UPDATE ON BILLS OF INTEREST TO THE BOARD.

The following is attached for your review:

- Report on legislation being watched by the Board.
- Bills of Interest

CALIFORNIA BOARD OF OCCUPATIONAL THERAPY
February 8-9 2018 Legislative Update

Bill #	Author	Summary	Status
AB 387	Thurmond	Existing law requires the minimum wage for all industries to not be less than specified amounts to be increased, as specified. Existing law defines an employer for purposes of those provisions to mean a person who directly or indirectly, or through an agent or any other person, employs or exercises control over the wages, hours, or working conditions of another person. This bill would expand the definition of "employer" for purposes of these provisions to include a person who engages in a period of supervised work experience longer than 100 hours to satisfy requirements for licensure as an allied health professional, as defined.	6/1/17 - Ordered to inactive file at the request of Assembly Member Thurmond.
AB 703	Flora	This bill would require every board within the DCA 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.	3/2/17 - Referred to Com. on B. & P.
AB 827	Rubio	Existing law establishes the Bagley-Keene Open Meeting Act, which requires state boards … to give public notice of meetings and conduct their meetings in public unless authorized to meet in closed session. This bill would require DCA 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 authorize the task force to hold hearings and invite testimony from experts and the public to gather information. The bill would require the task force to submit the report to the Legislature no later than January 1, 2019, as specified. The bill also specifies the frequency of meetings, and require each member of the task force to receive per diem and reimbursement for expenses incurred, as specified, and would require the task force to solicit input from a variety of stakeholders.	9/1/17 - In committee: Held under submission.
AB 835	Dababneh	Existing law establishes the Department of Consumer Affairs, which is comprised of various boards, bureaus, commissions, committees, and similarly constituted agencies that license and regulate the practice of various professions and vocations. Under	3/28/17 - Re-referred to Com. on B. & P.

		existing law, it is a misdemeanor for any person to, among other things, buy or receive a fraudulent, forged, or counterfeited license knowing that it is fraudulent, forged, or counterfeited. This bill would also make it a misdemeanor for any person to sell a fraudulent, forged, fictitious, or counterfeited license.	
AB 1087	Irwin	Existing law requires the Commission on Teacher Credentialing to, among other things, establish professional standards, assessments, and examinations for entry and advancement in the education profession and to establish standards for the issuance and renewal of credentials, certificates, and permits. Existing law sets forth the minimum requirements for a services credential with a specialization in health and excludes services as an occupational therapist or physical therapist from the health services the holder of a services credential with a specialization in health is authorized to perform. This bill would require the commission to develop a services credential with a specialization in occupational therapy or physical therapy services and sets forth the minimum requirements for the credential, as provided. This bill would provide that possession of the services credential with a specialization in occupational therapy or physical therapy services satisfies that requirement.	1/10/18 - In committee: Set, second hearing. Hearing canceled at the request of author.
AB 1510	Dababneh	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. The bill would, after that determination, establish the Athletic Trainer Licensing Committee within the California Board of Occupational Therapy to implement these provisions, including issuing and renewing athletic training licenses and imposing disciplinary action. This bill would repeal these provisions on January 1, 2025.	4/25/17 - In committee: Set, first hearing. Hearing canceled at the request of author.
AB 1659	Low	Existing law establishes healing arts boards in DCA to ensure private businesses and professions deemed to engage in activities which have potential impact upon the public health, safety, and welfare are adequately regulated in order to protect the people of California. Existing law requires each healing arts board to issue inactive licenses to holders of active licenses, which prohibits the holder of an inactive license from engaging in any activity for which an active license is required. Existing law requires the renewal fee for an active license to apply to an inactive license. The bill would also authorize a healing arts board to establish a lower inactive license renewal fee.	1/22/18 - Read second time. Ordered to Consent Calendar.
SB 27	Morrell	Existing law, among other things, provides for the licensure and regulation of various professions and vocations by boards within DCA and authorizes any licensee whose license expired while he or she was on active duty as a member of the California National Guard or the United States Armed Forces to reinstate his or her license without penalty if certain requirements are met. Existing law also requires the boards to waive the renewal fees, continuing education requirements, and other renewal requirements, if applicable, of any licensee called to active duty as a member of the United States Armed Forces or the California National Guard, if certain requirements are met.	5/27/17 - May 25 hearing: Held in committee and under submission.

