

(approved April 25, 2003)

**BOARD OF BEHAVIORAL SCIENCES
FULL BOARD
MEETING MINUTES**

FEBRUARY 20, 2003

**HOLIDAY INN ON THE BAY
1355 NORTH HARBOR DRIVE
SAN DIEGO, CA**

MEMBERS PRESENT

Karen Pines, MFT Member, Board Chair
Mark Burdick, LEP Member, Vice Chair
Catherine Kay, Public Member
Peter Manoleas, LCSW Member
Glynis Morrow, Public Member
Jane Nathanson, MFT Member
Roberto Quiroz, Public Member
Howard Stein, Public Member
Susan Ulevitch, LCSW Member

MEMBERS ABSENT

STAFF PRESENT

Sherry Mehl, Executive Officer
Anita Scuri, Legal Counsel
Julie McAuliffe, Administrative Analyst

GUEST LIST ON FILE

The meeting was called to order at approximately 1:10 p.m.

1. CALL TO ORDER AND ESTABLISHMENT OF QUORUM

Ms. McAuliffe called the role and a quorum was established.

2. 2003 LEGISLATION THAT MAY AFFECT THE BOARD

Ms. Mehl explained that legislation became effective January 1, 2003 to require that licensees complete a continuing education course in spousal and partner abuse for renewal after January 1, 2004. The legislation does not identify an hour requirement and many continuing education providers and licensees have expressed their desire to have an hour requirement.

The Board discussed this issue and received comments from the audience. After discussion, the Board determined that seven hours would be appropriate for this requirement.

CATHERINE KAY MOVED, GLYNIS MORROW SECONDED, AND THE BOARD CONCURRED TO SET A SEVEN HOUR MINIMUM REQUIREMENT FOR THE SPOUSAL AND PARTNER ABUSE CONTINUING EDUCATION TRAINING.

Board members Susan Ulevitch and Mark Burdick opposed.

Mr. Quiroz asked that the Board play a role in educating licensees on the importance of this issue.

Ms. Mehl then explained Assembly Bill 116. When Marriage and Family Therapists and Licensed Clinical Social Workers were added to Business and Professions Code Section 805, they were then inadvertently added to the requirements of the Telemedicine Act, which is located in the Medical Board Practice Act. This legislation will direct licenses to the sections of law that refer to these additional requirements.

MARK BURDICK MOVED, GLYNIS MORROW SECONDED, AND THE BOARD CONCURRED TO SUPPORT THE LEGISLATION.

Board Member Peter Manoleas abstained.

Mary Riemersma, Executive Director of the California Association of Marriage and Family Therapists (CAMFT), informed the Board of legislation that will be pursued in 2003. Ms. Reimersma indicated that the Association, in conjunction with the National Association of Social Workers and the California Society for Clinical Social Work, would pursue legislation to add Marriage and Family Therapists and Licensed Clinical Social Workers to Medi-Cal reimbursement. CAMFT will also be pursuing confidentiality issues and adding the term “diagnosis” in the scope of practice.

Jan Lee Wong, Executive Director of the National Association of Social Workers, provided the Board with draft language to rewrite the scope of practice for Licensed Clinical Social Workers.

The Board gave a general resolution of support for the professional associations 2003 legislation proposals.

CATHY KAY MOVED, GLYNIS MORROW SECONDED, AND THE BOARD CONCURRED TO SUPPORT IN CONCEPT A LEGISLATIVE PROPOSAL TO BRING THE SCOPE OF PRACTICE IN LINE WITH THE CURRENT PRACTICE OF THE PROFESSIONS.

Mr. Wong then provided the Board with an overview of Assembly Bill 445, legislation that would add title protection for the term “social worker”.

SUSAN ULEVITCH MOVED, ROBERTO QUIROZ SECONDED, AND THE BOARD CONCURRED TO SUPPORT ASSEMBLY BILL 445.

The meeting adjourned at approximately 2:40 p.m.

(approved April 25,2003)

**BOARD OF BEHAVIORAL SCIENCES
FULL BOARD
MEETING MINUTES**

FEBRUARY 21, 2003

**HOLIDAY INN ON THE BAY
1355 NORTH HARBOR DRIVE
SAN DIEGO, CA**

MEMBERS PRESENT

Karen Pines, MFT Member, Board Chair
Mark Burdick, LEP Member, Vice Chair
Catherine Kay, Public Member
Peter Manoleas, LCSW Member
Glynis Morrow, Public Member
Jane Nathanson, MFT Member
Roberto Quiroz, Public Member
Howard Stein, Public Member
Susan Ulevitch, LCSW Member

MEMBERS ABSENT

STAFF PRESENT

Sherry Mehl, Executive Officer
Anita Scuri, Legal Counsel
Julie McAuliffe, Administrative Analyst

GUEST LIST ON FILE

The meeting was called to order at approximately 9:15 a.m.

