days in a calendar year. The Board requests clarity regarding whether this provision allows out-of-state licensees to practice for 30 consecutive or nonconsecutive days and what constitutes a "day" (e.g., any part of the day or a specific number of hours). See Issue #14 in this background paper's "Current Sunset Review Issues" section for further discussion.

Prior Issue #16: Mental Health Services for COVID-19 Providers. In response to the COVID-19 pandemic, the Committees noted in the Board's previous sunset background paper that it may be beneficial to identify challenges to providing mental health services to frontline healthcare workers caring for COVID-19 patients. At the time, the Board reported that its licensees/registrants were active in providing behavioral healthcare to frontline workers and first responders, including through the Governor's California Health Corps. The Board reports that there are no further updates.

Prior Issue #17: Child Custody. The Courts may appoint a psychologist to assist with custody and visitation proceedings during child custody cases. The Board's inability to fully investigate cases catalyzed a 2018 meeting comprised of the Board, Board of Behavioral Sciences, Judicial Council of California – Family Law; California Protective Parents; AG; Senate Judiciary Committee; Center for Judicial Excellence; Assembly Business & Professions Committee; Senate Business, Professions and Economic Development Committee; and DCA. Collectively, the stakeholders made several recommendations to the Board, including considering statutory amendments related to the Board's ability to review child custody documents from psychologists. This is the only remaining recommendation to be implemented. See Issue #11 in this background paper's "Current Sunset Review Issues" section for further discussion.

Prior Issue #18: Telehealth. During the Board's 2016 sunset review, it committed to developing regulations for licensees to provide psychological services to Californians via telehealth. The Board finalized those regulations in 2021. However, the Board worked with DCA and ASPPB to amend its regulations in response numerous inquiries about telehealth during the COVID-19 pandemic. The regulatory changes clarified licensees who provide telehealth services are subject to the laws and regulations of other jurisdictions, established conditions for providing psychotherapy via telehealth, required licensees to evaluate whether services can be appropriately provided to a client, and required licensees to comply with all provisions of the Psychology Licensing Law and relevant regulations, as well as any laws or standards of care in California and any other jurisdiction, if any, where either the licensee or the client is located.

In 2015, the ASPPB established a multi-state licensing compact called the Psychology Interjurisdictional Compact (PSYPACT). The compact aims to facilitate telehealth and temporary in-person practice of psychology across states. At the time, the Board declined to join PSYPACT, citing concerns about cost and jurisdictional authority, among others. During the Board's 2021 sunset review, its Telepsychology Committee committed to revisiting PSYPACT and making a recommendation to the full Board, and the Board subsequently determined that California should not join PSYPACT. In 2024, the Board opposed legislation seeking California to join PSYPACT. See Issue #7 in this background paper's "Current Sunset Review Issues" section for further discussion.

Lastly, during the Board's prior sunset review, it committed to having its Outreach and Communications Committee develop a survey to identify barriers to accessing telehealth. The survey was sent to 30,000

consumers and licensees/registrants and was open from June 26th to July 24, 2023. The Board identified the following trends from consumers' responses:

- 95% of consumers reported feeling comfortable receiving psychological services via telehealth.
- 71% of consumers reported receiving telehealth services in their own homes.
- Of the 24% of respondents who reported experiencing barriers or problems accessing telehealth, 52% of the time it was due to Internet access (e.g., Wi-Fi speed).
- Diversity of providers was cited 21% of the time for lack of access; however, language was cited only 9% of the time as a barrier.

Additionally, the Board identified the following trends among licensees' responses:

- 97% of psychologists report having provided telehealth at some point.
- 54% of psychologists cited appropriateness of telehealth for certain client populations as the primary practice barrier to telehealth.
- Nearly 46% of respondents identified a lack of formal training or adequate supervision, which affected the quality of service provided.
- Many responses spoke to telehealth clients being unable to find an adequately private space to speak freely via telehealth, and others spoke to the cost of a reliable internet connection or quality headphones, while others spoke of the difficulty of treating geriatric or very young clients given their challenges with the available technologies.

See Issue #15 in this background paper's "Current Sunset Review Issues" section for further discussion.