		This bill would require every board within DCA to grant a fee waiver for the application for and the issuance of an initial license to an applicant who supplies satisfactory evidence, as defined, to the board that the applicant has served as an active duty member of the California National Guard or the United States Armed Forces and was honorably discharged. The bill would require that a veteran be granted only one fee waiver, except as specified.	
SB 359	Galgiani	This bill would state the intent of the Legislature to enact legislation that would promote and pursue programmatic changes to nursing and paramedic licensure requirements for California's military medical personnel in order to recognize the talent, skills, and training of these military medical personnel.	2/23/17 - Referred to Com. on RLS.
SB 572	Stone	This bill would prohibit the boards from taking disciplinary action against, or otherwise penalizing, healing arts licensees who violate those provisions but correct the violations within 15 days and who are not currently on probation at the time of the violations, if the violations did not cause irreparable harm and will not result in irreparable harm if left uncorrected for 15 days.	4/19/17 - April 24 hearing postponed by committee.
SB 715	Newman	Existing law provides for the licensure and regulation of various professions and vocations by boards within DCA. Existing law authorizes the Governor to remove from office any member of any board within the department appointed by him or her, on specific grounds, including continued neglect of duties required by law. This bill would specifically include the failure to attend meetings of the board as one example of continued neglect of duties required by law that the Governor can use as a reason to remove a member from a board.	9/14/17 - Ordered to inactive file on request of Assembly Member Calderon.
SB 762	Hernandez	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. 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.	6/15/17 - Referred to Com. on B. & P.

California LEGISLATIVE INFORMATION

AB-387 Minimum wage: health professionals: interns. (2017-2018)

Date	Action
06/01/17	Ordered to inactive file at the request of Assembly Member Thurmond.
05/30/17	Read second time. Ordered to third reading.
05/30/17	Assembly Rule 63 suspended. (Ayes 52. Noes 24. Page 1776.)
05/30/17	Read second time and amended. Ordered returned to second reading.
05/26/17	From committee: Amend, and do pass as amended. (Ayes 10. Noes 7.) (May 26).
05/03/17	In committee: Set, first hearing. Referred to APPR. suspense file.
03/30/17	From committee: Do pass and re-refer to Com. on APPR. (Ayes 5. Noes 2.) (March 29). Re-referred to Com. on APPR.
02/21/17	Referred to Com. on L. & E.
02/10/17	From printer. May be heard in committee March 12.
02/09/17	Read first time. To print.

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AB-387 Minimum wage: health professionals: interns. (2017-2018)

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Date Published: 05/30/2017 02:00 PM

AMENDED IN ASSEMBLY MAY 30, 2017

CALIFORNIA LEGISLATURE— 2017–2018 REGULAR SESSION

ASSEMBLY BILL No. 387

Introduced by Assembly Member Thurmond

February 09, 2017

An act to ~~amend Section 1182.12 of~~ *add Section 1182.14 to* the Labor Code, relating to wages.

LEGISLATIVE COUNSEL'S DIGEST

AB 387, as amended, Thurmond. Minimum wage: health professionals: interns.

Existing law requires the minimum wage for all industries to not be less than specified amounts to be increased from January 1, 2017, to January 1, 2022, inclusive, for employers employing 26 or more employees and from January 1, 2018, to January 1, 2023, inclusive, for employers employing 25 or fewer employees, except when the scheduled increases are temporarily suspended by the Governor, based on certain determinations. Existing law defines an employer for purposes of those provisions to mean a person who directly or indirectly, or through an agent or any other person, employs or exercises control over the wages, hours, or working conditions of another person. Payment of less than the established minimum wage is a misdemeanor.

This bill would expand the definition of "employer" for purposes of these provisions to include a person who directly or indirectly, or through an agent or any other person, employs or exercises control over the wages, hours, or working conditions of a person engaged in a period of supervised work experience *longer than 100 hours* to satisfy requirements for licensure, registration, or certification as an allied health professional, as defined.

Because this bill would expand the definition of a crime, it would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

~~SECTION 1.Section 1182.12 of the Labor Code is amended to read:~~

~~1182.12.(a)Notwithstanding any other provision of this part, on and after July 1, 2014, the minimum wage for all industries shall be not less than nine dollars ($9) per hour, and on and after January 1, 2016, the minimum wage for all industries shall be not less than ten dollars ($10) per hour.~~

~~(b)Notwithstanding subdivision (a), the minimum wage for all industries shall not be less than the amounts set forth in this subdivision, except when the scheduled increases in paragraphs (1) and (2) are temporarily suspended under subdivision (d).~~

~~(1)For any employer who employs 26 or more employees, the minimum wage shall be as follows:~~

~~(A)From January 1, 2017, to December 31, 2017, inclusive, ten dollars and fifty cents ($10.50) per hour.~~

~~(B)From January 1, 2018, to December 31, 2018, inclusive, eleven dollars ($11) per hour.~~

