

Board of Behavioral Sciences

2021 Leadership Accountability Report

December 21, 2021

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Lourdes M. Castro Ramirez, Secretary
California Business, Consumer Services and Housing Agency
915 Capitol Mall, Suite 350-A
Sacramento, CA 95814

Dear Secretary Lourdes M. Castro Ramirez,

In accordance with the State Leadership Accountability Act (Leadership Accountability), the Board of Behavioral Sciences submits this report on the review of our internal control and monitoring systems for the biennial period ending December 31, 2021.

Should you have any questions please contact Marc Mason, Administrative Manager, at (916) 574-7828, Marc.Mason@dca.ca.gov.

GOVERNANCE

Mission and Strategic Plan

The mission of the Board is to protect and serve Californians by setting, communicating, and enforcing standards for safe and competent mental health practices.

GOAL 1: LICENSING Establish licensing standards to protect consumers and allow reasonable and timely access to the profession. 1.1 Identify and implement enhanced communication during the application process to respond to stakeholder concerns regarding communication between applicant and the Board. 1.2 Improve and expand the Board's virtual online BreEZe1 functionality to provide applicants with the precise status of their applications and license. 1.3 Research and explore a comprehensive online application process to improve efficiency. 1.4 Evaluate and revise current laws and regulations relating to licensure portability to increase consumer access to mental health care.

GOAL 2: EXAMINATION Administer fair, valid, comprehensive, and relevant licensing examinations. 2.1 Improve the efficiency and reduce processing times to streamline the online exam application. 2.2 Explore methods to improve the candidate's exam experience to address concerns relating to quality and customer service. 2.3 Improve the Board's examination study materials to increase access to exam preparation. 2.4 Evaluate the Association of Marriage and Family Therapy Regulatory Boards (AMFTRB) national examination to determine if appropriate for use in California.

GOAL 3: ENFORCEMENT Protect the health and safety of consumers through the enforcement of laws. 3.1 Explore the feasibility of additional staff resources to address the increase in number of licensees placed on probation. 3.2 Educate registrants and licensees about general legal requirements and consequences to practitioners who fail to adhere to these legal requirements. 3.3 Educate the Deputy Attorneys General and Administrative Law Judges regarding the disease of addiction and substance abuse to increase their awareness during the discipline process. 3.4 Establish uniform standards and templates for reports and evaluations submitted by the subject matter experts to the Board related to disciplinary matters.

GOAL 4: LEGISLATION AND REGULATION Ensure the statutes, regulations, policies, and procedures strengthen the Board's mandate and mission. 4.1 Pursue legislation to implement the recommendations of the License Portability Committee to improve license portability. 4.2 Reorganize the statutes and regulations specific to each Board license type to improve understanding of applicable statutes and regulations. 4.3 Continue to review statutory parameters for exempt settings and modify, if necessary, to ensure adequate public protection. 4.4 Explore the feasibility of improving the law and ethics renewal requirements to inform licensees about updates in relevant laws. 4.5 Review and update existing telehealth regulations to improve consumer protection and access to services.

GOAL 5: ORGANIZATIONAL EFFECTIVENESS Build an excellent organization through proper Board governance, effective leadership, and responsible management. 5.1 Implement a strategic succession plan of Board staff to ensure the continued success of the Board's operations. 5.2 Support DCA efforts to contract with independent organizations to perform occupational analyses and salary surveys of management-level positions equivalent to the Executive Officer and Bureau Chief classifications to enhance the Board's ability to attract and retain competitive applicants. 5.3 Explore the feasibility of hiring in-house counsel to ensure consistency in the application of law. 5.4 Explore the feasibility of hiring a media and Internet technology specialist to increase consistency in messaging to stakeholders. 5.5 Improve customer service with stakeholders to expand (or support) effective communication and accessibility to the Board.

GOAL 6: OUTREACH AND EDUCATION Engage stakeholders through continuous communication about the practice and regulation of the professions, and mental health care. Explore modalities of communication to expand and increase outreach. 6.2 Advocate to increase Board presence at national professional association meetings to enhance awareness of national trends and best practices. 6.3 Develop an outreach program to educate the public about the benefits of mental health care to reduce barriers and destigmatize mental health care. 6.4 Explore opportunities to coordinate with stakeholders to increase the diversity of mental health practitioners to better serve California's diverse population. 6.5 Improve outreach activities to educational institutions, students, and applicants to educate incoming registrants of application requirements for licensure.

Control Environment

At the Board, management is expected to demonstrate, through their own habits, integrity and ethical values. Oversight of the Board's Executive Officer (EO) is provided by the Board. The Executive Officer provides oversight of the Assistant Executive Officer (AEO). Both the Executive Officer and the Assistant Executive Officer provide oversight to the Staff Services Managers who in turn oversee the staff. All Board staff are required to read and sign the Board's office guidelines which detail the Board's values and rules of conduct. With new employees management follows state human resource probation guidelines to evaluate staff performance and enforce accountability. Once a staff member passes probation management uses Individual Development Plans to identify areas of improvement and possible training opportunities. The Department of Consumer Affairs (Department) offers a variety of training that the Board regularly utilize.