2. CALL TO ORDER AND ESTABLISHMENT OF QUORUM

Ms. McAuliffe called the role and a quorum was established.

2. CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTION 11126(C)(3) TO DELIBERATE ON DISCIPLINARY DECISIONS

The Board did not meet in closed session.

3. APPROVAL OF NOVEMBER 14, 2002 MINUTES

CATHERINE KAY MOVED, MARK BURDICK SECONDED, AND THE BOARD CONCURRED TO APPROVE THE MINUTES OF NOVEMBER 14, 2002.

Board Member Glynis Morrow abstained.

4. APPROVAL OF NOVEMBER 15, 2002 MINUTES

HOWARD STEIN MOVED, JANE NATHANSON SECONDED, AND THE BOARD CONCURRED TO APPROVE THE MINUTES OF NOVEMBER 15, 2002.

Board Member Glynis Morrow abstained.

5. CHAIRPERSON'S REPORT

Ms. Pines stated that there have been numerous requests to reduce our budget. The Governor has requested a five percent reduction in spending and Ms. Mehl has been able to accomplish this without impacting any programs. Additionally, we have been asked to reduce our travel budget by 35 percent. Ms. Pines stated that she thought the Board could possibly reduce costs by either having a one-day meeting or starting the meeting later in the day on Thursday so Wednesday evening hotel accommodations could be eliminated. Our travel budget includes not only Board travel but examination development and workshops and these costs constitute the majority of our travel budget. Ms. Mehl indicated that she will be attending the scheduled school visits to San Francisco and Berkeley at her own expense but has cancelled all other visits. Ms. Mehl then indicated that if the Budget were not signed by June 30, 2003, we may have difficulty scheduling the July meeting and Board members would be traveling at their own risk of reimbursement.

Ms. Mehl then stated that she cannot replace staff if someone retires and vacancies are abolished if they are not filled within six months.

Ms. Mehl then informed the Board of legislation effective January 1, 2003 that requires all Board members appointed after January 1, 2003 to attend a mandatory Board Member orientation. Ms. Scuri suggested that all Board members should attend this very important training.

The Department of Consumer Affairs (DCA) has been working on a new licensing system for the last seven years and this system would allow the DCA, the Legislature, and the Board to generate numerous needed reports. The cost to the DCA would be approximately seventeen million dollars. As DCA moves forward with this project, they will be collecting money from Boards and our reserve account projections indicate that we will have the funds. This new system will have a cost savings in terms of time and will be a benefit to all entities involved.

With the cancellation of the June oral examinations, the Board will meet the five percent reduction in the Budget.

Ms. Pines discussed the Conflict of Interest materials and indicated that these materials must be completed and returned by April 1, 2003. Ms. Mehl suggested that members send a copy to the office to be added in their files.

6. EXECUTIVE OFFICER'S REPORT

a. Budget Update

This issue was discussed in depth in the previous agenda item.

b. Miscellaneous Matters

1. Website Statistics

The most current statistics were included in the meeting materials and reflect a six-month period.

3. Revise Complaint Disclosure Policy

Ms. Mehl stated that the DCA Legal Office had suggested changes to our policy to provide further clarification and provide a better legal document. There were no substantive changes to the document.

GLYNIS MORROW MOVED, CATHERINE KAY SECONDED, AND THE BOARD CONCURRED TO ADOPT THE REVISED POLICY.

7. REPORT ON CALIFORNIA ASSOCIATION OF SCHOOL PSYCHOLOGISTS MEETING

Dr. Burdick stated that he attended a meeting in January with the California Association of School Psychologists (CASP) to discuss collaborative efforts of the Association and the Board. CASP concerns included the fact that the number of available Licensed Educational Psychologists is at an all time low. They are interested in the Board's participation in informing both private and public school systems of the need for licensed, qualified educational psychologists in these settings. Dr. Burdick complimented Christy Berger, Lead Examination Analyst, on her participation in providing Dr. Burdick with appropriate materials for his meeting. Additionally, CASP was concerned with reviewing the scope of practice to determine if it in fact reflects the current profession. Furthermore, there are a number of people who call themselves educational therapists and are providing some service when they are not licensed. There is a potential of harming families and children by not providing them with the proper assessment of learning skills that fall within the scope of practice of a Licensed Educational Psychologist.