~~(C)From January 1, 2019, to December 31, 2019, inclusive, twelve dollars ($12) per hour.~~

~~(D)From January 1, 2020, to December 31, 2020, inclusive, thirteen dollars ($13) per hour.~~

~~(E)From January 1, 2021, to December 31, 2021, inclusive, fourteen dollars ($14) per hour.~~

~~(F)From January 1, 2022, and until adjusted by subdivision (c), fifteen dollars ($15) per hour.~~

~~(2)For any employer who employs 25 or fewer employees, the minimum wage shall be as follows:~~

~~(A)From January 1, 2018, to December 31, 2018, inclusive, ten dollars and fifty cents ($10.50) per hour.~~

~~(B)From January 1, 2019, to December 31, 2019, inclusive, eleven dollars ($11) per hour.~~

~~(C)From January 1, 2020, to December 31, 2020, inclusive, twelve dollars ($12) per hour.~~

~~(D)From January 1, 2021, to December 31, 2021, inclusive, thirteen dollars ($13) per hour.~~

~~(E)From January 1, 2022, to December 31, 2022, inclusive, fourteen dollars ($14) per hour.~~

~~(F)From January 1, 2023, and until adjusted by subdivision (c), fifteen dollars ($15) per hour.~~

~~(3)For purposes of this subdivision, "employer" means any person who directly or indirectly, or through an agent or any other person, employs or exercises control over the wages, hours, or working conditions of any person, including any person engaged in a period of supervised work experience to satisfy requirements for licensure, registration, or certification as an allied health professional. For purposes of this subdivision, "employer" includes the state, political subdivisions of the state, and municipalities.~~

~~(4)For purposes of this subdivision, "allied health professional" has the same meaning as in Section 295p of Part F of Subchapter V of Chapter 6A of Title 42 of the United States Code.~~

~~(5)Employees who are treated as employed by a single qualified taxpayer under subdivision (h) of Section 23626 of the Revenue and Taxation Code, as it read on the effective date of this section, shall be considered employees of that taxpayer for purposes of this subdivision.~~

~~(c)(1)Following the implementation of the minimum wage increase specified in subparagraph (F) of paragraph (2) of subdivision (b), on or before August 1 of that year, and on or before each August 1 thereafter, the Director of Finance shall calculate an adjusted minimum wage. The calculation shall increase the minimum wage by the lesser of 3.5 percent and the rate of change in the averages of the most recent July 1 to June 30, inclusive, period over the preceding July 1 to June 30, inclusive, period for the United States Bureau of Labor Statistics nonseasonally adjusted United States Consumer Price Index for Urban Wage Earners and Clerical Workers (U.S. CPI-W). The result shall be rounded to the nearest ten cents ($0.10). Each adjusted minimum wage increase calculated under this subdivision shall take effect on the following January 1.~~

~~(2)If the rate of change in the averages of the most recent July 1 to June 30, inclusive, period over the preceding July 1 to June 30, inclusive, period for the United States Bureau of Labor Statistics nonseasonally adjusted U.S. CPI-W is negative, there shall be no increase or decrease in the minimum wage pursuant to this subdivision on the following January 1.~~

~~(3)(A)Notwithstanding the implementation timing described in paragraph (1) of this subdivision, if the rate of change in the averages of the most recent July 1 to June 30, inclusive, period over the preceding July 1 to June 30, inclusive, period for the United States Bureau of Labor Statistics nonseasonally adjusted U.S. CPI-W exceeds 7 percent in the first year that the minimum wage specified in subparagraph (F) of paragraph (1) of subdivision~~

~~(b) is implemented, the indexing provisions described in paragraph (1) of this subdivision shall be implemented immediately, such that the indexing will be effective on the following January 1.~~

~~(B) If the rate of change in the averages of the most recent July 1 to June 30, inclusive, period over the preceding July 1 to June 30, inclusive, period for the United States Bureau of Labor Statistics nonseasonally adjusted U.S. CPI-W exceeds 7 percent in the first year that the minimum wage specified in subparagraph (F) of paragraph (1) of subdivision (b) is implemented, notwithstanding any other law, for employers with 25 or fewer employees the minimum wage shall be set equal to the minimum wage for employers with 26 or more employees, effective on the following January 1, and the minimum wage increase specified in subparagraph (F) of paragraph (2) of subdivision (b) shall be considered to have been implemented for purposes of this subdivision.~~

~~(d)(1) On or before July 28, 2017, and on or before every July 28 thereafter until the minimum wage is fifteen dollars ($15) per hour pursuant to paragraph (1) of subdivision (b), to ensure that economic conditions can support a minimum wage increase, the Director of Finance shall annually make a determination and certify to the Governor and the Legislature whether each of the following conditions is met:~~