Information and Communication

The Board employs one Associate Governmental Program Analyst (AGPA) who is responsible for evaluating and maintaining the Board's operational budget. This analyst communicates with the Board's

units about budget needs, and then communicates these needs to the EO and AEO. The Board employs one AGPA legislative analyst and one regulatory analyst, both of whom work with external stakeholders and internal staff to identify issues, inefficiencies, and problems both internal and external to the Board that can be solved through process changes and changes to statutory or regulatory language. Board managers (Staff Services Managers I) hold regular meetings with employees where employees are encouraged to identify and report on inefficiencies and problems. All managers are expected to maintain an "open door" policy at all times as well. In addition to these meetings the EO and AEO hold weekly meetings both in groups and one on one where managers are asked to report on any issues, problems, or inefficiencies.

MONITORING

The information included here discusses the entity-wide, continuous process to ensure internal control systems are working as intended. The role of the executive monitoring sponsor includes facilitating and verifying that the Board of Behavioral Sciences monitoring practices are implemented and functioning. The responsibilities as the executive monitoring sponsor(s) have been given to:
Steve Sodergren, Executive Officer.

The Board consistently monitors activities for inefficiencies, problems, and productivity. Every month a Loss of Productivity Report is compiled and distributed. This report details (in aggregate) loss of productivity due to unplanned absences. In addition to this report the processing times for all license types is monitored closely and detailed in a report so that inefficiencies and slowdowns can be caught quickly. For personnel issues, including refilling vital positions, a report on all vacancies and recruitment is maintained on a monthly basis.

If management detects slowdowns in productivity via the Loss of Productivity Report management determines if the loss of productivity is due to excused absences or due to unexcused absences. If the loss is due to excused absences management will evaluate the situation and determine if staff from other areas need to or can be redeployed to address shortfalls. If the loss of productivity is determined to be caused by unexcused absences management begins the progressive discipline process and determines whether redeployment of staff is necessary.

If management notices slowdowns on the processing timelines chart management will determine whether there is an increase of volume causing the slowdowns or if there is something else causing the slowdowns and take measures to address the slowdown.

RISK ASSESSMENT PROCESS

The following personnel were involved in the Board of Behavioral Sciences risk assessment process: executive management, middle management, front line management, and staff.

The following methods were used to identify risks: brainstorming meetings, ongoing monitoring activities, other/prior risk assessments, consideration of potential fraud, and performance metrics.

The following criteria were used to rank risks: likelihood of occurrence, potential impact to mission/goals/objectives, and timing of potential event.

RISKS AND CONTROLS

Risk: Covid 19 Pandemic

On March 11, 2020 the novel Coronavirus (COVID-19) was declared a global pandemic which set in motion declared public health emergencies across the United States. The COVID-19 pandemic was declared a national emergency on March 13 and was previously declared a nationwide public health emergency on January 31, 2020. The emergency resulted in the need for most staff to telework which the Board was not equipped for initially. The Board's response to the pandemic is ongoing.

Control: Pandemic Response

The Pandemic response prompted the Board to transition most of its staff to primarily telework. At the time of the initial outbreak of the pandemic, only a small number of staff had laptops and other portable computing equipment needed for telework. The Board has worked to purchase new laptops for all staff. The Board is currently in the process of purchasing the final number of laptops needed to ensure that all staff will have the necessary equipment for telework. This final purchase should be completed by December 2021.

Risk: Workflow and Processes

The Board has observed some inefficiencies regarding workflow and the processing of applications. Due to these inefficiencies, the Board's timeframe for reviewing applications has increased. Consequently, there has been a significant increase in the number of pending applications. This results in a potential shortage of mental health providers.

Control: Review of Processes by OIO

As a result of these inefficiencies, The Board began meeting with the Department's Organizational Improvement Office (OIO) to identify inefficiencies and strategies to improve efficiency. These meetings are expected to conclude in November 2021. At the conclusion of the OIO assessment process the Board will review OIO's recommendations and implement new processes to improve efficiency.

Risk: Building Becomes Uninhabitable

In the event of a natural disaster like an earthquake or a flood which completely prevents access to the building the Board would likely be unable to conduct many necessary aspects of business. Specifically the Board still relies on the delivery of physical applications. If the Board was unable to receive and process those applications many aspects of the Board's business would come to a halt.

Control: Online Applications

The Board is working to transition applications to be completely online. This would have the benefit of allowing Board staff to handle all aspects of application review and processing remotely while also reducing the amount of paper the Board uses which would benefit the environment.

CONCLUSION

The Board of Behavioral Sciences strives to reduce the risks inherent in our work and accepts the responsibility to continuously improve by addressing newly recognized risks and revising risk mitigation strategies as appropriate. I certify our internal control and monitoring systems are adequate to identify and address current and potential risks facing the organization.

Steve Sodergren, Executive Officer

CC: California Legislature [Senate (2), Assembly (1)]
California State Auditor
California State Library
California State Controller
Director of California Department of Finance
Secretary of California Government Operations Agency