Prior Issue #19: Independent Contractors. In 2018, the California Supreme Court issued a decision in *Dynamex Operations West, Inc. v. Superior Court* that established a new test for determining if a worker is an independent contractor. AB 5 (Gonzalez), Chapter 296, Statutes of 2019, codified the decision, although that bill included numerous exemptions for specific professions, including psychologists, who are allowed to continue operating under the previous framework for independent contractors. During the Board's prior sunset review, it reported that it was unaware of any impacts on its licensees. The Board reaffirmed this response in its 2025 sunset report.

Prior Issue #20: Technical Cleanup. The Board reports that SB 1526, Chapter 497, Statutes of 2024, included only one of its four recommendations for cleanup, specifically to update laws to be gender neutral. This technical change was introduced in the 2020 Sunset. The Board requests that this year's sunset bill include the remaining technical changes. See Issue #16 in this background paper's "Current Sunset Review Issues" section for further discussion.

Prior Issue #21: Sunset Extension. The Legislature delayed the Board's sunset to January 1, 2025.

CURRENT SUNSET REVIEW: ISSUES FOR THE BOARD OF PSYCHOLOGY

ADMINISTRATIVE ISSUES

ISSUE #1: (STAFF SHORTAGES) How can the Board reduce staff turnover?

Background: The Board reports frequent staff turnover, particularly among Office Technician positions. Review of the Board's organizational charts since 2021 indicate six vacancies among Office Technicians and two vacancies among Program Analysts. The Board attributes the turnover in Office Technician positions to promotion to more senior positions, low pay, and the inability to work remotely. The Board reports that it usually takes one to two months to fill vacancies. Persistent vacancies have stalled the Board's CPD audits since January 2024, though the Board anticipates they will resume in early 2025. Staff shortages have also slowed application processing times and contributed to enforcement delays.

Staff Recommendation: *The Board should describe its efforts to recruit and retain staff and recommend any necessary policy changes.*

ISSUE #2: (SUBJECT MATTER EXPERTS) How can the Board increase its pool of Subject Matter Experts (SMEs)?

Background: The Board has a limited pool of SMEs (52), which the Board relies on to review and opine on complaints to determine whether a licensee/registrant has deviated from the standard of care. SMEs are required to be licensed by the Board for at least three years, to not have been subject to any disciplinary action, and have at least three years of experience in a specific area of practice. According to the Board, there are numerous factors limiting the number of SMEs, including, but not limited to, low pay, availability, potential conflicts of interests with involved parties, and limited number of licensees with expertise in specific subject matters (e.g. forensic psychology). Since the Board's prior sunset review, it has increased its outreach efforts by publishing articles in the Board's newsletter and recruiting specific licensees to apply. Prior to 2024, the Board has 35 SMEs. Board staff hope to have 80 SMEs by 2026.

Staff Recommendation: *The Board should explain whether recent outreach efforts have been successful, identify additional recruitment and retention strategies, and evaluate the Board's ability to pay SMEs more.*

LICENSING ISSUES

ISSUE #3: (EXAM PASSAGE RATES) Why have national exam rates been steadily declining over the past four years and what can the Board do to support candidates?

Background: Psychologist applicants are required to pass the EPPP for licensure, but pass rates have declined by roughly 10 percent since the Board's prior sunset review. The Board expects pass rates to increase following the implementation of AB 282 (Aguiar-Curry), Chapter 424, Statutes of 2023, which will allow applicants who have completed all of the academic coursework required for a qualifying doctoral degree to take the EPPP without having to wait until they have accrued 3,000 hours of supervised experience. That bill also requires the Board to implement a process to verify eligibility

requirements imposed by a national licensing examination entity (i.e., ASPPB). The Board reports that it expects to complete the necessary regulatory package to implement that bill by January 1, 2027.

Staff Recommendation: *The Board should determine why pass rates have declined so significantly, continue to monitor pass rates to determine whether recent legislative changes promote passage, and identify additional changes that would support candidates and boost pass rates.*

ISSUE #4: (EPPP 2) What is the status of proposed changes to the Examination for Professional Practice in Psychology (EPPP)?

