

Item: 2023 Legislation of Interest

Item Summary: Following are bills that have been identified as legislation of interest as of February 21, 2023. Bills are presented to members to take one of the following positions: Watch, Support, Support if amended, Oppose, or Oppose unless amended.

AB 883 (Mathis) - Staff Recommended Position: WATCH

Title: Business licenses: United States Department of Defense SkillBridge program.
Status: Introduced 2/14/23

Existing law requires a board to expedite, and authorizes a board to assist, in the initial licensure process for an applicant who supplies satisfactory evidence to the board that the applicant has served as an active duty member of the Armed Forces of the United States and was honorably discharged. Existing law authorizes a board to adopt regulations necessary to administer those provisions.

This bill would additionally require a board to expedite, and authorize a board to assist, in the initial licensure process for an applicant who supplies satisfactory evidence to the board that the applicant is enrolled in the United States Department of Defense SkillBridge program, as specified.

AB 996 (Low) - Staff Recommended Position: WATCH

Title: Department of Consumer Affairs: continuing education: conflict-of-interest policy.
Status: Introduced 2/15/23

Existing law provides for the licensure and regulation of professions and vocations by entities within the Department of Consumer Affairs. Under existing law, several of these entities may require licensees to satisfy continuing education course requirements, including, among others, licensed physicians and surgeons licensed by the Medical Board of California and certified public accountants and public accountants licensed by the California Board of Accountancy.

This bill would require those entities to develop and maintain a conflict-of-interest policy that, at minimum, discourages the qualification of any continuing education course if the provider of that course has an economic interest in a commercial product or enterprise directly or indirectly promoted in that course.

AB 1070 (Low) - Staff Recommended Position: WATCH

Title: Department of Consumer Affairs: vacancies.
Status: Introduced 2/15/23

Under existing law, the Department of Consumer Affairs is comprised of various boards, bureaus, commissions, committees, and similarly constituted agencies that license and regulate the practice of various professions and vocations. Existing law requires the Director of the Department of Consumer Affairs to administer and enforce those provisions. Existing law requires the director to notify the appropriate policy committees of the Legislature within 60 days after the position of chief or executive officer of any board, as defined, within the department becomes vacant, as specified.

This bill would make a nonsubstantive change to the vacancy notification requirement provision.

AB 1741 (Waldron) - Staff Recommended Position: WATCH

Title: Healing arts: clinical laboratories: personnel.

Status: Introduced 2/17/23

Existing law provides for the licensure, registration, and regulation of clinical laboratories and various clinical laboratory personnel by the State Department of Public Health. Existing law requires the department to issue a clinical laboratory scientist's or a limited clinical laboratory scientist's license in specified areas of laboratory specialty or subspecialty. Existing law requires an applicant to meet both an educational requirement and a training or experience requirement to qualify for admission to the examination for this license.

This bill would allow a person's experience as an unlicensed person performing specified duties in a California-licensed laboratory for at least 18 months to count toward qualification of licensure.

Existing law authorizes unlicensed laboratory personnel who have earned a high school diploma or its equivalent and who meet specified training requirements to perform specified activities in a licensed clinical laboratory under the direct and constant supervision of a physician and surgeon or licensed person, including biological specimen collection, assisting in preventive maintenance, and preparing and storing reagents and culture media. Existing law authorizes unlicensed laboratory personnel who do not meet the specified training requirements only to perform specimen labeling, handling, preservation or fixation, processing or preparation, transportation, and storing. A violation of these provisions is a crime.

This bill would revise the activities that may be performed by an unlicensed person to specify those activities that may be performed under direct and constant supervision of a physician and surgeon or licensed person, those activities that may be performed under supervision and control, as defined, and those activities that may not be performed by an unlicensed person.

Existing law prohibits unlicensed laboratory personnel from performing any test or part thereof that involves the quantitative measurement of the specimen or test reagent or any mathematical calculation relative to determining the results or validity of a test procedure.

The bill would provide an exception to this prohibition if the unlicensed person is assisting a licensed physician and surgeon or a licensed person, other than a trainee, in a licensed clinical laboratory. The bill would also prohibit unlicensed laboratory personnel from releasing waived, moderate, or high-complexity testing.

SB 259 (Seyarto) - Staff Recommended Position: WATCH

Title: Reports submitted to legislative committees.

Status: 2/9/23 Referred to Senate Committee on Governmental Organization

Existing law requires a state agency that is required or requested by law to submit a report to the Members of either house of the Legislature generally to submit the report in a specified manner and to post the report on the state agency's internet website.

This bill would additionally require a state agency to post on its internet website any report, as defined, that the state agency submits to a committee of the Legislature.

SB 372 (Menjivar) - Staff Recommended Position: WATCH

Title: Department of Consumer Affairs: licensee and registrant records: name and gender changes.

Status: 2/9/23 Introduced and referred to Senate Rules Committee for assignment.

This bill would require a board to update a licensee or registrant's records, including records contained within an online license verification system, to include the licensee or registrant's updated legal name or gender if the board receives government-issued documentation, as described, from the licensee or registrant demonstrating that the licensee or registrant's legal name or gender has been changed. The bill would require the board, if requested by a licensee or registrant, to reissue specified documents conferred upon, or issued to, the licensee or registrant with their updated legal name or gender. The bill would prohibit a board from charging a higher fee for reissuing a document with a corrected or updated legal name or gender than the fee it charges for reissuing a document with other corrected or updated information.

SB 764 (Padilla) - Staff Recommended Position: WATCH

Title: Department of Consumer Affairs: regulatory boards: removal of board members.

Status: 2/17/23 Introduced and referred to Senate Rules Committee for assignment.

Existing law provides for the licensure and regulation of various professions and vocations by boards within the Department of Consumer Affairs. Existing law authorizes the appointing authority to remove from office any member of any board within the department appointed by them for continued neglect of duties, incompetence, or unprofessional or dishonorable conduct. Existing law authorizes the Governor to remove a member of a board or other licensing entity in the department from office if it is shown that the member has knowledge of the specific questions to be asked on the licensing entity's next examination and directly or indirectly discloses those questions in advance of or during the examination to any exam applicant.

This bill would instead authorize the appointing authority to remove a member that discloses questions in advance of or during an examination, as described above.

SB 802 (Roth) - Staff Recommended Position: WATCH

Title: Licensing boards: disqualification from licensure: criminal conviction.

Status: 2/17/23 Introduced and referred to Senate Rules Committee for assignment.

Existing law provides for the licensure and regulation of various professions and vocations by boards within the Department of Consumer Affairs. Existing law authorizes a board to deny a license on the grounds that the applicant or licensee has been subject to formal discipline, as specified, or convicted of a crime substantially related to the qualifications, functions, or duties of the business or profession for which the application is made, as specified. Existing law requires a board to notify the applicant in writing, as specified, if a board decides to deny an application for licensure based solely or in part on the applicant's conviction history.

If a board decides to deny an application for licensure based solely or in part on the applicant's conviction history, this bill would require a board to notify the applicant in writing within 30 days after a decision is made, as specified.