

Capitol Notes



CPA-SPONSORED IMMUNITY BILL SIGNED BY THE GOVERNOR!

SB 822, authored by Senator Sam Aanestad and sponsored by the California Psychological Association was signed into law on Friday July 6th. The bill had widespread bi-partisan support, passing all legislative committees and floor votes without a SINGLE NO vote.

SB 822 (Aanestad) will grant immunity to supervisors of graduate students who communicate relevant information to the graduate program about a student's performance. The same immunity is granted to individuals who communicate similarly with professional associations and the California Board of Psychology. This immunity is also granted to individuals in medical, dental, podiatric, and veterinary schools.

CPA sponsored SB 822 to ensure that supervisors working in public service programs as well as independent practitioners who supervise students in training can provide honest, straightforward evaluative information about the student being supervised.

To view the chaptered bill, please click [HERE](#).

Special Thanks to Dr. Gilbert Newman, CPA Past President and Government Affairs Vice chair, who initiated the bill and testified before committee on its behalf. A big thank you to the hundreds of individual psychologists who wrote letters of support to legislators and the Governor and made this all happen.

LICENSED PROFESSIONAL COUNSELORS BILL DIES IN SENATE COMMITTEE

AB 1486 (Calderon), the Licensed Professional Counselor bill, failed passage in the Senate Business and Professions Committee. CPA's strong lobbying and grassroots effort raised many questions about the need and quality of the proposed LPC license. The bill called for the licensing and regulation of licensed professional counselors and interns by the Board of Behavioral Sciences.

While CPA is not opposed to licensing of counselors in general, there were SERIOUS concerns about provisions in AB1486 related to the vague and ambiguous scope of practice, the number of related degrees qualifying for the counselor license, and overly lenient grandparenting provisions.

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LPC Bill Dies in Committee (cont.)

In Committee, CPA raised legitimate concerns about the vaguely-worded scope of practice, the inclusion of psychological testing in the LPC practice, the inclusion of individuals with traditional counseling training to perform psychotherapy, and the lax grandparenting provisions that would grandparent in approximately 5,000 LPCs in the first year. CPA met with the counselors several times, and continued to oppose the bill since our concerns were not adequately addressed.

CPA was joined in opposition by the American Association of Marriage and Family Therapists, California Chapter. Proponents of the bill include the California Coalition for Counselor Licensure, the California Psychiatric Association, and the California Board of Behavioral Sciences. The bill received ONE affirmative vote, FIVE no votes, and THREE abstentions.

AB 1486 will next be eligible for hearing in June 2008. We will continue to work on the issue and engage the counselors in discussion until that time. To view AB 1486, please click [HERE](#).

UPDATE ON COLEMAN CASE

Judge Karlton, overseeing the Coleman case, has issued an order regarding pay parity and work conditions for psychologists in State Facilities. Coleman is a Federal Court case relating to mental health treatment of patients in state institutions.

As reported in the last issue of Capitol Notes, Judge Karlton issued a written order stating that the Department of Mental Health had to implement full pay parity between Department of Mental Health and Department of Corrections and Rehabilitation psychologists who treat the same patients. Pay parity increases were also ordered for psychiatrists, licensed clinical social workers, and psychiatric technicians.

The Department responded with a plan to implement 95% pay parity for ALL psychologists working in state facilities who treat Coleman patients, although there were no specific implementation dates in their plan. Judge Karlton then responded with a written order calling for DMH to "implement the pay scales for DMH clinicians set forth in their June 14, 2007 response to this court's May 23, 2007 order," but the Judge was not as clear as simply stating 95% pay parity. CPA will continue to stay engaged in this issue.

Please [click here](#) to view Judge Karlton's order.

AB 612: BILL SIGNIFICANTLY AMENDED TO ADDRESS CPA'S CONCERNS ON LIMITS TO PSYCHOLOGICAL TESTING

AB 612 (Ruskin), a bill related to child custody evaluations, INITALLY would have essentially prohibited the use of psychological testing for children and parents in custody cases. The testing would only have been allowed if the Court granted "a motion for a mental or psychological examination of a parent or child only for good cause shown."

CPA had concerns that the bill would take away the necessary tools a Child Custody Evaluator would need in determining the best interests of a child. CPA was also concerned that the bill would have delayed court proceedings as an attorney would be required to file a motion for each and every test to be conducted. CPA quickly activated its Forensic Psychologists into Grassroots action, and the bill was SIGNIFICANTLY amended to strike all references to limiting psychological testing.

The amended version of the bill will appear in the next issue of Capitol Notes.

BILL RE-AFFIRMS PSYCHOLOGISTS' ROLE AND RESPONSIBILITIES IN PROVIDING PATIENT CARE IN EMERGENCY ROOMS

SB 916 (Yee), which passed out of the Assembly Judiciary Committee on a unanimous vote yesterday, reaffirms psychologists' appropriate inclusion on hospital medical staff and the competency to make decisions regarding early release. SB 916 addresses the commonplace problem in emergency rooms (not 5150-designated facilities) throughout the state. The bill allows a hospital to hold a patient believed to be gravely disabled or a harm to self or others for up to 24 hours when seeking appropriate placement in a facility equipped with "psych beds." Current law allows for an 8 hour detention period, which has proven too short for proper placement. The proposal to expand the limit to 24 hours also implements an early release period in that time frame.

After late amendments proposed by the CA Psychiatric Association to strip psychologists of early release authority, CPA fought for and won inclusion for psychologists! While Psychiatry argued this was a scope of practice expansion and Psychologists were not competent to authorize early release, the Assembly Judiciary Committee believed it was an appropriate use of psychologists and amended the bill to include psychologists to have early release authority, provided they are working in a collaborative treatment relationship with a physician.

The amended version of the bill will appear in the next issue of Capitol Notes.

SAVE THE DATE-2008 LEADERSHIP AND ADVOCACY CONFERENCE!

CPA AND CPA'S DIVISION I WILL HOLD ITS 19TH ANNUAL LEADERSHIP AND ADVOCACY CONFERENCE IN DOWNTOWN SACRAMENTO ON **SUNDAY APRIL 13-TUESDAY APRIL 15TH**. THIS EVENT IS NOT TO BE MISSED...IF YOU ARE A CHAPTER PRESIDENT, GOVERNMENT AFFAIRS REPRESENTATIVE, PLEASE MARK YOUR CALENDARS NOW.

LEGISLATION REQUEST FORM

Do you have a legislative idea? A change in the way California government is run? A solution to a problem encountered in your workplace everyday?

If you answered YES to any of these questions, please take a few minutes to fill out the [Legislative Request Form](#) and let your voice and ideas be heard by CPA.

Please call Amanda Levy at 916-286-7979, ext. 106 with any questions.

Capitol Notes is a membership benefit of the California Psychological Association, sent to members on a regular basis when the State Legislature is in session in Sacramento.

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