~~(A) Total nonfarm employment for California, seasonally adjusted, decreased over the three-month period from April to June, inclusive, prior to the July 28 determination. This calculation shall compare seasonally adjusted total nonfarm employment in June to seasonally adjusted total nonfarm employment in March, as reported by the Employment Development Department.~~

~~(B) Total nonfarm employment for California, seasonally adjusted, decreased over the six-month period from January to June, inclusive, prior to the July 28 determination. This calculation shall compare seasonally adjusted total nonfarm employment in June to seasonally adjusted total nonfarm employment in December, as reported by the Employment Development Department.~~

~~(C) Retail sales and use tax cash receipts from a 3.9375 percent tax rate for the July 1 to June 30, inclusive, period ending one month prior to the July 28 determination is less than retail sales and use tax cash receipts from a 3.9375 percent tax rate for the July 1 to June 30, inclusive, period ending 13 months prior to the July 28 determination. The calculation for the condition specified in this subparagraph shall be made as follows:~~

~~(i) The State Board of Equalization shall publish by the 10th of each month on its Internet Web site the total retail sales (sales before adjustments) for the prior month derived from their daily retail sales and use tax reports.~~

~~(ii) The State Board of Equalization shall publish by the 10th of each month on its Internet Web site the monthly factor required to convert the prior month's retail sales and use tax total from all tax rates to a retail sales and use tax total from a 3.9375 percent tax rate.~~

~~(iii) The Department of Finance shall multiply the monthly total from clause (i) by the monthly factor from clause (ii) for each month.~~

~~(iv) The Department of Finance shall sum the monthly totals calculated in clause (iii) to calculate the 12-month July 1 to June 30, inclusive, totals needed for the comparison in this subparagraph.~~

~~(2)(A) On or before July 28, 2017, and on or before every July 28 thereafter until the minimum wage is fifteen dollars ($15) per hour pursuant to paragraph (1) of subdivision (b), to ensure that the state General Fund fiscal condition can support the next scheduled minimum wage increase, the Director of Finance shall annually make a determination and certify to the Governor and the Legislature whether the state General Fund would be in a deficit in the current fiscal year, or in either of the following two fiscal years.~~

~~(B) For purposes of this subdivision, deficit is defined as a negative balance in the Special Fund for Economic Uncertainties, as provided for in Section 16418 of the Government Code, that exceeds, in absolute value, 1 percent of total state General Fund revenue and transfers, based on the most recent Department of Finance estimates required by Section 12.5 of Article IV of the California Constitution. For purposes of this subdivision, the estimates shall include the assumption that only the minimum wage increases scheduled for the following calendar year pursuant to subdivision (b) will be implemented.~~

~~(3)(A)(i) If, for any year, the condition in either subparagraph (A) or (B) of paragraph (1) is met, and if the condition in subparagraph (C) of paragraph (1) is met, the Governor may, on or before August 1 of that year, notify the Legislature of an initial determination to temporarily suspend the minimum wage increases scheduled pursuant to subdivision (b) for the following year.~~

~~(ii) If the Director of Finance certifies under paragraph (2) that the state General Fund would be in a deficit in the current fiscal year, or in either of the following two fiscal years, the Governor may, on or before August 1 of that~~

~~fiscal year, notify the Legislature of an initial determination to temporarily suspend the minimum wage increases scheduled pursuant to subdivision (b) for the following year.~~

~~(B)If the Governor provides notice to the Legislature pursuant to subparagraph (A), the Governor shall, on September 1 of any such year, make a final determination whether to temporarily suspend the minimum wage increases scheduled pursuant to subdivision (b) for the following year. The determination to temporarily suspend the minimum wage increases scheduled pursuant to subdivision (b) for the following year shall be made by proclamation.~~

~~(C)The Governor may temporarily suspend scheduled minimum wage increases pursuant to clause (ii) of subparagraph (A) no more than two times.~~

~~(D)If the Governor makes a final determination to temporarily suspend the scheduled minimum wage increases pursuant to subdivision (b) for the following year, all dates specified in subdivision (b) that are subsequent to the September 1 final determination date shall be postponed by an additional year.~~

SECTION 1. *Section 1182.14 is added to the Labor Code, to read:*

1182.14. *(a) For purposes of Section 1182.12, an "employer" as defined in paragraph (3) of subdivision (b) of Section 1182.12, also means any person who directly or indirectly, or through an agent or any other person, employs or exercises control over the wages, hours, or working conditions of any person engaged in a period of supervised work experience of longer than 100 hours to satisfy hourly requirements for licensure, registration, or certification as an allied health professional.*

(b) For purposes of subdivision (a), "allied health professional" has the same meaning as in Section 295p of Part F of Subchapter V of Chapter 6A of Title 42 of the United States Code.

