



BOARD OF BEHAVIORAL SCIENCES
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(Accepted 11/17/2005)

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

AUGUST 11, 2005

**JUNIPERO SERA STATE BUILDING
 PACIFIC ROOM
 320 W. FOURTH STREET
 LOS ANGELES, CA 90013**

MEMBERS PRESENT

Robert Gerst, Public Member
 Peter Manoleas, Acting Chair, LCSW Member
 Karen Pines, MFT Member
 Howard Stein, Public Member

MEMBERS ABSENT

Victor Law, Public Member

STAFF PRESENT

Paul Riches, Executive Officer
 Denise Johnson, Assistant Executive Officer
 Kristy Schieldge, Legal Counsel
 Melissa Meade, Administrative Technician

GUEST LIST ON FILE

The meeting was called to order at approximately 8:35 a.m.

1. CALL TO ORDER AND ESTABLISHMENT OF QUORUM

Ms. Meade called the role and a quorum was not established. Board members met as a sub-committee of the Board and only held discussions on the items listed on the Agenda. No action was taken.

2. CHAIRPERSON'S REPORT

A. Introduction of New Board Members

There were no new board members for Mr. Manoleas to introduce because the Governor has not made appointments to the Board. Mr. Riches informed the sub-committee that the Governor should appoint members before the November meeting.

B. Committee Appointments

There were not enough members on the Board to make committee appointments. Appointments should take place at the November meeting.

3. ELECTION OF VICE-CHAIR

Ms. Pines nominated Mr. Gerst to be the vice-chair. There was not a quorum present, so the sub-committee recommended that Mr. Gerst be considered as vice chair at the next Board meeting.

4. EXECUTIVE OFFICER'S REPORT

A. Sunset Review

Mr. Riches explained to the sub-committee that the Board's sunset review legislation (SB 229) is currently awaiting a hearing by the Assembly appropriations Committee. The Governor has an oppose unless amended position that requires the merging of the programs operated by this Board and the Board of Psychology into a new Board of Mental Health. The proposed Board would be composed of nine members.

The Governor's proposal is opposed by the California Psychology Association and the Board of Psychology.

Without the requested amendments, the Governor will veto the bill. Because the bill contains the sunset extension for both Boards, a veto would result in both Boards dissolving and the regulatory programs being incorporated into the Department of Consumer Affairs as a bureau. This would occur on July 1, 2006 when both Boards expire.

Mr. Gerst asked Mr. Riches if the bill does not get signed by the Governor if it would become law. Mr. Riches explained that if the Governor does not sign the bill the Board's existence would be extended and the Board would not become a bureau.

Ms. Pines wanted the sub-committee to vote to support their role. Mr. Riches thought the policy this Board has is sufficient.

Mary Riemersma, Executive Director of the California Association of Marriage and Family Therapists, stated that she is in favor of keeping a Board. She feels like she has been able to make her views known but doesn't feel they have been heard.

Janlee Wong, National Association of Social Workers, questioned whether there would be a seamless transition to make licensees aware of the new address and Web site for licenses. Mr. Manoleas assured Mr. Wong that he is committed to continuity being as smooth as possible.

Ms. Riemersma questioned Mr. Riches if the Governor has his way and the Board becomes a Bureau, what would be the mechanism for the public to make comment. Mr. Riches explained that Advisory Committees would be available, although would not be mandatory for them to meet.

B. Licensing Statistics

Mr. Riches presented a new chart to the sub-committee that shows volumes and average processing times for each licensing/registration program. There is considerable variance in volumes and processing times among the different programs. Processing times are lagging and there should be a significant improvement by the November meeting. Mr. Riches will continue to provide these statistics at future meetings.

Ms. Pines requested that the abbreviations in the chart provided be spelled out for those that don't know the abbreviated terms.

C. Enforcement Statistics

Mr. Riches provided the sub-committee with statistics from the fiscal year-end and discussed the continued growth in the volume of complaints the Board receives. There were a significant number of citations issued in the past year, which are related to continuing education (CE) audits. The majority of citations were given for CE violations.

D. Budget Update

Mr. Riches informed the sub-committee that there are no major changes in the Board's budget for 2005/2006. However, the testing contract with Thompson Pro Metric is up for renewal and the cost is not known at this time. The Board is anticipating a substantial increase in the cost of the contract, which will have a significant impact on the Board's budget.

Kathy Wexler, Philips Graduate Institute, suggested using surplus money for better exam development. Ms. Pines explained that the biggest lag is at the Division of Investigations. Mr. Manoleas said he would like to figure out a way to improve the product; however, adding staff would require going through the budget process and that doesn't have a high success rate. Mr. Manoleas noted that a nine month operating reserve was high according to most industry standards.

E. Update on Educational Loan Program

Mr. Manoleas asked Mr. Riches to provide an update to the sub-committee in regards to the Licensed Mental Health Service Provider Education Program. This is a scholarship and loan program run by the Health Professions Education Foundation. Their mission is to increase the supply of health care providers who are willing to practice in underserved areas of California. The Foundation accomplishes its mission by awarding scholarships and educational loan repayment grants to health professional students and recent graduates who are committed to practicing in rural and urban underserved areas.

