

AGENDA ITEM 9

PENDING REGULATIONS

The Regulations Update report is attached.

REGULATIONS UPDATE REPORT

Pending Rulemaking files: In-Process

Rulemaking File Subject	Section(s)	Status	Close of public comment period	Date Pkg Sent to DCA	Date Pkg Rtn'd from DCA	Final Pkg Due to OAL	Actual Submit Date To OAL	Date language goes into/ went into effect
Continuing Competence	4161 4162 4163	Language published June 24, 2016. Language adopted August 2016	08/08/2016	11/03/2016	06/16/2017	06/23/2017	06/20/2017	10/01/2017
Notice to Consumer	4176	Language published July 1, 2016. Second modified text adopted October 2016.	08/15/2016	03/29/2017	06/27/2017	06/30/2017	06/29/2017	10/01/2017
Petition for Reinstatement or Modification of Penalty	4149.5	Language published August 26, 2016. Modified text adopted December 2016.	10/10/2016	06/09/2017		08/25/2017 11/21/2017*		

* DCA director issued an extension

REGULATIONS UPDATE REPORT

Pending Regulatory Amendments: Process Not Yet Started

Rulemaking File Subject	Section	Priority	Status	Comments
Probation Monitoring costs	4147.2	1	Board approved language for noticing.	<i>Subject to new approval process</i>
Filing of Addresses	4102	2	Board approved language for noticing.	<i>Subject to new approval process</i>
Continuing Competence – timely submission; prohibition on using PDUs twice	4161 4162			
Accept PT license for Hands/PAMs approval	4151 4152			
Language for OT to request to supervise more than 2 OTAs	tbd	tbd	Practice Committee to prepare language; draft language to be presented to the Board at Spring 2017 meeting.	<i>Subject to new approval process</i> Language would implement BPC 2570.3(j)(2).
Patient record retention requirements when a business is closed/sold/inherited or has a change of ownership; or if practitioner is no longer in private practice	tbd	tbd	Practice Committee to prepare language; draft language to be presented to the Board at Spring 2017 meeting.	<i>Subject to new approval process</i> Language provides specificity to language in BPC 2570.185.

AGENDA ITEM 10

UPDATE ON BILLS OF INTEREST TO THE BOARD.

The report on legislation being watched by the Board is attached.

CALIFORNIA BOARD OF OCCUPATIONAL THERAPY
September 2017 Legislative Update

Bill #	Author	Summary	Status
AB 387	Thurmond	This bill would expand the definition of “employer” for purposes of these provisions to include a person who directly or indirectly, employs or exercises control over a person engaged in a period of <i>supervised work experience longer than 100 hours</i> to satisfy requirements for licensure or certification as an allied health professional, as defined.	This is a two-year bill.
AB 703	Flora	This bill would require every board within the Department of Consumer Affairs to grant a fee waiver for application and issuance of an initial license for an applicant who is married to, or in a domestic partnership or other legal union with, an active duty member of the Armed Forces of the United States if the applicant holds a current license in the same profession or vocation in another state, district, or territory. The bill would require that an applicant be granted fee waivers for both the application for and issuance of a license if the board charges fees for both. The bill would prohibit fee waivers from being issued for renewal of a license, for an additional license, a certificate, a registration, or a permit associated with the initial license, or for the application for an examination.	This is a two-year bill.
AB 710	Wood	This bill would require a board to meet once every other calendar year in rural California.	This is a two-year bill.
AB 827	Rubio	This bill, the California Opportunity Act of 2017, would require the Department of Consumer Affairs to create a task force, as specified, to study and write a report of its findings and recommendations regarding the licensing of foreign-trained professionals with the goal of integrating foreign-trained professionals into the state’s workforce, as specified. The bill would require the task force to submit the report to the Legislature no later than January 1, 2019, as specified.	This is a two-year bill.
AB 835	Dababneh	This bill would make it a misdemeanor for any person to sell a fraudulent, forged, fictitious, or counterfeited license.	This is a two-year bill.
AB 1087	Irwin	This bill would require the Commission on Teacher Credentialing to develop a services credential with a specialization in occupational therapy and physical therapy services and sets forth the minimum requirements for the credential, as provided. The bill would specify that nothing in its provisions shall be construed to require a person to hold a credential to perform occupational therapy or physical therapy services in the public schools.	This is a two-year bill.

AB 1510	Dababneh	<p>This bill would enact the Athletic Training Practice Act, which would, after a determination is made that sufficient funds have been received to pay initial costs of this bill, provide for the licensure and regulation of athletic trainers, as defined and establish the Athletic Trainer Licensing Committee within the California Board of Occupational Therapy to implement these provisions. This bill would repeal these provisions on January 1, 2025.</p>	This is a two-year bill.
SB 762	Hernandez	<p>Existing law requires a healing arts board, as defined, to issue, upon application and payment of the normal renewal fee, an inactive license or certificate to a current holder of an active license or certificate whose license or certificate is not suspended, revoked, or otherwise punitively restricted by the board. Existing law requires the holder of an inactive license or certificate to, among other things, pay the renewal fee in order to restore his or her license or certificate to an active status.</p> <p>This bill would require the renewal fee to be waived for any healing arts licensee who certifies to his or her respective board that license restoration is for the sole purpose of providing voluntary, unpaid service to a public agency, not-for-profit agency, institution, or corporation that provides medical services to indigent patients in medically underserved or critical-need population areas of the state.</p>	This is a two-year bill.

AGENDA ITEM 12

STRATEGIC PLAN ACTION PLAN.

The action plan to implement the strategic plan is attached for review.