(c) The definitions contained in subdivisions (a) and (b) do not apply to either of the following:
(1) An employer offering supervised work experience if the employer employs 25 or fewer allied health professionals.

(2) A primary care clinic that is licensed under subparagraph (A) of paragraph (1) of subdivision (a) of Section 1204 of the Health and Safety Code, and meets the definition of a health center pursuant to Section 330 of the Public Health Service Act (42 U.S.C. Sec. 254b(a)).

(d) This section shall not be construed to apply to the educational institution at which a person is enrolled to fulfill the educational requirements for licensure, registration, or certification as an allied health professional. Nothing in this subdivision shall relieve hospitals or clinics or other medical facilities licensed under Section 1250 of the Health and Safety Code that are affiliated with or operated by educational institutions from application of this section.

SEC. 2. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.

California LEGISLATIVE INFORMATION

AB-703 Professions and vocations: licenses: fee waivers. (2017-2018)

Date	Action
03/02/17	Referred to Com. on B. & P.
02/16/17	From printer. May be heard in committee March 18.
02/15/17	Read first time. To print.

AB-703 Professions and vocations: licenses: fee waivers. (2017-2018)

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Date Published: 02/15/2017 09:00 PM

CALIFORNIA LEGISLATURE— 2017–2018 REGULAR SESSION

ASSEMBLY BILL No. 703

Introduced by Assembly Member Flora

February 15, 2017

An act to add Section 115.7 to the Business and Professions Code, relating to professions and vocations.

LEGISLATIVE COUNSEL'S DIGEST

AB 703, as introduced, Flora. Professions and vocations: licenses: fee waivers.

Existing law provides for the licensure and regulation of various professions and vocations by boards within the Department of Consumer Affairs. Existing law requires a board within the department to expedite the licensure process 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 who is assigned to a duty station in this state if the applicant holds a current license in the same profession or vocation in another state, district, or territory. Existing law also requires a board to issue temporary licenses in specified professions to applicants as described above if certain requirements are met.

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.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 115.7 is added to the Business and Professions Code, to read:

115.7. (a) Notwithstanding any other law, every board within the department of Consumer Affairs shall grant a fee waiver for the application for and issuance of an initial license to an applicant who does both of the following:

(1) Supplies satisfactory evidence of being married to, or in a domestic partnership or other legal union with an active duty member of the Armed Forces of the United States.

(2) Holds a current, active, and unrestricted license that confers upon him or her the authority to practice, in another state, district, or territory of the United States, the profession or vocation for which he or she seeks a license from the board.

(b) If a board charges a fee for the application for a license and another fee for the issuance of a license, the applicant shall be granted fee waivers for both the application for and issuance of a license.

(c) A fee waiver shall not be issued for any of the following:

(1) Renewal of an existing California license.

(2) The application for and issuance of an additional license, a certificate, a registration, or a permit associated with the initial license.

(3) The application for an examination.

California LEGISLATIVE INFORMATION

AB-827 Department of Consumer Affairs: task force: foreign-trained professionals. (2017-2018)

Date	Action
09/01/17	In committee: Held under submission.
07/17/17	In committee: Referred to APPR. suspense file.
06/27/17	From committee: Do pass and re-refer to Com. on APPR. (Ayes 8. Noes 1.) (June 26). Re-referred to Com. on APPR.
06/14/17	Referred to Com. on B., P. & E.D.
06/01/17	In Senate. Read first time. To Com. on RLS. for assignment.
05/31/17	Read third time. Passed. Ordered to the Senate. (Ayes 66. Noes 8. Page 1994.)
05/30/17	Read second time. Ordered to third reading.
05/26/17	From committee: Do pass. (Ayes 13. Noes 4.) (May 26).
04/26/17	In committee: Set, first hearing. Referred to APPR. suspense file.
04/04/17	Re-referred to Com. on APPR.
04/03/17	Read second time and amended.
03/30/17	From committee: Amend, and do pass as amended and re-refer to Com. on APPR. (Ayes 14. Noes 0.) (March 28).
03/22/17	Re-referred to Com. on B. & P.
03/21/17	From committee chair, with author's amendments: Amend, and re-refer to Com. on B. & P. Read second time and amended.
03/02/17	Referred to Com. on B. & P.
02/17/17	From printer. May be heard in committee March 19.
02/16/17	Read first time. To print.