Ms. Mehl stated that schools are exempt settings therefore this is a jurisdictional issue that should be addressed by schools. Dr. Burdick clarified that these people are contracting privately with schools and Ms. Mehl indicated that this could be an unlicensed practice issue. Dr. Burdick stated that he would provide the Board with examples of these situations and references to the Education Codes that relate to hiring of school psychologists. Mr. Quiroz stated that he felt the Board is responsible for ensuring that the public is informed about the necessity of obtaining licensed, qualified assistance. Dr. Burdick then asked that this issue be discussed further at the April meeting.

8. ELECTION OF 2003 BOARD OFFICERS

Ms. Mehl stated that the Board is mandated to elect a chair and vice chair at their first meeting of the year.

GLYNIS MORROW MOVED, SUSAN ULEVITCH SECONDED, AND THE BOARD CONCURRED TO ELECT KAREN PINES AS 2003 BOARD CHAIR.

GLYNIS MORROW MOVED, SUSAN ULEVITCH SECONDED, AND THE BOARD CONCURRED TO ELECT MARK BURDICK AS 2003 BOARD VICE CHAIR.

Ms. Pines suggested that the Board might want to rotate to a public member as chair next year.

9. APPROVAL OF 2003 STRATEGIC PLAN

Ms. Pines indicated that each Committee had reviewed their goal and objectives and made changes as needed.

CATHERINE KAY MOVED, MARK BURDICK SECONDED, AND THE BOARD CONCURRED TO ADOPT THE COMMITTEE RECOMMENDATIONS.

CATHERINE KAY MOVED, ROBERTO QUIROZ SECONDED, AND THE BOARD CONCURRED TO ADOPT THE 2003 STRATEGIC PLAN AS AMENDED.

10. REVIEW AND DISCUSSION ON THE CURRENT SCOPE OF PRACTICE OF LICENSED EDUCATIONAL PSYCHOLOGISTS

This issue was previously discussed.

11. APPROVE / NOT APPROVE COMMITTEE RECOMMENDATIONS

a. Education Committee

Dr. Burdick stated that the Committee approved their minutes, reviewed and approved their Strategic Plan, and discussed the pre degree experience of marriage and family therapists. He then indicated that it is going to be difficult to achieve some of the Committee's goals due to the Budget complications.

b. Consumer Services/Consumer Protection Committee

Dr. Stein indicated that the Committee approved their minutes, reviewed the Enforcement Statistics, approved their Strategic Plan, and reviewed the documents provided regarding the use of professional titles.

c. Ad Hoc Committee

Ms. Kay was appointed Chair of the Committee. Ms. Kay asked the members to submit any changes to the Disciplinary Guidelines to Ms. Mehl by the end of March. Board staff will then compile the comments and present them to the Committee at the April meeting.

d. Examination Committee

Ms. Pines stated that the Committee approved their minutes, reviewed the Examination Statistics, and approved their Strategic Plan as amended.

e. Licensing Committee

Ms. Ulevitch stated that the Committee approved their minutes, then reviewed, amended, and adopted draft language to amend Business and Professions Code Sections 4980.43, 4996.21, and 4996.23 regarding acceptable settings for Trainees, Interns, and Associate Clinical Social Workers to gain experience toward licensure.

KAREN PINES MOVED, JANE NATHANSON SECONDED, AND THE BOARD CONCURRED TO ADOPT SECTION 4980.43 AS AMENDED.

MARK BURDICK MOVED, KAREN PINES SECONDED, AND THE BOARD CONCURRED TO ADOPT SECTION 4996.21 AS AMENDED.

KAREN PINES MOVED, JANE NATHANSON SECONDED, AND THE BOARD CONCURRED TO ADOPT SECTION 4996.23 AS AMENDED.

The Committee then reviewed the draft language to amend the California Code of Regulations Sections 1833.1 and 1870 regarding requirements for supervisors.

MARK BURDICK MOVED, JANE NATHANSON SECONDED, AND THE BOARD CONCURRED TO SET THE PROPOSED AMENDMENTS TO SECTION 1833.1 FOR HEARING.

MARK BURDICK MOVED, JANE NATHANSON SECONDED, AND THE BOARD CONCURRED TO SET THE PROPOSED AMENDMENTS TO SECTION 1870 FOR HEARING.

The last proposal the Committee reviewed was to the California Code of Regulations Section 1810 to allow continuing education providers and others to offer Alcoholism and Other Chemical Dependency.

CATHERINE KAY MOVED, KAREN PINES SECONDED, AND THE BOARD CONCURRED TO SET THIS REGULATION CHANGE FOR HEARING.

Board member Peter Manoleas abstained from the vote.

12. PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA

The Board did not receive and public comments.

HOWARD STEIN MOVED, MARK BURDICK SECONDED, AND THE BOARD CONCURRED TO ADJOURN THE MEETING.

The meeting adjourned at approximately 10:55 a.m.