

ASSEMBLY BILL

No. 1374

Introduced by Assembly Member Levine

February 27, 2015

An act to amend Section 2914 of the Business and Professions Code, relating to psychologists.

LEGISLATIVE COUNSEL'S DIGEST

AB 1374, as introduced, Levine. Psychologists: licensure: requirements.

The Psychology Licensing Law provides for the licensure and regulation of psychologists by the Board of Psychology. The law requires applicants for licensure to, among other things, engage in at least 2 years of supervised professional experience under the direction of a licensed psychologist and authorizes an applicant who obtains this experience in the United States to send verification of the experience directly to the board if the supervising psychologist fails to submit the verification within 30 days of receiving a request from the applicant, as specified. The law provides that a violation of any of its provisions is a misdemeanor.

This bill would instead require the supervisor to submit verification of the experience to the board and authorize an applicant who obtains the experience in the United States or Canada to send verification directly to the board as determined by the board if the supervisor fails to submit the verification. By expanding the scope of a crime, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
 State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 2914 of the Business and Professions
 2 Code is amended to read:
 3 2914. Each applicant for licensure shall comply with all of the
 4 following requirements:
 5 (a) Is not subject to denial of licensure under Division ~~4.5~~ 1.5
 6 (*commencing with Section 475*).
 7 (b) Possess an earned doctorate degree (1) in psychology, (2)
 8 in educational psychology, or (3) in education with the field of
 9 specialization in counseling psychology or educational psychology.
 10 Except as provided in subdivision (g), this degree or training shall
 11 be obtained from an accredited university, college, or professional
 12 school. The board shall make the final determination as to whether
 13 a degree meets the requirements of this section.
 14 No educational institution shall be denied recognition as an
 15 accredited academic institution solely because its program is not
 16 accredited by any professional organization of psychologists, and
 17 nothing in this chapter or in the administration of this chapter shall
 18 require the registration with the board by educational institutions
 19 of their departments of psychology or their doctoral programs in
 20 psychology.
 21 An applicant for licensure trained in an educational institution
 22 outside the United States or Canada shall demonstrate to the
 23 satisfaction of the board that he or she possesses a doctorate degree
 24 in psychology that is equivalent to a degree earned from a
 25 regionally accredited university in the United States or Canada.
 26 These applicants shall provide the board with a comprehensive
 27 evaluation of the degree performed by a foreign credential
 28 evaluation service that is a member of the National Association
 29 of Credential Evaluation Services (NACES), and any other
 30 documentation the board deems necessary.
 31 (c) Have engaged for at least two years in supervised
 32 professional experience under the direction of a licensed
 33 psychologist, the specific requirements of which shall be defined

1 by the board in its regulations, or under suitable alternative
2 supervision as determined by the board in regulations duly adopted
3 under this chapter, at least one year of which shall be after being
4 awarded the doctorate in psychology. ~~If the supervising licensed~~
5 ~~psychologist fails to provide verification to the board of the~~
6 ~~experience required by this subdivision within 30 days after being~~
7 ~~so requested by the applicant, the applicant may provide written~~
8 ~~verification directly to the board. *The supervisor shall submit*~~
9 ~~*verification of the experience required by this subdivision to the*~~
10 ~~*board as prescribed by the board. If the supervisor fails to submit*~~
11 ~~*verification of experience to the board, the applicant may submit*~~
12 ~~*verification directly to the board as determined by the board.*~~

13 ~~If the applicant sends verification directly to the board, the~~
14 ~~applicant shall file with the board a declaration of proof of service,~~
15 ~~under penalty of perjury, of the request for verification. A copy of~~
16 ~~the completed verification forms shall be provided to the~~
17 ~~supervising psychologist and the applicant shall prove to the board~~
18 ~~that a copy has been sent to the supervising psychologist by filing~~
19 ~~a declaration of proof of service under penalty of perjury, and shall~~
20 ~~file this declaration with the board when the verification forms are~~
21 ~~submitted.~~

22 ~~Upon receipt by the board of the applicant's verification and~~
23 ~~declarations, a rebuttable presumption affecting the burden of~~
24 ~~producing evidence is created that the supervised, professional~~
25 ~~experience requirements of this subdivision have been satisfied.~~
26 ~~The supervising psychologist shall have 20 days from the day the~~
27 ~~board receives the verification and declaration to file a rebuttal~~
28 ~~with the board.~~

29 ~~The authority provided by this subdivision for an applicant to~~
30 ~~file written verification directly shall apply only to an applicant~~
31 ~~who has acquired the experience required by this subdivision in~~
32 ~~the United States. *States or Canada.*~~

33 ~~The board shall establish qualifications by regulation for~~
34 ~~supervising psychologists and shall review and approve applicants~~
35 ~~for this position on a case-by-case basis.~~

36 (d) Take and pass the examination required by Section 2941
37 unless otherwise exempted by the board under this chapter.

38 (e) Show by evidence satisfactory to the board that he or she
39 has completed training in the detection and treatment of alcohol

1 and other chemical substance dependency. This requirement applies
 2 only to applicants who matriculate on or after September 1, 1985.

3 (f) (1) Show by evidence satisfactory to the board that he or
 4 she has completed coursework in spousal or partner abuse
 5 assessment, detection, and intervention. This requirement applies
 6 to applicants who began graduate training during the period
 7 commencing on January 1, 1995, and ending on December 31,
 8 2003.

9 (2) An applicant who began graduate training on or after January
 10 1, 2004, shall show by evidence satisfactory to the board that he
 11 or she has completed a minimum of 15 contact hours of coursework
 12 in spousal or partner abuse assessment, detection, and intervention
 13 strategies, including knowledge of community resources, cultural
 14 factors, and same gender abuse dynamics. An applicant may request
 15 an exemption from this requirement if he or she intends to practice
 16 in an area that does not include the direct provision of mental health
 17 services.

18 (3) Coursework required under this subdivision may be
 19 satisfactory if taken either in fulfillment of other educational
 20 requirements for licensure or in a separate course. This requirement
 21 for coursework shall be satisfied by, and the board shall accept in
 22 satisfaction of the requirement, a certification from the chief
 23 academic officer of the educational institution from which the
 24 applicant graduated that the required coursework is included within
 25 the institution’s required curriculum for graduation.

26 (g) An applicant holding a doctoral degree in psychology from
 27 an approved institution is deemed to meet the requirements of this
 28 section if all of the following are true:

29 (1) The approved institution offered a doctoral degree in
 30 psychology designed to prepare students for a license to practice
 31 psychology and was approved by the Bureau for Private
 32 Postsecondary and Vocational Education on or before July 1, 1999.

33 (2) The approved institution has not, since July 1, 1999, had a
 34 new location, as described in Section 94721 of the Education Code.

35 (3) The approved institution is not a franchise institution, as
 36 defined in Section 94729.3 of the Education Code.

37 SEC. 2. No reimbursement is required by this act pursuant to
 38 Section 6 of Article XIII B of the California Constitution because
 39 the only costs that may be incurred by a local agency or school
 40 district will be incurred because this act creates a new crime or

1 infraction, eliminates a crime or infraction, or changes the penalty
2 for a crime or infraction, within the meaning of Section 17556 of
3 the Government Code, or changes the definition of a crime within
4 the meaning of Section 6 of Article XIII B of the California
5 Constitution.

O