



BUSINESS, CONSUMER SERVICES, AND HOUSING AGENCY • GOVERNOR EDMUND G. BROWN JR.
Board of Vocational Nursing and Psychiatric Technicians
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Agenda Item #11.



DATE: May 1, 2014
TO: Board Members
FROM: *Mark M. Ito*
Mark Ito
Licensing Analyst
SUBJECT: Legislative Report

Listed below are the key bills that the Board has been following.

AB 809 HEALING ARTS: TELEHEALTH LOGUE (R)

SUMMARY: Requires a health care provider at the originating site to provide the patient with a waiver for the course of treatment involving telehealth services to obtain informed consent for the agreed course of treatment. Requires the signed waiver to be contained in the patient's medical record.

INTRODUCED: 02/21/2013

LAST AMENDED: 06/25/2013

DISPOSITION: Pending

LOCATION: Senate Health Committee

STATUS: 06/25/2013: From SENATE Committee on HEALTH with author's amendments.

06/25/2013 In SENATE. Read second time and amended. Re referred to Committee on HEALTH.

AB 1702 PROFESSIONS AND VOCATIONS: INCARCERATION MAIENSCHIN (R)

SUMMARY: Provides that an individual who has satisfied requirements needed to obtain a license while incarcerated, who applies for that license upon release from incarceration, and who is otherwise eligible for the license shall not be subject to a delay in processing or a denial of the license solely based on the prior incarceration, except when the incarceration was for a crime substantially related to the qualifications, functions, or duties of the business or profession.

INTRODUCED: 02/13/2014

DISPOSITION: Pending

LOCATION: Assembly Business, Professions and Consumer Protection Committee

STATUS: 02/20/2014: To Assembly Committee on Business, Professions & Consumer Protection.

AB 1711 ADMINISTRATIVE PROCEDURES ACT: IMPACT ASSESSMENT

COOLEY (D)

SUMMARY: This legislation would require the inclusion of an economic impact assessment in a rulemaking file's initial statement of reasons and would direct the Department of Finance to prepare instructions for agencies to use in preparing the assessment.

INTRODUCED: 02/13/2014

LAST AMENDED: 04/03/2014

DISPOSITION: Pending

LOCATION: Assembly Consent Calendar – First Legislative Day

STATUS: 04/10/2014: In ASSEMBLY. Read second time. To Consent Calendar.

AB 1734 PUBLIC CONTRACTS: SMALL BUSINESS PARTICIPATION

JONES-SAWYER (D)

SUMMARY: Requires all state agencies, departments, boards, and commissions to achieve an annual goal of small business participation in state procurements and contracts. Includes disabled veterans. Requires a corrective plan of action for any agency that does not meet stated goals.

INTRODUCED: 02/14/2014

DISPOSITION: Pending

LOCATION: Assembly Jobs, Economic Development, and The Economy Committee

STATUS: 02/27/2014: To ASSEMBLY Committees on JOBS, ECONOMIC DEVELOPMENT AND THE ECONOMY and ACCOUNTABILITY AND ADMINISTRATIVE REVIEW.

AB 1758 HEALING ARTS: INITIAL LICENSE FEES: PRORATION

PATTERSON (R)

SUMMARY: Requires that the fee for an initial temporary or permanent license, or an original license imposed under existing provisions of law regarding the licensure of various professions and vocations be prorated on a monthly basis for programs that have a birth month renewal program.

INTRODUCED: 02/14/2014

LAST AMENDED: 04/03/2014

DISPOSITION: Pending

LOCATION: Assembly Business, Professions and Consumer Protection Committee

STATUS: 04/03/2014: In ASSEMBLY. Read second time and amended. Re referred to Committee on BUSINESS, PROFESSIONS & CONSUMER PROTECTION.

AB 1903 BUSINESS/PROFESSIONS: DEPARTMENT OF CONSUMER AFFAIRS

DONNELLY (R)

SUMMARY: Makes technical, nonsubstantive changes to existing law requiring boards within the Department of Consumer Affairs to meet at least 3 times each calendar year.

INTRODUCED: 02/19/2014

DISPOSITION: Pending

LOCATION: Assembly

STATUS: 02/19/2014: INTRODUCED.

AB 2058 OPEN MEETINGS

WILK (R)

SUMMARY: Amends the Bagley-Keene Open Meeting Act. Modifies the definition of state body to exclude an advisory body with less than 3 individuals, except for certain standing committees.

INTRODUCED: 02/20/2014

LAST AMENDED: 04/09/2014

DISPOSITION: Pending

LOCATION: Assembly Appropriations Committee

STATUS: 04/09/2014: In ASSEMBLY. Read second time and amended. Re referred to Committee on APPROPRIATIONS.

AB 2102 LICENSEES: DATA COLLECTIONS

TING (D)

SUMMARY: Requires the Board of Registered Nursing, the Physician Assistant Board, the Respiratory Care Board of California, and Board of Vocational Nursing and Psychiatric Technicians to annually collect and report specific demographic data relating to its licensees to Office of Statewide Health Planning and Development. Deletes obsolete provisions.

