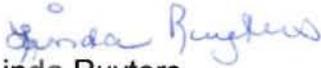




STATE AND CONSUMER SERVICES AGENCY • GOVERNOR EDMUND G. BROWN, JR.  
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DATE: April 23, 2012  
TO: Board Members  
FROM:   
Linda Ruyters  
Administrative Analyst  
SUBJECT: Legislative Report

Listed below are the key bills that the Board has been following. *An updated version of this report will be distributed to Board members at the Regular Board Meeting.*

- **AB 338 – Regulations: Legislative Validation: Effective Date:** Requires the Office of Administrative Law (OAL) to submit to the Legislature for review a copy of each disapproved regulation where the basis for that disapproval was a determination that the agency exceeded its statutory authority in adopting the regulation. Requires that a regulation become effective on a specified day after it is filed with the Secretary of State, unless prescribed conditions occur.  
*Status: 03/19/12: In Senate Committee on Environmental Quality: Not heard.*
- **AB 1504 – Administrative Regulations:** Amends the Administrative Procedure Act. Requires each state agency that is considering adopting, amending or repealing a regulation, to complete an economic assessment of the proposed action prior to submitting a notice of proposed action to the OAL.  
*Status: From Assembly Committee on Business, Professions & Consumer Protection with author's amendments.*
- **AB 1537 – Government Accountability Act of 2012:** Requires that a major proposed regulation include a provision to repeal the regulation within a specified time period after approval by the Office of Administrative Law and requires the Office to return to an agency any proposed regulation that does not include the repeal provision, unless the Legislature enacts a statute that expressly validates and approves the content.  
*Status: 3/28/12: From Assembly Committee on Business, Professions & Consumer Protection with author's amendments.*
- **AB 1588 – Professions and Vocations: Reservist Licensees:** - Relates to the issuance of reciprocal licenses, regulated by the Department of Consumer Affairs (DCA), in certain fields. Authorizes a board within the DCA to issue a temporary license to an applicant who holds an equivalent license in another jurisdiction and is married to an active duty member of the Armed Forces of the United States.  
*Status: 3/27/12: From Assembly Committee on Business, Professions & Consumer Protection: Do pass to Committee on Appropriations.*

- AB 1904 – Professions and Vocations: Military Spouses: Relates to the issuance of reciprocal licenses, regulated by the DCA, in certain fields and authorizes a board within the DCA to issue a temporary license to an applicant who holds an equivalent license in another jurisdiction and is married to an active duty member of the Armed Forces of the United States.  
*Status: 3/27/12: From Assembly Committee on Business, Professions & Consumer Protection: Do pass to Committee on Appropriations.*
- AB 1914 – Agency Reports: Requires each state or local agency to submit a list of all reports the agency has not yet submitted to the Legislature along with a status summary for each report, including a statement explaining why any overdue report has not yet been submitted and a compliance plan. Provides that the Legislature may withhold appropriations for any agency that fails to submit timely reports.  
*Status: 4/17/12: From Assembly Committee on Business, Professions & Consumer Protection: Do pass to Committee on Appropriations.*
- AB 1932 – United States Armed Forces: Healing Arts Boards: Requires every healing arts board to issue a written report to the Department of Veterans' Affairs that details methods of evaluating the education, training, and experience obtained in military service and whether such education, training, and experience is applicable to the board's requirements for licensure.  
*Status: 4/17/12: To Assembly Committees on Business, Professions & Consumer Protection and Veterans' Affairs.*
- AB 1969 – Regulations: Filing: Relates to the requirements for the adoption, publication, review and implementation of regulations by state agencies, and for the review of those regulatory actions by the OAL. Prohibits the office from transmitting any regulations to the Secretary of State for filing that it receives between specified dates.  
*Status: 4/16/12: From Assembly Committee on Business, Professions & Consumer Protection with author's amendments.*
- AB 1976 – Licensure and Certification: Military Experience: Requires a health arts board within the DCA, upon the presentation of qualifying evidence by an applicant for licensure, to accept military service related education, training, and practical experience towards licensure or certification qualifications. Requires the accreditation or approval only of those schools that have procedures in place to accept an applicant's military education, training, and practical experience toward the completion of an educational program.  
*Status: 4/17/12: From Assembly Committee on Business, Professions & Consumer Protection: Do pass to Committee on Veterans Affairs.*
- AB 1982 – Regulations: Effective Date: Legislative Review: Relates to regulations and administrative reviews to determine economic impact. Requires the OAL to submit to the Legislature for review a copy of each major regulation that it submits to the Secretary of State. Specifies that the list of prescribed conditions that prevent a regulation from becoming effective include a statutory override of the regulation.  
*Status: 3/8/12: To Assembly Committee on Business, Professions & Consumer Protection.*
- AB 2041 – Regulations: Adoption: Disability Access: Requires an agency to publish a notice of proposed action that includes specified information at least 45 days prior to a

hearing and the close of the public comment period. Requires an agency to include within the notice of proposed action a specified statement regarding the availability of narrative description for persons with visual or other specified disabilities.

