



BUSINESS, CONSUMER SERVICES, AND HOUSING AGENCY • GOVERNOR EDMUND G. BROWN JR.
Board of Vocational Nursing and Psychiatric Technicians
 2535 Capitol Oaks Drive Suite 205, Sacramento, CA 95833-2945
 Phone 916-263-7800 Fax 916-263-7857 www.bvnpt.ca.gov

Agenda Item #9.



DATE: August 27, 2014
 TO: Board Members
 FROM: *Carol Northrup*
 Carol Northrup
 Licensing & Administrative Services Manager
 SUBJECT: Legislative Report

Listed below are key bills the Board is following.

AB 809 HEALING ARTS: TELEHEALTH
LOGUE (R)

FISCAL no
 COMMITTEE:
 URGENCY yes
 CLAUSE:
 INTRODUCED: 02/21/2013
 AMENDED: 08/07/2014
 DISPOSITION: Passed 2nd Chamber
 COMMITTEE: Senate Health Committee
 HEARING: 08/13/2014

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.

STATUS:

08/20/2014 In Assembly. Assembly concurred in Senate amendments. To enrollment.

AB 1600 SERVICE CONTRACTS: OUTSOURCING ALTERNATIVES
GOMEZ (D)

FISCAL yes
 COMMITTEE:
 URGENCY no
 CLAUSE:
 INTRODUCED: 02/05/2014
 AMENDED: 04/02/2014
 DISPOSITION: Introduced

SUMMARY:

Establishes, as a condition for a State agency to use personal services contracts, a requirement that the contractor's wages be the higher of the industry's level or the prevailing wage, if applicable.

STATUS:

04/23/2014 In Assembly Committee on Public Employees, Retirement and Social Security: Not heard.

**AB 1702 PROFESSIONS AND VOCATIONS: INCARCERATION
MAIENSCHEIN (R)**

FISCAL yes
COMMITTEE:
URGENCY no
CLAUSE:
INTRODUCED: 02/13/2014
AMENDED: 04/23/2014
DISPOSITION: Passed 2nd Chamber

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 on the basis that some or all of the licensure requirements were completed while the individual was incarcerated.

STATUS:

08/19/2014 To Governor.

**AB 1711 ADMINISTRATIVE PROCEDURES ACT: IMPACT ASSESSMENT
COOLEY (D)**

FISCAL yes
COMMITTEE:
URGENCY no
CLAUSE:
INTRODUCED: 02/13/2014
AMENDED: 08/21/2014
DISPOSITION: Passed 2nd Committee
FILE: 14
LOCATION: Senate Second Reading File

SUMMARY:

Amends existing law that requires every state agency subject to the Administrative Procedure Act to provide an initial statement of reasons for proposing the adoption, amendment, or repeal of a regulation. Requires agencies proposing such action that is not a major regulation or that is a major regulation to prepare an economic impact assessment that makes specified assessments. Requires the assessment to be included in the initial statement of reasons. Requires the adoption of related instructions.

STATUS:

08/22/2014 In Senate. Read second time. To third reading.

AB 1734 PUBLIC CONTRACTS: SMALL BUSINESS PARTICIPATION: VETERAN JONES-SAWYER (D)

FISCAL yes
COMMITTEE:
URGENCY no
CLAUSE:
INTRODUCED: 02/14/2014
AMENDED: 04/23/2014
DISPOSITION: Passed 1st Committee

SUMMARY:

Requires all state agencies, departments, boards, and commissions to achieve an annual goal of small business participation in state procurements and contracts. Requires the submission of an action plan from those entities that did not achieve that goal. Provides for a gradual increase in the participation goal. Relates to the disabled veterans business enterprise incentive. Requires a veteran-owned business tracking system. Requires agency veterans advocates to perform specified duties.

STATUS:

05/23/2014 In Assembly. Joint Rule 62(a) suspended. In Assembly Committee on Appropriations: Held in committee.

AB 1758 HEALING ARTS: INITIAL LICENSE FEES: PRORATION PATTERSON (R)

FISCAL Yes
COMMITTEE:
URGENCY No
CLAUSE:
INTRODUCED: 02/14/2014
AMENDED: 08/04/2014
DISPOSITION: Passed 2nd Committee

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 to include architects, acupuncturists, dental hygienists, dentists, occupational and physical therapists, physicians and surgeons, psychologists, and veterinarians, be prorated on a monthly basis. Authorizes an additional fee to cover costs of issuing initial or original license. Relates to pro-rated fees.