Background: The EPPP is currently a one-part knowledge-based exam owned and developed by the ASPPB. In 2018, the ASPPB introduced a skill-based portion of the exam, the EPPP Part 2, to measure candidates' competency. From 2018 to 2022, part two of the exam was optional. States and provinces could determine whether to require the EPPP Part 2. A task force established by the Board to solicit stakeholder feedback on the EPPP Part 2 determined in 2018 that it "does not believe the EPPP Part 2 is in the best interest of California consumers," citing the following reasons:

- Lack of a proven necessity for the additional examination;
- Considerable concerns related to the examination design's ability to assess skills and thus potentially providing negligible consumer protections;
- The additional examination's additional costs and burden on prospective licensees, and especially on historically underrepresented and socioeconomically disadvantaged students; and
- The additional examination's creation of new barriers to licensure and potentially detrimental impact on access to psychological services to California consumers.

In 2022, the ASPPB announced the EPPP would officially become a two-part exam on January 1, 2026. The ASPPB rescinded this decision on October 22, 2024, and is now contemplating a single EPPP exam that assesses knowledge and skills. According to the Board, ASPPB will be establishing a working group to focus on issues related to the EPPP (e.g., costs, licensure portability, and access) as well as a subcommittee of the ASPPB Board whose focus will be on the timely development of the reimagined EPPP. ASPPB will also be hosting quarterly town halls and has begun an analysis to determine the essential competencies to practice psychology independently.⁴²

The Board reports that it has stopped working on the regulatory package to implement the EPPP Part 2.

Staff Recommendation: *The Board should continue to monitor and weigh in on modifications to the EPPP as a member of ASPPB and keep the committees apprised of any proposed changes.*

ISSUE #5: (EDUCATION, EXPERIENCE, AND EXAMINATION REQUIREMENTS FOR REGISTERED PSYCHOLOGICAL ASSOCIATES) Should the qualifications of a foreign master's degree be clarified in statute? Should candidates for a doctoral degree in psychology or education, as specified, be required to complete a minimum of three years of postgraduate study in psychology and pass preliminary doctoral examinations prior to registration as a psychological associate?

⁴² Board of Psychology, *Examination of Professional Practice of Psychology (EPPP) Part 2 – Informational Page*.

Background: Registered psychological associates are required to have completed a master’s degree in psychology, a master’s degree in education specializing in education psychology, counseling psychology, or school psychology, or be admitted candidates for a doctoral degree in psychology, education, or related field as specified. If the applicant is an admitted candidate for doctoral degree in a field other than psychology or education, they must have satisfactorily completed three or more years of postgraduate education in psychology and have passed preliminary doctoral examinations. A foreign doctoral degree may satisfy the degree requirements if certain conditions are met.

The Board reports that confusion for applicants and licensing staff stems from ambiguity in the law regarding the qualifications of master’s degrees (i.e., accreditation status and location of educational institution where the degree was earned) and advancement to candidacy for doctoral students (i.e., whether doctoral candidates must have completed three or more years of postgraduate education in psychology and have passed preliminary doctoral exams). The Board believes clarification would assuage confusion for all parties.

Staff Recommendation: *The Board should propose clarifying amendments to the relevant statutes.*

ISSUE #6: (CHANGE-OF-SUPERVISOR FEE) Should the Board reinstate a \$25 change-of-supervisor request fee for psychological testing technicians?

Background: SB 1428 (Archuleta), Chapter 622, Statutes of 2022, established a registration requirement for psychological testing technicians. Psychological testing technicians are required to work under the direct supervision of the licensed psychologist and must notify the Board of any changes to their direct supervisor, provide specified information about their new supervisor, and pay a fee. The fee was initially set at \$25, but SB 816 (Roth), Chapter 723, Statutes of 2023, erroneously deleted the fee altogether when it established a fee for *psychological associates* to add or change supervisors. The Board proposes to recodify the \$25 fee for psychological testing technicians.

Staff Recommendation: *The Board should report its loss of revenue stemming from the removal of the \$25 change-of-supervisor fee.*

ISSUE #7: (LICENSE RECIPROCIITY AND PORTABILTIY) Is there a need to increase license portability and reciprocity to increase access to psychological services for Californians?

Background: This is a continuation of Issue #18 from the Board’s 2021 sunset review.