*Status: 4/17/12: From Assembly Committee on Business, Professions & Consumer Protection: Do pass to Committee on Appropriations.*

- AB 2090 – Regulations: Defines a major regulation as a regulation that an agency determines has an expected economic impact on business enterprise and individuals in a specified amount. Modifies the requirements that an adopting agency must meet when the economic impact analysis and the standardized regulatory impact analysis. Requires the submission of a detailed summary when proposing to adopt a major regulation to specified persons and entities.  
*Status: 3/29/12: To Assembly Committee on Business, Professions & Consumer Protection.*
- AB 2091 – Regulations: New or Emerging Technology: Requires a state agency proposing an administrative regulation that would require a person or entity to use a new or emerging technology or equipment to determine if that technology is available and effective in accordance with certain requirements. Requires the state agency to submit to the OAL, and make available to the public upon request, a statement that the agency has complied with the requirements of the Administrative Procedure Act.  
*Status: 4/17/12: In Assembly Committee on Business, Professions & Consumer Protection: Not heard.*
- AB 2213 – Government Reorganization: Realignment or Closure: Establishes the Bureaucracy Realignment and Closure Commission to consider recommendations for the closure or realignment of state bureaucracies submitted by specified entities. Provides for the elimination of the Joint Sunset Review Committee.  
*Status: From Assembly Committee on Business, Professions & Consumer Protection with author's amendments.*
- AB 2370 – Mental Retardation: Change of Term: Revises various statutes that refer to mentally retarded persons to, instead, refer to a person with an intellectual disability. States the intent of the Legislation not to make a change to services or the eligibility for services. Provides that this would be known as the Shriver R-Word Act.  
*Status: 4/16/12: In Assembly. Read third time. Passed Assembly. To Senate.*
- AB 2401 – Secure Electronic Communications: Authorizes a business, a government agency, government official, or a person acting with official government authority to communicate with a person in writing by the use of a secure electronic delivery service.  
*Status: 3/19/12: To Assembly Committee on Judiciary.*
- AB 2458 – Healing Arts: Health Care Practitioners: Makes technical, non-substantive changes to existing law providing for the licensure and regulation of various health care practitioners and requiring those health care practitioners to disclose their license status while working, on a name tag in specified type.  
*Status: 2/24/12: Introduced*
- AB 2570 – Licensees: Settlement Agreements: Relates to professional misconduct by an attorney. Prohibits a licensee who is regulated by the DCA or various boards, bureaus, or

programs from including a provision in an agreement to settle a civil dispute that prohibits the other party in that dispute from contacting, filing a complaint with, or cooperating with department, board, bureau, or program.

*Status: 3/19/12: To Assembly Committee on Business, Professions & Consumer Protection.*