STATUS:

08/14/2014 In Senate Committee on Appropriations: Held in committee.

**AB 1903 BUSINESS/PROFESSIONS: DEPARTMENT OF CONSUMER AFFAIRS
DONNELLY (R)**

FISCAL no

COMMITTEE :

URGENCY no

CLAUSE:

INTRODUCED: 02/19/2014

DISPOSITION: Introduced

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.

STATUS:

02/19/2014 Introduced.

**AB 2058 OPEN MEETINGS
WILK (R)**

FISCAL yes

COMMITTEE :

URGENCY yes

CLAUSE:

INTRODUCED: 02/20/2014

AMENDED: 06/19/2014

DISPOSITION: Passed 2nd Chamber

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.

STATUS:

08/20/2014 In Assembly. Urgency clause adopted. Assembly concurred in Senate amendments. To enrollment.

AB 2102 LICENSEES: DATA COLLECTIONS
TING (D)

FISCAL yes
COMMITTEE:
URGENCY no
CLAUSE:
INTRODUCED: 02/20/2014
AMENDED: 08/04/2014
DISPOSITION: Passed 2nd Chamber

SUMMARY:

Requires the Board of Registered Nursing, the Physician Assistant Board, the State Respiratory Care Board, and Board of Vocational Nursing and Psychiatric Technicians to collect and report specific demographic data relating to its licensees, subject to a licensee's discretion to report his or her race or ethnicity, to Office of Statewide Health Planning and Development. Requires these boards to collect this data at least biennially at the time of issuing an initial license or issuing a renewal.

STATUS:

08/21/2014 In Assembly. Assembly concurred in Senate amendments. To enrollment.

AB 2155 NURSES AND CERTIFIED NURSE ASSISTANTS OVERTIME
RIDLEY-THOMAS (D)

FISCAL yes
COMMITTEE :
URGENCY no
CLAUSE:
INTRODUCED: 02/20/2014
AMENDED: 08/19/2014
DISPOSITION: Passed 2nd Chamber
FILE: 78
LOCATION: Assembly Unfinished Business-Concurrence in Senate Amendments

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. Prohibits a state facility from discriminating, discharging, or making an employment decision adverse to the nurse or CNA for refusing to accept those additional hours. Requires consideration in a specified order of priority to fill additional staffing.

STATUS:

08/21/2014 In Senate. Read third time. Passed Senate. To Assembly for concurrence.

AB 2165 PROFESSIONS AND VOCATIONS: LICENSES
PATTERSON (R)

FISCAL Yes
COMMITTEE:
URGENCY no
CLAUSE:
INTRODUCED: 02/20/2014
AMENDED: 04/10/2014
DISPOSITION: Introduced

SUMMARY:

Relates to licensure of the healing arts, professions, vocations, and businesses. Requires each board to complete within a specified number of days the application review process to issue within the same number of days a license to an applicant who successfully satisfied all licensure requirements. Authorizes a person who has satisfied the educational requirements of the licensing act of which he or she seeks licensure to immediately apply for and take the professional examination.

STATUS:

04/22/2014 In Assembly Committee on Business, Professions & Consumer Protection: Not heard.

AB 2183 NURSING
BOCANEGRA (D)

FISCAL Yes
COMMITTEE:
URGENCY no
CLAUSE:
INTRODUCED: 02/20/2014
AMENDED: 04/29/2014
DISPOSITION: Passed 1st Committee

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, and to include in related regulations clinical or theoretical knowledge acquired through any prior professional experience, such as through the military or in another field.

STATUS:

05/23/2014 In Assembly Committee on Appropriations: Held in committee.

AB 2396 CONVICTIONS: EXPUNGEMENT: LICENSES
BONTA (D)

FISCAL yes
COMMITTEE :
URGENCY no
CLAUSE:
INTRODUCED: 02/21/2014
AMENDED: 08/19/2014
DISPOSITION: Passed 2nd Chamber
FILE: 46
LOCATION: Assembly Unfinished Business – Concurrence in Senate Amendments

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.

STATUS:

08/21/2014 In Senate. Read third time. Passed Senate. To Assembly for concurrence.

AB 2484 HEALING ARTS: TELEHEALTH
GORDON (D)

FISCAL no
COMMITTEE :
URGENCY no
CLAUSE:
INTRODUCED: 02/21/2014
DISPOSITION: Introduced

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.