California’s shortage of behavioral health care workers⁴³ has renewed interest in establishing license reciprocity and portability for behavioral health care workers, including psychologists, therapists, and social workers.⁴⁴ License reciprocity and portability minimize barriers created by regional differences in licensing requirements. License reciprocity refers to agreements between jurisdictions to issue a reciprocal license to the holder of a license issued by a jurisdiction subject to the agreement. Those jurisdictions typically have nearly identical, if not entirely identical, licensing requirements. License portability refers to the ability of a license holder in one jurisdiction to transfer or use their credentials in another jurisdiction without meeting the new jurisdiction’s licensing requirements. Multistate

⁴³ A February 2023 workforce needs study by the Steinberg Institute, *Estimating Our Behavioral Health Workforce Needs: Initial Findings from New*, reports that California needs to add more than 370,000 behavioral health professionals, including more than 16,000 psychologists, specifically, by 2030 to meet need.

⁴⁴ AB 2051 (Bonta) of 2024, AB 2566 (Wilson) of 2024, and AB 427 (Jackson) of 2025.

licensing compacts, which are legally binding agreements between two or more states that allow professionals licensed in one compact state to practice in other member states without obtaining a separate license for each state, are a form of license portability. Multistate compacts are entered into by statute and often have a multistate governing body that establishes licensing requirements and is responsible for enforcement.

The ASPPB established the Psychology Interjurisdictional Compact (PSYPACT) to facilitate telehealth and temporary in-person practice of psychology across jurisdictional boundaries. In 2015, the ASPPB inquired if the Board was interested in joining PSYPACT, but after an initial review and identifying several concerns, such as cost and jurisdictional authority, the Board ultimately decided against joining PSYPACT. During the Board’s prior sunset review, the Board agreed to conduct another review of PSYPACT. The Board reactivated the Telepsychology Committee in May 2021. At the August 2021 Board Meeting, the Board voted to adopt the recommendation of the Telepsychology Committee to not join PSYPACT. In 2024, AB 2051 (Bonta) sought to codify the PSYPACT. The Assembly Business and Professions Committee raised numerous concerns in their analysis of that bill, including delegation of authority, fairness to California licensees, consumer protection, cost, and workload for the Board, among others. The author agreed to make the bill’s enactment contingent upon approval by the BOP, and it ultimately died in the Senate Business, Professions and Economic Development Committee after the author pulled the bill.

To date, California is not a member of any healing arts-related compact. However, existing law already allows out-of-state psychologists who have a qualifying doctorate to practice in California for a period not to exceed 30 days per calendar year.⁴⁵ Moreover, the federal Servicemembers Civil Relief Act authorizes service members or their spouses who currently hold a valid license in good standing in another state to practice in California within the same profession or vocation, if they are required to relocate to California because of military orders. Additionally, the BOP expedites the licensure process for military veterans who were honorably discharged, as well as the spouses and domestic partners of active duty servicemembers.

Staff Recommendation: The Board should identify unnecessary barriers to licensure and advise the committees on the value and practicality of expanding license reciprocity and portability.

ISSUE #8: (PSYCHOLOGICAL TESTING TECHNICIAN REGISTRATION) Should existing law be amended to expand the types of degrees allowable for psychological testing technician registration?

Background: Psychological testing technicians are required to have, at minimum, a bachelor’s degree in psychology or education with specialization in educational psychology, counseling psychology, or school psychology. However, the California Psychological Association (CPA) argues that the specificity of current law has prevented applicants with similar degrees from successfully registering with the Board. In an email to committee staff, the CPA reported that one of its members “could not get a testing technician registration approved by the Board of Psychology who had a ‘psychological science’ bachelor’s degree from the University of California, Irvine.” CPA would like to expand the subject matter areas for which a bachelor’s degree may be accepted by the Board for registration as a psychological testing technician. As justification, the CPA reports the current wait time for psychological testing is between three and six months. More psychological testing technicians, they argue, would

⁴⁵ Bus. and Prof. Code § 2912.

reduce wait times for patients. According to CPA, people living with neurodegenerative conditions (e.g., Alzheimer’s disease) or neurodevelopmental disorders (e.g., autism spectrum disorder) need swift access to psychological testing for a variety of reasons: benefits and treatment; determining legal or civil culpability; or receiving special education services.

Staff Recommendation: *The Board should opine on the merits of the CPA’s proposal and provide a recommendation to the committees.*

ISSUE #9: (RESEARCH PSYCHOANALYSTS AND STUDENT RESEARCH PSYCHOANALYSTS) What is the status of regulating research psychoanalysts and student research psychoanalysts?

Background: This is a continuation of Issue #9 from the Board’s 2021 sunset review.

