

## BOARD MEETING MINUTES

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2  
3 Open sessions of this Board Meeting were webcasted. Records of the webcasts are  
4 available on the following links:

5 February 2 (Part 1 of 2): <https://www.youtube.com/watch?v=n1yym5iX0gc>

6 February 2 (Part 2 of 2): <https://www.youtube.com/watch?v=HlOabgjxl4>

7 February 3: <https://www.youtube.com/watch?v=x228ILfCBdA>

8

9

10

11 **DATE**

February 2, 2023

12

13 **TIME**

9:00 a.m.

14

15 **ATTENDEES**

16 **Members Present:**

Max Disposti, Chair, Public Member  
Christopher Jones, Vice Chair, LEP Member  
Ross Erlich, Public Member  
Susan Friedman, Public Member  
Justin Huft, LMFT Member  
Abigail Ortega, LCSW Member  
Kelly Ranasinghe, Public Member  
John Sovec, LMFT Member  
Wendy Strack, Public Member  
Dr. Annette Walker, Public Member

26

27 **Members Absent:**

Yvette Casares Willis, Public Member  
Eleanor Uribe, LCSW Member

28

29 **Staff Present:**

Steve Sodergren, Executive Officer  
Marlon McManus, Assistant Executive Officer  
Gena Beaver, Discipline and Probation Manager  
Christina Kitamura, Administrative Analyst  
Sabina Knight, Legal Counsel

35

36 **Other Attendees:**

Ed Washington, Administrative Law Judge  
Kevin Bell, Deputy Attorney General  
Sylvia Soriano, Petitioner  
Christina Johnson, Petitioner

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1 Tabitha Lopez, Petitioner  
2 Hosson Hooper, Petitioner  
3 Public participation via WebEx platform and in-person  
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## 5 OPEN SESSION

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### 8 I. Call to Order and Establishment of Quorum

9  
10 Max Disposti, Chair of the Board of Behavioral Sciences (Board), called the  
11 meeting to order at 9:20 a.m. Roll was called, and a quorum was established.  
12

### 13 II. Suggestions for Future Agenda Items

14  
15 Tanya: Develop a streamline process for license review.  
16

17 Christine Rafael: Review individuals who move from another state to California,  
18 with out-of-state experience, education, and have passed the national exam.  
19

### 20 III. Public Comment for Items Not on the Agenda

21  
22 None  
23  
24

25 ***Administrative Law Judge Ed Washington presided over the following petition***  
26 ***hearings. Deputy Attorney General Kevin Bell presented the facts of each case***  
27 ***on behalf of the People of the State of California.***  
28

### 29 IV. Sylvia Soriano, LCSW 901970, Petition for Early Termination of Probation

30  
31 The record was opened at 9:36 a.m. Sylvia Soriano was represented by counsel  
32 Jonathan Turner. Deputy Attorney General Kevin Bell presented the background  
33 of this case. Soriano was sworn-in and questioned by Turner. Soriano was  
34 cross-examined by Bell and Board members. Turner and Bell provided closing  
35 remarks. The record was closed at 10:43 p.m.  
36

### 37 V. Christina Johnson, LMFT 118914, Petition for Early Termination of 38 Probation

39  
40 The record was opened at 11:04 a.m. Christina Johnson represented herself.  
41 Deputy Attorney General Kevin Bell presented the background of this case.  
42 Johnson was sworn-in and presented her request for early termination of  
43 probation and information to support the request. She was cross-examined by  
44 Bell and Board. Johnson and Bell provided closing remarks. The record was  
45 closed at 11:58 a.m.  
46

1 **VI. Tabitha Lopez, APCC 7873, Petition for Early Termination of Probation or**  
2 **Modification**

3  
4 The record was opened at 12:17 p.m. Tabitha Lopez represented herself.  
5 Deputy Attorney General Kevin Bell presented the background of this case.  
6 Lopez was sworn-in and presented her request for early termination of probation  
7 and information to support the request.

8  
9 *A break was called at 12:54 p.m. The hearing reconvened at 1:08 p.m.*

10  
11 Lopez was cross-examined by Bell and Board members. Bell provided closing  
12 remarks. The record was closed at 2:00 p.m.

