



Board of Behavioral Sciences
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INFORMATION AND INSTRUCTIONS FOR CLINICAL DIAGNOSTIC EVALUATOR

Pursuant to the [Uniform Standards Related to Substance Abuse and Disciplinary Guidelines](#) adopted pursuant to [California Code of Regulations, Title 16 \(16 CCR\), section 1888](#) and pursuant to a Board of Behavioral Sciences (Board) Decision, a Board probationer (a.k.a. “probationer”) has been ordered to undergo a clinical diagnostic evaluation. This forensic evaluation is conducted by a psychologist or psychiatrist (a.k.a. “evaluator”) to assist the Board in making a determination as to whether this probationer is fit to practice safely with the public. [NOTE: All references to “practice” herein pertain to any and all activities for which a license or registration issued by the Board is required pursuant to the California [Business and Professions Code \(BPC\) sections 4980.02, 4989.14, 4996.9, and 4999.12](#)].

Prior to agreeing to conduct a clinical diagnostic evaluation for a probationer, please carefully review all of the following documents provided to you by the probationer:

1. A copy of the probationer’s Decision, including their Stipulated Settlement or Proposed Decision and Accusation or Statement of Issues. These documents outline the charges and the discipline imposed;
2. A copy of this document—the INFORMATION AND INSTRUCTIONS FOR CLINICAL DIAGNOSTIC EVALUATOR;
3. A copy of the BOARD PROBATIONER INFORMATION AND INSTRUCTIONS FOR CLINICAL DIAGNOSTIC EVALUATION document; and,
4. A RELEASE OF INFORMATION form signed by the probationer.

The above listed documents, which have been provided to the probationer prior to the effective date of their Decision, provide an overview of the case and the Board’s requirements for the evaluation. This evaluation is **NOT** voluntary on the part of the probationer—it is required pursuant to their Decision. The probationer is required to pay for the evaluation in the manner set forth by you as the evaluator.

REQUIRED DOCUMENTATION

If you agree to conduct the evaluation as required, submit all of the following documentation to the probationer:

1. The evaluator’s **name and curriculum vitae (CV)**.

- 2. A letter written by the evaluator**, signed under penalty of perjury, stating that the evaluator:
- Has been given a copy of the probationer’s Decision, including the probationer’s Stipulated Settlement or Proposed Decision and Accusation or Statement of Issues;
 - Has read and understood the above-listed documents;
 - Has no current or prior relationship with the probationer, including but not limited to a financial, personal, business, professional, or therapeutic relationship;
 - Has not currently or previously acted as the probationer’s supervisor¹ or substitute supervisor² while the probationer is or was a student, Trainee, Applicant or Associate;
 - Has never been the subject of a disciplinary action³ against their license; and,
 - Is willing to conduct the evaluation as required and in accordance with acceptable professional standards for conducting substance use disorder clinical diagnostic evaluations.

After you submit the above listed documentation to the probationer, the probationer will then include it in their evaluator proposal packet and submit the packet to the Board. Upon the Board’s approval of the proposed evaluator **and** prior to the evaluation, the assigned Board Probation Analyst sends the approved evaluator written notice that includes information that the Board may require in the written evaluation report that will assist the Board in making a determination as to whether the probationer is fit to practice safely.

EVALUATOR RESPONSIBILITIES

The Board-approved evaluator does all of the following:

1. Provides an objective, unbiased, and independent evaluation.
2. Notifies the Board **immediately** if any of the following occur:
 - a. The probationer fails to attend any appointment, fails to cooperate with the evaluator/evaluation process, and/or fails to pay the cost of the evaluation as required by the evaluator; or,

¹ “Supervisor” is an individual who provides supervision to a supervisee as required in [BPC sections 4980.04, 4996.23, or 4999.46](#), or who provides supervision or direction to a supervisee as required in [BPC section 4989.20\(a\)\(6\)\(A\) or \(B\)](#).

² “Substitute Supervisor” is a supervisor who provides temporary supervision to a supervisee according to the requirements set forth in [16 CCR sections 1821.1, 1833.1.5 or 1870.3](#).

³ Examples of disciplinary action include, but are not limited to, when a Board-issued license or registration is on probation, revoked, suspended, reprovoked, censured, reprimanded, restricted, limited or conditioned.

- b. The evaluator has concerns regarding the probationer's fitness to practice with safety to the public and/or concerns that the probationer is a danger to self or others.
3. Initiates the clinical diagnostic evaluation within **20 days** of the effective date of the probationer's Decision.
4. Submits their written evaluation report as required in the EVALUATION REPORT – REQUIREMENTS AND PROCESS section below.

EVALUATION REPORT – REQUIREMENTS AND PROCESS

Evaluation Report

The evaluation report shall set forth, in the evaluator's opinion, the following:

1. Whether the probationer has a substance use disorder;
2. Whether the probationer is a threat to self or others;
3. Recommendations for the probationer's substance use disorder treatment, practice restrictions, or other recommendations related to Respondent's rehabilitation and safe practice; and,
4. Other information that the Board may require.

The existing terms and conditions of probation listed in the probationer's Decision cannot be modified, eliminated or reduced by the evaluator —these terms and conditions can only be modified by the Board, or modified pursuant to [BPC section 4990.30](#). However, the evaluator can recommend the addition of probation terms and conditions related to the probationer's rehabilitation and safe practice, such as psychotherapy, supervised practice, and/or education (for example).

Submission Requirements

The evaluator must submit their completed written evaluation report to the Board (**NOT** the probationer) no later than **ten (10)** days from the date that the evaluator completed their final session with the probationer. This deadline may be extended by the Board for a period not to exceed thirty (30) days for good cause and if requested by the evaluator. Requests for an extension of this deadline must be submitted by the evaluator in writing to the assigned Board Probation Analyst (via mail or email) within 10 days of the final evaluation session with the probationer and must include all of the following:

1. The date of the request for the extension
2. The date of the last (final) evaluation session with the probationer
3. The reason for the request of an extension of the deadline [NOTE: The deadline may be extended only for good cause].

Submission Requirements (continued)

The completed written evaluation report must be mailed and postmarked by the deadline to:

Board of Behavioral Sciences
Attn: [INSERT NAME OF ASSIGNED PROBATION ANALYST]
1625 N. Market Blvd., Ste. S200
Sacramento, CA 95834

Processing the Evaluation Report

Upon receipt of the completed written evaluation report, the Board processes it and establishes a determination regarding whether the probationer is fit to practice safely with the public. If the evaluator recommends additional probation terms and conditions, then those terms and conditions may be added to the probationer’s disciplinary order. The Board then provides written notification to the probationer regarding the Board’s determination, as well as information and instructions regarding recommendation(s), requirements, and/or restriction(s) made or imposed as a result of the evaluation.

EVALUATOR QUESTIONS

If you have any questions prior to Board approval of the proposed evaluator, please contact the Board at BBS.Probation@dca.ca.gov. Should the Board approve you as the evaluator, please contact the assigned Board Probation Analyst listed in the Board’s written notification to you.