SB 815 (Roth), Chapter 294, Statutes of 2023, transferred oversight of research psychoanalysts and student research psychoanalysts from the Medical Board of California to the Board on January 1, 2025. The Board is currently promulgating regulations related to research psychoanalysts and student research psychoanalysts. The Board is also requesting numerous conforming changes to its application, continuing education, and notice requirements as well as its enforcement statutes to account for this new registrant population. For example, consistent with the requirements for licensed psychologists, the Board seeks to require research psychoanalysts to complete coursework in human sexuality; child abuse assessment and reporting; aging and long-term care; alcohol and other chemical substance dependency; spousal or partner abuse assessment, detection, and intervention; and suicide risk assessment and intervention as a condition of registration. The Board also requests statutory language requiring research psychoanalysts to similarly complete 36 hours of CPD each biennial renewal cycle. The New Center for Psychoanalysis, in a December 3, 2024, letter to the Board, expressed concern regarding the Board’s proposed CPD requirements, particularly as it relates to the number of hours and subject matter.⁴⁶ Additionally, the New Center for Psychoanalysis opposes the Board’s proposed regulatory changes to the definition of “adjunct” and offers additional suggestions for the Board’s regulations to reflect the nature of research psychoanalysts’ work.

Staff Recommendation: *The Board should update the committees on the status of its adoption of regulations pertaining to research psychoanalysts and student research psychoanalysts.*

ENFORCEMENT ISSUES

ISSUE #10: (STATUTE OF LIMITATIONS) Does the statute of limitations for filing an accusation need to be extended to allow the Board to take enforcement action against licensees/registrants?

Background: This is a continuation of Issue #4 from the Board’s 2021 sunset review.

BPC § 2960.05 requires an accusation against a licensee/registrator to be filed within three years from the date the Board discovers the alleged act or omission that is the basis for the disciplinary action or within seven years from the date the alleged act of omission occurred, whichever comes first. The time

⁴⁶ Board of Psychology, *February 27-28, 2025 Board Meeting Materials*.
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frame can be extended to ten years in certain circumstances, such as cases involving minors, ongoing criminal investigations, and allegations of sexual misconduct. The Board reports having had to close 24 cases due to the expiration of the statute of limitations, and is proposing to increase the statute of limitations from three years from the date the board discovers the alleged act or omission that is the basis for disciplinary action to five years from the date the board initiates an investigation.

Staff Recommendation: *The Board should describe why it was unable to file an accusation within the statute of limitations in the aforementioned closed cases.*

ISSUE #11: (PSYCHOTHERAPIST-CLIENT PRIVILEGE EXCEPTION) Should the Legislature establish a psychotherapist-client privilege exception for Board investigations?

Background: This is a continuation of Issue #17 from the Board's 2021 sunset review.

The Board reports that investigating a licensee/registrant for misconduct often necessitates review of psychotherapy records, including psychotherapist-client communications, to determine whether any misconduct occurred. However, under BPC § 2918, confidential relations and communications between a psychologist and client are privileged. Therefore, clients have the right to not disclose communication with their psychologist and may prevent their psychologist from disclosing their client records. In the majority of cases, the complainant is the client and the client grants the Board access to their client records. However, clients may refuse disclosure when, for example, a complaint is made by a disgruntled ex-partner during a child custody case or divorce. A client may also refuse disclosure of their records, for example, when there is sexual misconduct by a licensee. The Board reports that over the last four years it has had to close three cases due to the clients invoking patient privilege.

The Board may subpoena a client's records, but obtaining a court order to enforce a subpoena has been difficult for the Board. The Board reports that it can take several months and cost \$15,000 to \$30,000 without guarantee that a judge will grant a court order. Board staff report closing cases due to insufficient information to determine whether a licensee/registrant engaged in misconduct.

In 2018, a group of stakeholders convened to discuss the role of psychologists in child custody cases and recommended that the Board review and consider statutory language related to documentation considered for child custody complaints. The Board has since endeavored to establish an investigatory exemption from the psychotherapist-client privilege but has been unable to find an author. An exception would lower the bar for the Board to obtain a court order and ultimately make it easier for the Board to access client records for an investigation.