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AB-827 Department of Consumer Affairs: task force: foreign-trained professionals. (2017-2018)

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Date Published: 04/03/2017 09:00 PM

AMENDED IN ASSEMBLY APRIL 03, 2017

AMENDED IN ASSEMBLY MARCH 21, 2017

CALIFORNIA LEGISLATURE— 2017–2018 REGULAR SESSION

ASSEMBLY BILL No. 827

Introduced by Assembly Member Rubio

February 16, 2017

An act to add Section 110.5 to the Business and Professions Code, relating to professions and vocations.

LEGISLATIVE COUNSEL'S DIGEST

AB 827, as amended, Rubio. Department of Consumer Affairs: task force: foreign-trained professionals.

Existing law provides for the licensure and regulation of various professions and vocations by boards within the Department of Consumer Affairs. *Existing law establishes the Bagley-Keene Open Meeting Act, which requires state boards, commissions, and similar state-created multimember bodies to give public notice of meetings and conduct their meetings in public unless authorized to meet in closed session.*

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 authorize the task force to hold hearings and invite testimony from experts and the public to gather information. The bill would require the task force to submit the report to the Legislature no later than January 1, 2019, as specified.

The bill also would require the task force to meet at least once each calendar quarter, as specified, and to hold its meetings in accordance with the Bagley-Keene Open Meeting Act. The bill would require each member of the task force to receive per diem and reimbursement for expenses incurred, as specified, and would require the task force to solicit input from a variety of government agencies, stakeholders, and the public, including, among others, the Little Hoover Commission and the California Workforce Development Board.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. This act shall be known as the California Opportunity Act of 2017.

SEC. 2. Section 110.5 is added to the Business and Professions Code, to read:

110.5. (a) The Department of Consumer Affairs shall create a task force to study and write the report described in subdivision (c) regarding the licensing of foreign-trained professionals with the goal of integrating foreign-trained professionals into the state's workforce.

(b) The task force shall consist of the following 15 members:

(1) The ~~Secretary of the Business Consumer Services, and Housing Agency,~~ *Director of Consumer Affairs,* or his or her designee, who shall serve as the chair of the task force.

(2) One member appointed by the Governor.

(3) One member appointed by the President ~~Pro~~ *pro* Tempore of the Senate.

(4) One member appointed by the Speaker of the Assembly.

(5) One member of the Regents of the University of California.

(6) One member of the Trustees of the California State University.

(7) One member of the Board of Governors of the California Community Colleges.

(8) Four members appointed by the Governor who are representatives of the private sector from diverse regions in the state.

(9) Four members appointed by the Governor who are representatives of nonprofit organizations that serve the immigrant community from diverse regions in the state.

(c) (1) The task force shall write a report of its findings and recommendations regarding the licensing of foreign-trained professionals, that include, but are not limited to, the following:

(A) Strategies to integrate foreign-trained professionals and methods of implementing those ~~strategies.~~ *strategies, including those recommended by the Little Hoover Commission in its October 2016 report entitled Jobs for Californians: Strategies to Ease Occupational Licensing Barriers (Report #234).*

(B) Identification of state and national licensing regulations that potentially pose unnecessary barriers to practice for foreign-trained professionals, corresponding changes to state licensing requirements, and opportunities to advocate for corresponding changes to national licensing requirements.

(C) Identification of best practices learned from similar efforts to integrate foreign-trained professionals into the workforce in other states.

(2) The task force may include in the report guidelines for full licensure and conditional licensing of foreign-trained professionals.

(3) The task force may hold hearings and invite testimony from experts and the public to gather information.

(d) The task force shall submit the report described in subdivision (c) to the Legislature no later than January 1, 2019, and in compliance with Section 9795 of the Government Code.

(e) The following shall also apply:

(1) The task force shall meet at least once each calendar quarter. The task force shall meet at least once in northern California, once in central California, and once in southern California to facilitate participation by the public.

(2) A majority of the appointed task force shall constitute a quorum. Task force meetings shall be held in accordance with the Bagley-Keene Open Meeting Act (Article 9 (commencing with Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2 of the Government Code).

(3) (A) Each member shall receive a per diem of one hundred dollars ($100) for each day actually spent in the discharge of official duties, and shall be reimbursed for traveling and other expenses necessarily incurred in the performance of official duties.

(B) Notwithstanding any other law, a public officer or employee shall not receive per diem salary compensation for serving on the task force on any day when the officer or employee also received compensation for his or her regular public employment.

(4) The task force shall solicit input from a variety of government agencies, stakeholders, and the public, including, but not limited to, the following:

(A) The Little Hoover Commission.

(B) The California Workforce Development Board.