- **SB 60 – Mental Health: State Hospitals:** Amends existing law requiring a mental health patient, determined to be a high-security risk, to be treated in the department's most secure facilities, and other patients to be treated near the patient's community. It also deletes these provisions governing evaluation and treatment, and instead requires a risk evaluation upon commitment to any state hospital, of a patient who is being committed pursuant to any provision of the Penal Code.  
*Status: 8/25/11: In the Assembly Committee on Appropriations: not heard.*
- **SB 103 – State Government: Meetings:** Authorizes a state body, to the extent practicable, to conduct teleconference meetings and requires a state body to provide a supplemental live audio broadcast on the Internet Web site of its board meetings that are open to the public unless it is determined to be too costly. It also prohibits teleconference meetings as a matter of convenience and requires a body that operates an Internet Web site to provide a supplemental live audio or video broadcast on the Web site of board meetings open to the public.  
*Status: 8/25/11: In the Assembly Committee on Appropriations: Held in Committee.*
- **SB 122 – Nursing:** Requires meetings of the Board of Registered Nursing to be held in specified locations and further requires that a school of nursing not associated or that is affiliated with an institution of higher education obtain board approval to grant nursing degrees. In addition, ***it subjects all approved schools of nursing to specified fees for deposit into the Board of Registered Nursing Fund*** and authorizes the issuance of cease and desist orders to non-approved schools.  
*Status: 1/26/12: In Senate. Read third time. Passed Senate. To Assembly.*
- **SB 975 – Professions and Vocations: Regulatory Authority:** Provides boards, bureaus, and commissions within the DCA have the sole and exclusive authority to license and regulate professions and vocations regulated by those boards pursuant to provisions of the Business and professions Code and that no licensing requirements shall be imposed upon a person licensed to practice one of those professions or vocations other than under that code or by regulation promulgated by the board. Prohibits local entities from the regulation process.  
*Status: From Senate Committee on Business, Professions and Economic Development with author's amendments.*
- **SB 1099 – Regulations:** Amends the Administrative Procedure Act. Provides that a regulation or order of repeal is effective on either January 1 or July 1 subject to specified exceptions. Requires the OAL to make a free copy of the full text of the Code of Regulations available on its Internet Web site. Requires the office to provide on the Internet site a list of, and a link to, the full text of each regulation filed with the Secretary of State that is pending effectiveness.  
*Status: 3/227/12: From Senate Committee on Governmental Organization: Do pass to Committee on Environmental Quality.*

- SB 1165 – Public Utilities Commission: Intervenor Compensation: Amends existing law that provides for compensation for reasonable advocate’s fees, expert witness fees, and other costs to public utility customers for participating or intervention in any proceeding of the Public Utility Commission based upon specified criteria. Includes a school district, county office of education, or community college district in the definition of a customer that may apply for intervenor compensation.  
*Status: 4/9/12: Re-referred To Senate Committee on Energy, Utilities and Communications.*
- SB 1348 – Regulations: Major Regulations: Makes a technical, nonsubstantive change to the Administrative Procedure Act regarding procedures for the adoption, amendment, or repeal of regulations by state agencies and for the review of those regulatory actions by the OAL.  
*Status: 4/17/12: From Senate Committee on Rules with author’s amendments.*
- SB 1374 – Liability: Good Faith Reliance on Administrative Rules: Relates to the tort liability and immunity of, and claims and actions against, public entities and their officers and employees. Provides that certain persons shall not be liable or subject to punishment for a violation of a civil statute or regulation if such persons plead they were acting in good faith and conformity with, and in reliance on, an applicable state agency’s written order, ruling, approval, interpretation, or enforcement policy.  
*Status: 4/9/12: From Senate Committee on Judiciary with author’s amendments.*
- SB 1381 – Mental Retardation: Change: Intellectual Disability: Revises existing law referring to mental retardation or a mentally retarded person to refer instead to intellectual disability or a person with an intellectual disability. Provides that nothing in these provisions shall be construed as making a substantive change in law or a change to services or eligibility for services in revising this terminology. Makes related and technical changes.  
*Status: 4/12/12: In Senate. Read third time. Passed Senate. To Assembly.*
- SB 1414 – Administrative Regulations and Rulemaking: Makes a technical, nonsubstantive change to existing law requiring the OAL to either approve a regulation submitted to it for review and transmit it to the Secretary of State for filing, or disapprove the regulation within 30 working days after the regulation is submitted to the office for review, as specified.  
*Status: 4/16/12: From Senate Committee on Rules with author’s amendments.*
- SB 1483 – Vocational Nursing: This proposed legislation relates to the Vocational Nursing Practice Act and regulation of the practice of vocational nursing by the BVNPT of the State of California. It requires that a specified board member must have experience as a teacher or administrator in a board-approved school of vocational nursing.  
*Status: 3/22/12: To Senate Committee on Business, Professions and Economic Development.*
- SB 1507 – Regulations: States the intent of the Legislature to enact legislation implementing the recommendations proposed by the Milton Marks Little Hoover Commission on California State Government Organization and Economy to improve the state’s regulatory process.  
*Status: 3/22/12: To Senate Committee on Rules.*
- SB 1520 – State Government: Administrative Efficiency: Relates to the Administrative Procedure Act regarding an initial statement of reasons that include standardized economic

impact analysis for each major regulation proposed. Requires that the statement of reasons include a standardized impact analysis for each major regulation proposed. Establishes the Streamlined Permit Review Team on State Government. Requires the team to convene permitting agencies.

*Status: 3/22/12: To Senate Committees on Governmental Organization and Environmental Quality.*

(4/23/12)