The CPA strongly opposes the Board's efforts to obtain an exception for fear that it will erode trust between psychologists and their clients, create a chilling effect on both psychologists and clients and alter psychologists' record-keeping practices, which could compromise their quality of care. Moreover, the CPA believes the current process provides a meaningful check on the Board's efforts to access client records without their consent. The California Association of Marriage and Family Therapists also opposes the aforementioned exception, believing it undermines the integrity of psychotherapy, has significant negative consequences for clients, and creates a dangerous precedent for other boards.

Staff Recommendation: *The Board should inform the committees of the frequency with which clients refuse disclosure of their records for an investigation and explain why and how often the Board has been unable to obtain a court order to enforce a subpoena.*

ISSUES RELATED TO THE PRACTICE OF PSYCHOLOGY

ISSUE #12: (ONLINE PRACTICE) Should the Board have statutory authority to regulate businesses that provide psychological services online via telehealth? Is the Board prepared to address the impacts of Artificial Intelligence in field of psychology?

Background: In 2023, the *Los Angeles Times* reported that the meditation and mental health app *Headspace* had laid off 33 therapists, including psychologists licensed by the Board. According to the Board, “licensees were reportedly unable to contact their clients and complete a proper termination of service as prescribed by law.”⁴⁷ The American Psychological Association’s “Ethical Principles of Psychologists and Code of Conduct,” codified in statute,⁴⁸ demand that psychologists, except where precluded by the actions of clients or third-party payors, provide pre-termination counseling and suggest alternative service providers as appropriate. Failure to do so may be considered unprofessional conduct and subject to disciplinary action by the Board. The Board is currently investigating Headspace. It is currently unclear whether the Board needs statutory authority to regulate third-party psychologist employers and require a responsible licensee/registrant or other individual to be accountable for unlawful activity. Additionally, the Board reports receiving 310 complaints regarding unlicensed practice of psychology online.

Staff Recommendation: *The Board should propose statutory language authorizing the Board to regulate third-party psychologist employers such as telehealth apps. The Board should also describe its enforcement efforts to curb unlicensed practice online.*

ISSUE #13: (ARTIFICIAL INTELLIGENCE) How is Artificial Intelligence changing the field of psychology? What regulatory changes are necessary to protect consumers from this emerging technology and to ensure the ethical use of AI-driven tools in psychotherapy practice?

Background: Artificial intelligence refers to computer systems capable of performing tasks that usually require human intelligence, and it has the potential to transform the field of psychology, from the provision of psychotherapy to research. While AI innovations, such as chatbots (e.g., Wysa and Woebot) and tools that automate note-taking (e.g., Mental Note AI and TherapyFuel), can improve consumer access and affordability and lessen the administrative burden on psychologists, there are numerous questions outstanding about safety, privacy, reliability, and equity. The dangers of AI-generative chatbots have been the subject of increased scrutiny and are at the center of two lawsuits. In a letter to the Federal Trade Commission (FTC), the American Psychological Association (APA) expressed its “grave concerns about “entertainment” chatbots that purport to serve as companions or therapists, especially because some of these technologies are available to the public without appropriate safeguards, adequate transparency, or the warning and reporting mechanisms necessary to ensure appropriate use and access by appropriate users.”⁴⁹ The APA urged the FTC to investigate “the prevalence and impacts of deceptive practices employed by AI-generative chatbots and other AI-related technologies like Character.ai, Replika, and other companies for developing and perpetuating AI-generated characters that

⁴⁷ Board of Psychology, *2025 Sunset Review Report*, at 66.

⁴⁸ Bus. and Prof. Code § 2936.

⁴⁹ Letter from Arthur C. Evans, Chief Executive Officer, American Psychological Association to Federal Trade Commission (Dec. 20, 2024), <https://www.apaservices.org/advocacy/generative-ai-regulation-concern.pdf>.

engage in misrepresentations and for engaging in deceptive trade practices, passing themselves off as trained mental health providers, and potentially causing harm to the public.”⁵⁰ As reported by the *New York Times*, a lawsuit against Character.ai has been filed by the mother of a Florida teen who died by suicide after interacting with a chatbot claiming to be a licensed psychologist.⁵¹ A second lawsuit was initiated by the parents of a Texas teen with autism grew hostile and violent towards them during a period of time when he was interacting with a chatbot claiming to be a psychologist. According to *The Washington Post*, he had also begun harming himself and lost 20 pounds.⁵² Although the dangers of these chatbots are well documented, they are popular. Some of Character.ai’s chatbots have had more than one million conversations with users. In its letter to the FTC, the APA argues that:

Given that the fundamental purpose of professional licensing is consumer protection, there is a compelling legal argument that the same prohibitions contained in professional licensing laws restricting unqualified individuals from referring to themselves as a “psychologist” or “physician” or other licensed professional and attempting to conduct themselves in that way ought to apply these non-human chatbots as well.