13  
14 *A break was called at 2:01 p.m. The Board reconvened at 2:37 p.m.*

15  
16 **VII. Hosson Hooper, LMFT 79118, Petition for Early Termination of Probation or**  
17 **Modification**

18  
19 The record was opened at 2:39 p.m. Hosson Hooper represented himself.  
20 Deputy Attorney General Kevin Bell presented the background of this case.  
21 Hooper was sworn-in and presented his request for early termination of probation  
22 and information to support the request. He was cross-examined by Bell and  
23 Board members. Bell gave a closing statement. The record was closed at 3:05  
24 p.m.

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25  
26  
27 **CLOSED SESSION**

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29  
30 *The Board entered closed session at 3:15 p.m.*

31  
32 **VIII. Pursuant to Section 11126(c)(3) of the Government Code, the Board will**  
33 **Meet in Closed Session for Discussion and to Take Action on Disciplinary**  
34 **Matters, Including the Above Petitions.**

35  
36 **IX. Recess Until 9:00 a.m., Friday, February 3, 2023**

37  
38 The Board recessed at 4:41 p.m.  
39

1	<b>DATE</b>	February 3, 2023
2		
3	<b>TIME</b>	9:00 a.m.
4		
5	<b>ATTENDEES</b>	
6	<b>Members Present:</b>	Max Disposti, Chair, Public Member
7		Christopher Jones, Vice Chair, LEP Member
8		Ross Erlich, Public Member
9		Susan Friedman, Public Member
10		Justin Huft, LMFT Member
11		Abigail Ortega, LCSW Member
12		Kelly Ranasinghe, Public Member
13		John Sovec, LMFT Member
14		Wendy Strack, Public Member
15		Dr. Annette Walker, Public Member
16		
17	<b>Members Absent:</b>	Yvette Casares Willis, Public Member
18		Eleanor Uribe, LCSW Member
19		
20	<b>Staff Present:</b>	Steve Sodergren, Executive Officer
21		Marlon McManus, Assistant Executive Officer
22		Rosanne Helms, Legislative Manager
23		Christy Berger, Regulatory Analyst
24		Christina Kitamura, Administrative Analyst
25		Sabina Knight, Legal Counsel
26		
27	<b>Other Attendees:</b>	Yvonne Dorantes, Department of Consumer Affairs
28		Public participation via WebEx platform and in-person
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## OPEN SESSION

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### X. Call to Order and Establishment of Quorum

Max Disposti, Chair of the Board of Behavioral Sciences (Board), called the meeting to order at 9:06 a.m. Roll was called, and a quorum was established.

### XI. Introductions

Board members, staff and attendees introduced themselves.

### XII. Consent Calendar: Possible Approval of the November 3-4, 2022 Board Meeting Minutes

Amend page 1: Eleanor Uribe was present on November 3<sup>rd</sup>.  
Amend page 11, line 21: "NASW exam" corrected to "ASWB exam."

Motion: Approve the November 3-4, 2022 Board meeting minutes as amended.

Wendy moved. Erlich seconded.

Public Comment: None

#### Roll call vote

Member	Yea	Nay	Abstain	Absent	Recusal
Max Disposti	x				
Ross Erlich	x				
Susan Friedman	x				
Justin Huft	x				
Christopher Jones	x				
Abigail Ortega	x				
Kelly Ranasinghe	x				
John Sovec	x				
Wendy Strack	x				
Eleanor Uribe				x	
Dr. Annette Walker	x				
Yvette Casares Willis				x	

Motion carried: 10 yea, 0 nay, 0 abstention

1 **XIII. Board Chair Report**

2 **a. Board Member Attendance**

3 Board member attendance reports for fiscal years 2021-2022 and 2022-2023  
4 were presented.

5  
6 **b. Future Board Meetings**

7 2023 Board and Committee meeting dates were provided.

8  
9 **c. Staff Recognitions**

10 The following staff were recognized for their service:

- 11 • Arlisha Phillips: 5 years of state service
- 12 • Sasha Addison: 15 years of state service
- 13 • Pearl Yu: 31 years of state service

14  
15 **XIV. Department of Consumer Affairs Update**

16  
17 Yvonne Dorantes, Assistant Deputy Director of Board and Bureau Relations,  
18 Department of Consumer Affairs (DCA/department) presented the following  
19 updates:

- 20  
21 • New DCA logo
- 22 • DCA's first Diversity, Equity, and Inclusion Steering Committee to guide the  
23 department in its equity strategy initiatives and action plans
- 24 • Board Member mandatory trainings
- 25 • Form 700 Conflict of Interest mandatory filing for Board members

26  
27 **XV. Executive Officer Report**

28 **a. Budget Report**

- 29 • The Board's budget for fiscal year (FY) 2022-23 is \$13,593,000.
- 30 • Expenditures to date are \$4,821,434.
- 31 • Fund Condition reflects a reserve of 13.7 months.