(C) The Department of Industrial Relations.

(D) In- and out-of-state licensing entities.

(E) Professional associations.

(F) Labor and workforce organizations.

California LEGISLATIVE INFORMATION

AB-835 Consumer affairs: licenses: prohibited acts. (2017-2018)

Date	Action
03/28/17	Re-referred to Com. on B. & P.
03/27/17	From committee chair, with author's amendments: Amend, and re-refer to Com. on B. & P. Read second time and amended.
03/23/17	Referred to Com. on B. & P.
02/17/17	From printer. May be heard in committee March 19.
02/16/17	Read first time. To print.

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AB-835 Consumer affairs: licenses: prohibited acts. (2017-2018)

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Date Published: 03/28/2017 04:00 AM

AMENDED IN ASSEMBLY MARCH 27, 2017

CALIFORNIA LEGISLATURE— 2017–2018 REGULAR SESSION

ASSEMBLY BILL No. 835

Introduced by Assembly Member Dababneh

February 16, 2017

An act to amend Section 119 of the Business and Professions Code, relating to consumer affairs.

LEGISLATIVE COUNSEL'S DIGEST

AB 835, as amended, Dababneh. Consumer ~~affairs.~~ *affairs: licenses: prohibited acts.*

Existing law establishes the Department of Consumer Affairs, which is comprised of various boards, bureaus, commissions, committees, and similarly constituted agencies that license and regulate the practice of various professions and vocations. Under existing law, it is a misdemeanor for any person to, among other things, ~~fail or refuse to surrender to the issuing authority upon its lawful written demand any license, registration, or certificate that has been suspended, revoked, or canceled.~~ *buy or receive a fraudulent, forged, or counterfeited license knowing that it is fraudulent, forged, or counterfeited.*

This bill would ~~make nonsubstantive changes to these provisions.~~ *also make it a misdemeanor for any person to sell a fraudulent, forged, fictitious, or counterfeited license.*

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority Appropriation: no Fiscal Committee: ~~no~~*yes* Local Program: ~~no~~*yes*

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 119 of the Business and Professions Code is amended to read:

119. Any person who does any of the following shall be guilty of a misdemeanor:

(a) Displays or causes or permits to be displayed or has in his or her possession either of the following:

(1) A canceled, revoked, suspended, or fraudulently altered license.

(2) A fictitious license or any document simulating a license or purporting to be or have been issued as a license.

(b) Lends his or her license to any other person or knowingly permits the use thereof by another.

(c) Displays or represents any license not issued to him or her as being his or her license.

(d) Fails or refuses to surrender to the issuing authority upon its lawful written demand any license, registration, permit, or certificate that has been suspended, revoked, or canceled.

(e) Knowingly permits any unlawful use of a license issued to him or her.

(f) Photographs, photostats, duplicates, manufactures, or in any way reproduces any license or facsimile thereof in a manner that it could be mistaken for a valid license, or displays or has in his or her possession any such photograph, photostat, duplicate, reproduction, or facsimile unless authorized by this code.

(g) Buys or receives a fraudulent, forged, or counterfeited license knowing that it is fraudulent, forged, or counterfeited. For purposes of this subdivision, "fraudulent" means containing any misrepresentation of fact.

(h) Sells any fraudulent, forged, fictitious, or counterfeited license.

~~(h)~~

(i) As used in this section, "license" includes "certificate," "permit," "authority," and "registration" or any other indicia giving authorization to engage in a business or profession regulated by this code or referred to in Section 1000 or 3600.

SEC. 2. *No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.*

California LEGISLATIVE INFORMATION

AB-1087 Teacher credentialing: services credential with a specialization in occupational therapy or physical therapy services. (2017-2018)

Date	Action
01/10/18	In committee: Set, second hearing. Hearing canceled at the request of author.
01/04/18	Re-referred to Com. on ED.
01/03/18	From committee chair, with author's amendments: Amend, and re-refer to Com. on ED. Read second time and amended.
04/26/17	In committee: Set, first hearing. Hearing canceled at the request of author.
04/18/17	Re-referred to Com. on ED.
04/17/17	From committee chair, with author's amendments: Amend, and re-refer to Com. on ED. Read second time and amended.
03/06/17	Referred to Com. on ED.
02/17/17	From printer. May be heard in committee March 19.
02/16/17	Read first time. To print.