The Legislature should consider the Board’s role in preventing the AI-driven impersonation of licensed psychologists and ability to take enforcement action where appropriate.

Staff Recommendation: *The Board should describe its efforts to prepare for and respond to the rise of AI in the provision of psychotherapy services. Moreover, the Board should report whether it has received any complaints related to AI.*

ISSUE #14: (TEMPORARY PRACTICE) Do provisions allowing out-of-state psychologists to temporarily practice in California need clarifying?

Background: This is a continuation of Issue #15 from the Board’s 2021 sunset review.

BPC § 2912 allows a psychologist licensed in another state or Canada at the doctoral level to offer psychological services in California for 30 days in a calendar year. It is currently unclear whether the limit applies to consecutive or nonconsecutive days. Moreover, it is uncertain whether “day” means any portion of a day or a specific number of hours in a single day. The Board requests clarifying amendments.

Staff Recommendation: *The committees may wish to consider amending BPC § 2912 to mirror BPC § 4980.11, which authorizes therapists licensed by the Board of Behavioral Sciences to temporarily practice in California for up to 30 consecutive days in any calendar year, if stated conditions are met.*

ISSUE #15: (TELEHEALTH SURVEY) What is the Board doing with the results of its 2023 Barriers to Telehealth Survey?

Background: This is a continuation of Issue #18 from the Board’s 2021 sunset review.

⁵⁰ Ibid.

⁵¹ Ellen Barry, *Human Therapists Prepare for Battle Against A.I. Pretenders*, THE NEW YORK TIMES (Feb. 24, 2025), <https://www.nytimes.com/2025/02/24/health/ai-therapists-chatbots.html>.

⁵² Nitasha Tiku, *An AI companion suggested he kill his parents. Now his mom is suing*. THE WASHINGTON POST (Dec. 13, 2024), <https://www.washingtonpost.com/technology/2024/12/10/character-ai-lawsuit-teen-kill-parents-texas/>.

The Board reports having surveyed 30,000 licensees/registrants and consumers in 2023 to identify barriers to telehealth. The Board has since contacted the University of California and the Little Hoover Commission to evaluate the results and provide policy recommendations, but neither organization has expressed interest in producing a white paper.

Staff Recommendation: *The Board should explain what it has done, if anything, with the survey results thus far and explain why it is unable to analyze the results and make policy recommendations itself. If it is determined that another educational or governmental entity is more suited to this work, the Board should identify additional educational or governmental entities that may be willing to evaluate the Board’s survey results and provide recommendations.*

TECHNICAL ISSUES

ISSUE #16: (TECHNICAL CLEANUP) Is there a need for technical cleanup?

Background: This is a continuation of Issue #20 from the Board’s prior sunset review.

As the psychology profession continues to evolve and new laws are enacted, many provisions of the BPC relating to psychology become outmoded or superfluous. Amendments are also often necessary for clarity and to maintain consistency throughout the Act. The Board has identified numerous technical changes to the Act’s enforcement provisions as well as provisions related to the registration of research psychoanalysts. Moreover, the Board has identified that BPC § 2995 related to psychological corporations is inconsistent with the Moscone-Knox Professional Corporation Act and recommends minor changes to make the list of permissible corporate officers consistent between the two acts.

Staff Recommendation: *The Board should recommend technical, clarifying, and otherwise “cleanup” amendments to the committees for consideration in the sunset bill.*

CONTINUATION OF THE BOARD

ISSUE #17: (SUNSET EXTENSION) Should the licensing and regulation of the practice of psychology be continued and be regulated by the current Board membership?

Background: This is a continuation of Issue #20 from the Board’s prior sunset review.

Considering the Board’s critical mission to protect the public through the regulation of psychological services in California, it is likely that the committees will ultimately determine that the Board’s repeal date should be extended for an additional term.

Staff Recommendation: *The Board’s current regulation of the psychology profession should be continued, with potential reforms, to be reviewed again on a future date to be determined.*