32  
33 **b. Personnel**

34 The Board's staffing activity is as follows:

- 35 • 2 new hires
- 36 • 3 retirements
- 37 • 10 vacancies

38  
39 **c. Licensing Report**

40 2<sup>nd</sup> Quarter Statistics:

- 41 • 4,278 licenses/registrations issued

- Population of approximately 133,556 licensees/associates
- 1% gain in license/registration population since 1<sup>st</sup> quarter

#### d. Exam Report

2<sup>nd</sup> Quarter Statistics:

- 5,199 exams were administered.
- 10 exam development workshops were conducted.

Steve Sodergren provided the following updates:

- Association of Social Work Boards (ASWB)
  - 90-day Exam Waiting Period Waiver
  - Clinical Exam Pass Rates
  - ASWB Community Conversations
- National Board for Certified Counselors
- Association of Marriage and Family Therapy Regulatory Boards  
Clinical Exam

#### e. Enforcement Report

2<sup>nd</sup> Quarter Statistics:

- 464 consumer complaints received
- 317 criminal convictions
- 617 cases closed
- 31 cases referred to Attorney General's (AG) Office
- 68 cases pending at AG's Office
- Average time to complete formal discipline: 422 days
- Average time a case is at the AG's Office: 252 days
- Average time to complete board investigations: 38 days

#### f. Education and Outreach Report

2<sup>nd</sup> Quarter Statistics:

- Facebook followers increased to 23,769.
- Facebook page visits increased by 82.6%.
- Instagram page visits increased by 93.2%.
- Responded to BBS email accounts: 21,653

Sodergren reported on National School Counseling Week held on February 6<sup>th</sup>-10<sup>th</sup> and announced May's Mental Health Awareness Month, July's National Minority Mental Health Awareness Month, and National Psychotherapy Day on September 25<sup>th</sup>.

Outreach events for FY 22/23 were provided.

1 **g. Organizational Development Report**

2 The following progress updates were provided:

- 3 • BreEZe system updates
- 4 • Process Improvement Project
- 5 • Digitizing BBS records
- 6 • Diversity and equity training

7  
8 **h. Strategic Plan Update**

9 Progress updates on Strategic Plan goals were provided.

10  
11 Public Comment

12 Ben Caldwell: Asked questions regarding acceptance of e-signed documents.

13  
14 Sodergren responded: The Board is accepting all signed documents,  
15 including scanned original documents and signed electronic documents.

16  
17 Board Member Comment

18 Board members posed questions regarding specific strategic plan goals and  
19 requested clarifications.

20  
21 Walker: Suggested adding a diversity statement.

22  
23 Ortega: Stated that BreEZe is antiquated and asked if there are plans to use the  
24 reserve funds to update the technology?

25  
26 Sodergren responded: Explained that BBS cannot spend the reserve; the  
27 Board must recommend a budget change proposal to utilize funds. The  
28 priority is to ensure that the Board has the resources and staffing it needs to  
29 complete processing of applications and reduce processing times.  
30 Explained that BreEZe continues to be updated often. Replacing BreEZe  
31 would cost DCA millions of dollars. Staff is currently looking at technology  
32 to use so that supervised hours can be submitted electronically and directly  
33 into the current system. However, this would be costly and would require a  
34 budget change proposal.

35  
36 Public Comment

37 Rebecca Gonzales, National Association of Social Workers, California Chapter  
38 (NASW-CA): NASW-CA has continuing concerns regarding the ASWB exam.  
39 Hopes that the 90-day waiver issues could be worked out.

40  
41 **XVI. Presentation By Board Staff Regarding the Legislative Process**

42  
43 This item was tabled.