INTRODUCED: 02/20/2014

LAST AMENDED: 03/28/2014

DISPOSITION: Pending

LOCATION: Assembly Appropriations Committee

STATUS: 04/08/2014: From ASSEMBLY Committee on BUSINESS, PROFESSIONS & CONSUMER PROTECTION: Do pass to Committee on APPROPRIATIONS. (10 3)

AB 2155 NURSES AND CERTIFIED NURSE ASSISTANTS OVERTIME

RIDLEY-THOMAS S (D)

SUMMARY: Prohibits a nurse employed by the state, in a state facility, from being compelled to work in excess of the regularly scheduled workweek or work shift, except under certain circumstances, including the occurrence of a catastrophic event in a state facility.

INTRODUCED: 02/20/2014

DISPOSITION: Pending

LOCATION: Assembly Public Employees, Retirement and Social Security Committee

STATUS: 03/13/2014: Re referred to ASSEMBLY Committee on PUBLIC EMPLOYEES, RETIREMENT AND SOCIAL SECURITY.

AB 2165 PROFESSIONS AND VOCATIONS: LICENSES

PATTERSON (R)

SUMMARY: This legislation would require license applications to be reviewed, processed and issued to applicants who have completed the necessary requirements within 45 days of the application filing date and also requires that each exam is offered a minimum of six times per year.

INTRODUCED: 02/20/2014

LAST AMENDED: 04/10/2014

DISPOSITION: Pending

LOCATION: Assembly Business, Professions and Consumer Protection Committee
STATUS: 04/10/2014: From ASSEMBLY Committee on BUSINESS, PROFESSIONS & CONSUMER PROTECTION with author's amendments.

AB 2183 NURSING

BOCANEGRA (D)

SUMMARY: Requires the Board of Registered Nursing to adopt specific criteria for determining the equivalency of course of instruction when assessing the qualifications of an out-of-state application who is filing for licensure by endorsement. Requires the Board, in adopting the criteria, to place an emphasis on licensed clinical experience.

INTRODUCED: 02/20/2014

LAST AMENDED: 04/07/2014

DISPOSITION: Pending

LOCATION: Assembly Business, Professions and Consumer Protection Committee

STATUS: 04/07/2014: In ASSEMBLY. Read second time and amended. Re referred to Committee on BUSINESS, PROFESSIONS & CONSUMER PROTECTION.

AB 2396 CONVICTIONS: EXPUNGEMENT: LICENSES

BONTA (D)

SUMMARY: Prohibits a vocational or professional licensing board under the Department of Consumer Affairs from denying a license based solely on a conviction that has been dismissed pursuant to provisions of existing law.

INTRODUCED: 02/21/2014

LAST AMENDED: 03/28/2014

DISPOSITION: Pending

LOCATION: Assembly Business, Professions and Consumer Protection Committee

STATUS: 03/28/2014: In ASSEMBLY. Read second time and amended. Re referred to Committee on BUSINESS, PROFESSIONS & CONSUMER PROTECTION.

AB 2484 HEALING ARTS: TELEHEALTH

GORDON (D)

SUMMARY: Allows a health care provider to obtain written consent from the patient before telehealth may be used and would require that written consent to be documented in the patient's medical record.

INTRODUCED: 02/21/2014

DISPOSITION: Pending

LOCATION: Assembly Business, Professions and Consumer Protection Committee

STATUS: 03/13/2014: To ASSEMBLY Committees on BUSINESS, PROFESSIONS & CONSUMER PROTECTION and HEALTH.

AB 2598 DEPARTMENT OF CONSUMER AFFAIRS: ADMINISTRATIVE EXPENSES

HAGMAN (R)

SUMMARY: Requires the Department of Consumer Affairs to make a claim to the Controller each month against any of the funds of a board that regulates a profession or vocation for that board's share of the department's administrative expenses. Requires the department to base the claim on the amount of filled positions working for a board. Prohibits the Controller from

paying the department for a board's share of total expenses for any fiscal year in a specified amount of a board's budget for any fiscal year.

INTRODUCED: 02/21/2014
DISPOSITION: Pending
LOCATION: Assembly Business, Professions and Consumer Protection Committee
STATUS: 03/13/2014: To ASSEMBLY Committee on BUSINESS, PROFESSIONS & CONSUMER PROTECTION.

**AB 2720 STATE AGENCIES: MEETINGS: RECORD OF ACTION TAKEN
TING (D)**

SUMMARY: Amends the Bagley-Keene Open Meeting Act that requires that all meetings of a state body be open and public and all persons be permitted to attend any meeting of a state body. Requires a State body to publicly report any action taken and the vote or abstention on that action of each member present for the action.

INTRODUCED: 02/21/2014
LAST AMENDED: 04/02/2014
DISPOSITION: Pending
LOCATION: Assembly
STATUS: 04/02/2014: In ASSEMBLY. Read second time and amended. Re referred to Committee on GOVERNMENTAL ORGANIZATION.