STATUS:

03/13/2014 To Assembly Committees on Business, Professions & Consumer Protection and Health.

AB 2598 DEPARTMENT OF CONSUMER AFFAIRS: ADMINISTRATIVE EXPENSES
HAGMAN (R)

FISCAL yes
COMMITTEE :
URGENCY no
CLAUSE:
INTRODUCED: 02/21/2014
DISPOSITION: Introduced

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.

STATUS:

04/22/2014 In Assembly Committee on Business, Professions & Consumer Protection: Not heard.

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

FISCAL no
COMMITTEE:
URGENCY no
CLAUSE:
INTRODUCED: 02/21/2014
AMENDED: 08/07/2014
DISPOSITION: Passed 2nd Chamber
FILE: 2
LOCATION: Assembly Unfinished Business – Concurrence in Senate Amendments

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.

STATUS:

08/14/2014 In Senate. Read third time. Passed Senate. To Assembly for concurrence.

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

FISCAL yes
COMMITTEE:
URGENCY no
CLAUSE:
INTRODUCED: 02/11/2014
AMENDED: 04/10/2014
DISPOSITION: Introduced

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.

STATUS:

04/22/2014 In Senate Committee on Governmental Organization: Failed passage. In Senate Committee on Governmental Organization: Reconsideration granted.

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

FISCAL yes
COMMITTEE :
URGENCY no
CLAUSE:
INTRODUCED: 02/19/2014
DISPOSITION: Passed 1st Committee

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.

STATUS:

05/23/2014 In Senate Committee on Appropriations: Held in committee.

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

FISCAL yes
COMMITTEE :
URGENCY no
CLAUSE:
INTRODUCED: 02/20/2014
AMENDED: 08/04/2014
DISPOSITION: Passed 2nd Committee
FILE: 159
LOCATION: Assembly Third Reading File

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.

STATUS:
08/22/2014

In Assembly. Read third time and amended. To third reading.

SB 1215 HEALING ARTS LICENSES: REFERRALS
HERNANDEZ (D)

FISCAL yes
COMMITTEE :
URGENCY no
CLAUSE:
INTRODUCED: 02/20/2014
AMENDED: 04/10/2014
DISPOSITION: Introduced

SUMMARY:

Amends existing law that provides exceptions from a crime of a licensed healing arts professional to refer patients for specified services if the licensee or his or her immediate family has a financial interest. Provided that the exception does not apply to advance 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 and that is compensated on a fee-for-service basis.

STATUS:
04/28/2014

In Senate Committee on Business, Professions and Economic Development:
Failed passage. In Senate Committee on Business, Professions and Economic
Development: Reconsideration granted.

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

FISCAL yes
COMMITTEE :
URGENCY no
CLAUSE:
INTRODUCED: 02/21/2014
AMENDED: 04/23/2014
DISPOSITION: Passed 1st Committee

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.

STATUS:
05/23/2014

In Senate Committee on Appropriations: Held in committee.

**SB 1445 DEVELOPMENTAL SERVICES: INDIVIDUAL PLANS: TELEHEALTH
EVANS (D)**

FISCAL yes
COMMITTEE :
URGENCY no
CLAUSE:
INTRODUCED: 02/21/2014
AMENDED: 06/25/2014
DISPOSITION: Enacted

SUMMARY:

Amends existing law that provides for individual development plans for persons with developmental disabilities. Includes telehealth service and supports among the services and supports authorized to be included in an individual development plan.

STATUS:

08/22/2014 Signed by Governor.

**SB 1466 HEALTH CARE PROFESSIONALS
LIEU (D)**

FISCAL yes
COMMITTEE :
URGENCY no
CLAUSE:
INTRODUCED: 03/25/2014
AMENDED: 08/18/2014
DISPOSITION: Passed 2nd Chamber

SUMMARY:

Relates to provision regarding health care professionals to include licensed hearing aid dispensers, regulations on physician availability at clinics using intense pulse light devices for cosmetic procedures, the reporting of a death from a procedure outside of a hospital performed by a physician or surgeon, the requirements for speech-language pathology or audiology licensure, a psychologist fictitious-name permit, pharmacy designed representative licensure, and marriage and family therapist licensure.

STATUS:

08/21/2014 In Senate. Senate concurred in Assembly amendments. To enrollment.