1 **XVII. Discussion and Possible Recommendation Regarding Amendments to the**  
2 **Board’s Temporary Practice Allowance Bill Proposal (AB 232, Aguiar-**  
3 **Curry): Add Business and Professions Code (BPC) §§4980.11, 4996.16.1,**  
4 **4999.23, Amend BPC §§4980, 4980.30, 4991.2, and add Article 1 Under**  
5 **Chapter 14**  
6

7 At its November 2022 meeting, the Board approved statutory language and  
8 directed staff to pursue legislation to allow a 30-day temporary practice  
9 allowance to qualifying therapists licensed in another state whose client is visiting  
10 California or is in the process of moving to California. The bill proposal is  
11 introduced as AB 232.  
12

13 The Legislative Counsel recommended some additional changes to the proposed  
14 language. The recommended changes were presented.  
15

16 Board Member Comment

17 Jones: Asked if Licensed Educational Psychologists (LEP) can be added into  
18 this proposal?  
19

20 Helms responded: That is a possibility in the future. Since there is only  
21 one other state (Massachusetts) that licenses LEPs, staff would need to  
22 investigate the differences between Massachusetts and California. It was  
23 decided not to do that at this time.  
24

25 Motion: Direct staff to make any discussed changes and any non-substantive  
26 changes to the language in Attachments B and C and amend it into the Board’s  
27 temporary practice allowance bill proposal (AB 232).  
28

29 Disposti moved. Huft second.  
30

31 Public Comment

32 Ann Tran-Lien, California Association of Marriage and Family Therapists  
33 (CAMFT): CAMFT supports the proposed changes. CAMFT anticipates possible  
34 implementation issues and asked how the associations can help resolve  
35 implementation issues.  
36

37 Helms responded: The language is tightly written with a 2-year  
38 implementation. If adjustments are needed, the Board intends to work  
39 closely with the associations on those adjustments.  
40

1

Roll call vote

Member	Yea	Nay	Abstain	Absent	Recusal
Max Disposti	x				
Ross Erlich	x				
Susan Friedman	x				
Justin Huft	x				
Christopher Jones	x				
Abigail Ortega	x				
Kelly Ranasinghe	x				
John Sovec	x				
Wendy Strack	x				
Eleanor Uribe				x	
Dr. Annette Walker	x				
Yvette Casares Willis				x	

2

3

Motion carried: 10 yea, 0 nay

4

5

**XVIII. Telehealth Committee Update**

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7

At its December 2022 meeting, the Telehealth Committee discussed the following:

8

9

- Online-only therapy platforms and alternative modes of therapy.
- Possible revisions to the Board’s statutes that require physical display of a license or registration for telehealth practice.
- Developing a telehealth best practice document

10

11

12

13

14

March 16<sup>th</sup> is the next scheduled meeting.

15

16

Public Comment: None

17

18

**XIX. Licensing Committee Update**

19

20

At its January 2023 meeting, the Licensing Committee discussed the following:

21

22

23

24

25

- Developing a workforce development action plan
- Pastoral counseling and life coaching
- Developing of a consumer outreach document that would explain the Board’s regulated professions.

26

27

April 14<sup>th</sup> is the next scheduled meeting.

28

29

Public Comment: None

30

31

1 **XX. Update on Board-Sponsored and Monitored Legislation**

2  
3 The Board is pursuing the following legislative proposals this year:

- 4 • AB 232 Temporary Practice Allowances  
5 • Omnibus Bill Proposal  
6

7 Public Comment: None  
8

9 **XXI. Update on Board Rulemaking Proposal**

10  
11 Continuing Education and Additional Training Requirements

12 Status: Approved by the Office of Administrative Law and takes effect July 1,  
13 2023

14  
15 Examination Waiting Periods, Professional Corporations, Accrediting Agencies  
16 and Equivalent Degrees

17 Status: Approved by the Office of Administrative Law and takes effect April 1,  
18 2023

19  
20 Enforcement Process

21 Status: Under review by the Board's Policy and Advocacy Committee  
22

23 Public Comment: None  
24

25 **XXII. Suggestions for Future Agenda Items**

26  
27 Ortega: Prioritize barriers to licensure and create a plan to address the barriers  
28 by priority.

29  
30 Friedman: The BBS should speak to schools and students to get more people  
31 to licensed.

32  
33 Joseph Fisher: Address the issue of the 6-year rule for those individuals who  
34 have a chronic illness or are disabled, or who care for people with chronic  
35 illnesses.  
36

37 **XXIII. Public Comment for Items not on the Agenda**

38  
39 None  
40

41 **XXIV. Adjournment**

42  
43 The Board adjourned at 11:48 a.m.