**SB 981 REGULATIONS: REVIEW PROCESS
HUFF (R)**

SUMMARY: Requires each agency to review each regulation adopted prior to a specified date and to develop a report with prescribed information to be submitted to the Legislature. Requires each agency to conduct additional reviews of regulations that have been in effect for at least 20 years and to submit an annual report to the Legislature that identifies the regulations reviewed during that year and the associated findings.

INTRODUCED: 02/11/2014
LAST AMENDED: 04/10/2014
DISPOSITION: Pending
LOCATION: Senate Governmental Organization Committee
STATUS: 04/10/2014: In SENATE. Read second time and amended. Re referred to Committee on GOVERNMENTAL ORGANIZATION.

**SB 1091 ADMINISTRATIVE PROCEDURES: NOTICE REGISTER
GALGIANI (D)**

SUMMARY: Requires each state agency to submit a notice to the Office of Administrative Law for publication in the California Regulatory Notice Register of any meeting or hearing that occurs prior to the mailing or posting of the notice of proposed action. Requires the office to make the Register available in an electronically searchable Internet Web-based format.

INTRODUCED: 02/19/2014
DISPOSITION: Pending
LOCATION: Senate Appropriations Committee

STATUS: 04/07/2014: In SENATE Committee on APPROPRIATIONS: To Suspense File.

**SB 1159 LICENSE APPLICANTS: FEDERAL TAX IDENTIFICATION
LARA (D)**

SUMMARY: Requires the professional and vocational licensing boards within the Department of Consumer Affairs to require an applicant other than a partnership to provide either a federal tax identification number or social security number, if one has been issued to an applicant. Requires the bodies to report to the Franchise Tax Board, and subject a licensee to a penalty, for failure to provide that information.

INTRODUCED: 02/20/2014
LAST AMENDED: 04/07/2014
DISPOSITION: Pending
LOCATION: Senate Business, Professions & Economic Development Committee
STATUS: 04/10/2014: Re referred to SENATE Committee on BUSINESS, PROFESSIONS AND ECONOMIC DEVELOPMENT.

**SB 1215 HEALING ARTS LICENSES: REFERRALS
HERNANDEZ E (D)**

SUMMARY: Current law makes it a crime for licensed healing arts professionals to receive money or other consideration for, or to engage in various related activities with respect to, the referral of patients, clients, or customers to any person, with specified exceptions. This legislation would provide that this exception does not apply to advanced imaging, anatomic pathology, radiation therapy, or physical therapy for a specific patient that is performed within a licensee's office or the office of a group practice.

INTRODUCED: 02/20/2014
LAST AMENDED: 04/10/2014
DISPOSITION: Pending
LOCATION: Senate Business, Professions & Economic Development Committee
STATUS: 04/10/2014: From SENATE Committee on BUSINESS, PROFESSIONS AND ECONOMIC DEVELOPMENT with author's amendments.

**SB 1258 CONTROLLED SUBSTANCES: PRESCRIPTIONS: REPORTING
DESAULNIER (D)**

SUMMARY: Requires the prescribing and dispensing of Schedule V controlled substances to be monitored in the Controlled Substance Utilization Review and Evaluation System (CURES). Authorizes an individual who is investigating a professional license application to apply for access to the CURES regarding the controlled substance history of the applicant. Requires that controlled substance electronic prescriptions meet specified regulations. Relates to the allowable time period for certain substance prescriptions.

INTRODUCED: 02/21/2014
LAST AMENDED: 03/25/2014
DISPOSITION: Pending
LOCATION: Senate Business, Professions & Economic Development Committee
STATUS: 04/03/2014: Re referred to SENATE Committees on BUSINESS, PROFESSIONS AND ECONOMIC DEVELOPMENT and PUBLIC SAFETY.

SB 1445 DEVELOPMENT SERVICE: INDIVIDUAL PLANS: TELEHEALTH

EVANS (D)

SUMMARY: Amends existing law that provides for individual development plans for persons with developmental disabilities. Includes telehealth service and supports as part of the specialized medical and dental care that is authorized to be included in an individual development plan.

INTRODUCED: 02/21/2014

LAST AMENDED: 04/10/2014

DISPOSITION: Pending

LOCATION: Senate Appropriations Committee

STATUS: 04/10/2014: In SENATE. Read second time and amended. Re referred to Committee on APPROPRIATIONS.

SB 1466 HEALTH CARE PROFESSIONALS

BUSINESS, PROFESSIONS AND ECONOMIC DEVELOPMENT COMMITTEE

SUMMARY: This legislation would expand the scope of current law, which requires a physician or surgeon to report any patient death to the Board within 15 days, to include reporting deaths for patients regardless of whether or not their procedure was scheduled.

INTRODUCED: 03/25/2014

DISPOSITION: Pending

LOCATION: Senate Business, Professions & Economic Development Committee

STATUS: 04/03/2014: To SENATE Committee on BUSINESS, PROFESSIONS AND ECONOMIC DEVELOPMENT.