The Mental Health Practitioner Education Fund collected a total of \$183,030.00 in 2004. The foundation is finalizing the regulations for this program. The Board will be notified once the Notice of Proposed Regulations is published. The Foundation anticipates a roll out of the Program in December 2005.

F. Miscellaneous Matters

Mr. Riches spoke in regards to the examination contract that will expire December 1st of this year. The department is actively working on a new contract for examinations. If the Board does not have a contract next year, the fall back is to have the Board administer the examinations themselves. Mr. Riches is hopeful that the department will get the Board through the intervening period. By the November meeting there should be a full contingency plan if there is not a contract. This is a competitive market and therefore there is a lot of competition for the testing companies. However, exam development continues without interruption because it is with the Office of Examination Resources within the department.

Mr. Wong explained that social workers are prepared for the worst. He questioned Mr. Riches regarding a delay in turnaround if the examination contract doesn't get renewed and then have to return to paper exams. Mr. Riches explained that his personal goal would be not longer than two to three months without offering an examination. Examinations would not take place more than four times a year.

Mr. Riches discussed modifications to the Board's current committee structure. He would like to reconfigure the Board's committee process to improve the Board's delivery process by aligning the Board's committees with the strategic plan goals and what the Board is doing to achieve objectives. Mr. Riches recommended detaching Board and Committee meetings by holding Committee meetings in-between Board meetings. This would help share the workload between Committee members, connects Board members to ongoing issues, and would allow for follow-up of public comment. Mr. Manoleas added that this will double the amount of meetings throughout the year.

Heather Halperin, USC, School of Social Work, said the idea sounded wonderful especially since they will be public meetings as well.

Mr. Wong also said it was a good idea. He suggested that the Board get notice out so the public is able to attend the meetings. Mr. Riches informed Mr. Wong that the Web site would post the notice as well as notice being sent through the mail. He noted that you can subscribe to the Board's Web site and can then be notified when items are added or updated.

Carole Bender, LCSW, UCLA, CA Society for Clinical Social Work, also said it was a good idea. Ms. Bender feels the Committee meetings will be more beneficial due to having the work prepared prior to the meetings and not being so rushed.

The Board recessed at approximately 9:50 a.m.

The Board reconvened at approximately 10:10 a.m.

5. APPROVAL OF MAY 19-20, 2005 BOARD MEETING MINUTES

There was not a quorum present to approve the minutes. The minutes will be approved at the November Board Meeting

6. APPROVAL OF FEBRUARY 17, 2005 REGULATION HEARING MINUTES

There was not a quorum present to approve the minutes. The minutes will be approved at the November Board Meeting

7. REVIEW AND POSSIBLE ACTION TO TAKE A POSITION ON ASSEMBLY BILL 894 (LA SUER) REGARDING THE LICENSURE OF PROFESSIONAL COUNSELORS

AB 894 proposes the regulation of Licensed Professional Counselors (LPC) by the Board, and specifies the requirements for licensure, practice, and Board operations. It is sponsored by the California Coalition for Counselor Licensure (CCCL), whose mission is to promote and advance the counseling profession. Its purported goal is to assure the adherence to practice standards by initiating state regulation of professional counselors. Dean Porter, National Certified Counselor, Director of California Registry for Professional Counselors, gave a presentation on behalf of CCCL.

The sub-committee and the public shared their comments with Ms. Porter and had a discussion regarding the presentation that took place.

8. REVIEW AND POSSIBLE ACTION ON THE BOARD'S PROPOSED STRATEGIC PLAN

Dr. Lindle Hatton informed the sub-committee that within the first 12 months, the Board will have six objectives that will be completed. These objectives will advance the Board in the current year and down the road so this is not just a short term goal. The Vision, Mission, Value and Goals should be available to all audiences. The work action plan should be viewed as an internal document. Certain pieces should be available to appropriate audiences.

Ms. Pines thought this was great. Mr. Manoleas thought it was a great job. He thought the objectives looked really good. It has been made clear that many aspects of the strategic plan will become part of the staff jobs. Mr. Riches explained that the staff has been energetic about the new functions and he believes it is because the staff had a say in the strategic plan. Mr. Gerst hopes the new Board members will agree with what the current Board has done. Mr. Riches added that he thinks the plan is very strong.

Dr. Hatton mentioned that new Board members in other organizations have generally accepted strategic plans when coming in later.

The Board recessed at approximately 11:55 p.m.

The Board reconvened at approximately 1:05 p.m.

9. REVIEW OF AND POSSIBLE ACTION ON POSITIONS FOR PENDING LEGISLATION

Mr. Riches discussed the status of the Bills that were discussed at the May Board meeting. Handouts were provided for the Board and public.

10. ACTION ON COMMITTEE RECOMMENDATIONS

There was not a quorum present to take action on Committee recommendations.

11. PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA

Mr. Wong distributed to the Board and the public a letter regarding a national program that currently has a policy that inadvertently bars California licensed clinical social workers from participating in a federal loan repayment program for health professionals. The National Health Service Corps Loan Repayment Program repays educational loans of health professionals including California licensed clinical social workers who agree to serve in medically underserved or underserved areas.

The meeting adjourned at approximately 2:17 p.m.