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AB-1087 Teacher credentialing: services credential with a specialization in occupational therapy or physical therapy services. (2017-2018)

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Date Published: 01/03/2018 02:21 PM

AMENDED IN ASSEMBLY JANUARY 03, 2018

AMENDED IN ASSEMBLY APRIL 17, 2017

CALIFORNIA LEGISLATURE— 2017–2018 REGULAR SESSION

ASSEMBLY BILL No. 1087

Introduced by Assembly Member Irwin

February 16, 2017

An act to amend Section 44270 of, and to add Section 44268.2 to, the Education Code, relating to teacher credentialing.

LEGISLATIVE COUNSEL'S DIGEST

AB 1087, as amended, Irwin. Teacher credentialing: services credential with a specialization in occupational therapy ~~and~~ *or* physical therapy services.

(1) Existing law requires the Commission on Teacher Credentialing to, among other things, establish professional standards, assessments, and examinations for entry and advancement in the education profession and to establish standards for the issuance and renewal of credentials, certificates, and permits. Existing law sets forth the minimum requirements for a services credential with a specialization in health and excludes services as an occupational therapist or physical therapist from the health services the holder of a services credential with a specialization in health is authorized to perform.

This bill would require the commission to develop a services credential with a specialization in occupational therapy ~~and~~ *or* 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.~~ *prevents a school district from contracting with a 3rd-party provider to supply occupational therapy or physical therapy services not provided by school district staff. The bill would require the commission to determine the effective date of the credential and would authorize, on that date, any person with at least 5 years of experience providing occupational therapy or physical therapy services in a public school setting to apply for the credential if that person satisfies specified conditions.*

(2) Existing law specifies the minimum requirements for the preliminary services credential with a specialization in administrative services, which include, among other requirements, possession of one of various types of credentials.

This bill would provide that possession of the services credential with a specialization in occupational therapy ~~and~~ *or* physical therapy services satisfies that requirement.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 44268.2 is added to the Education Code, to read:

44268.2. (a) The commission shall develop a services credential with a specialization in occupational therapy ~~and~~ *or* physical therapy services. The minimum requirements for the services credential with a specialization in occupational therapy ~~and~~ *or* physical therapy services shall include all of the following:

(1) A baccalaureate degree or higher degree from an ~~institution approved by the commission.~~ *accredited institution.*

(2) A fifth year, or its equivalent, *including, but not limited to, postgraduate continuing education or fieldwork,* of college or university ~~education.~~ *education in occupational therapy or physical therapy.*

(3) A valid license issued by the California Board of Occupational Therapy or the Physical Therapy Board of California.

~~(3)~~

(4) Such specialized and professional preparation as the commission may require.

(b) Nothing in this section shall ~~be construed to require a person to hold a credential to perform occupational therapy or physical therapy services in the public schools.~~ *prevent a school district from contracting with a third-party provider to supply occupational therapy or physical therapy services not provided by school district staff.*

(c) (1) The services credential with a specialization in occupational therapy or physical therapy services shall become effective not less than five years after the commission determines the minimum requirements for the services credential. The commission shall determine the effective date of the services credential.

(2) Notwithstanding subdivision (a), on the effective date of the services credential established by the commission, any person with at least five years of experience providing occupational therapy or physical therapy services in a public school setting shall be eligible to apply for the services credential with a specialization in occupational therapy or physical therapy services if that person does all of the following:

(A) Provides to the commission positive performance evaluations from the person's two most recent years providing occupational therapy or physical therapy services in a public school setting.

(B) Holds a valid license issued by the California Board of Occupational Therapy or the Physical Therapy Board of California.

(C) Fulfills the state basic skills proficiency requirement pursuant to Section 44252.

(D) Passes a professional fitness review by the commission pursuant to Article 3 (commencing with Section 44240).

SEC. 2. Section 44270 of the Education Code is amended to read:

44270. (a) The minimum requirements for the preliminary services credential with a specialization in administrative services are all of the following:

(1) Possession of one of the following:

(A) A valid teaching credential requiring the possession of a baccalaureate degree and a professional preparation program including student teaching.

(B) A valid designated subjects career technical education, adult education, or special subjects teaching credential, as specified in Section 44260, 44260.1, 44260.2, 44260.3, or 44260.4, provided the candidate also possesses a baccalaureate degree.

(C) A valid services credential with a specialization in pupil personnel, health, clinical or rehabilitative services, or occupational therapy ~~and~~ *or* physical therapy services, as specified in Section 44266, 44267, 44267.5, 44268, or 44268.2, or a valid services credential authorizing service as a teacher librarian, as specified in Section 44269.

(D) A valid credential issued under the laws, rules, and regulations in effect on or before December 31, 1971, which authorizes the same areas as in subparagraphs (B) and (C).

(2) Completion of a minimum of three years of successful, full-time classroom teaching experience in the public schools, including, but not limited to, service in state- or county-operated schools, or in private schools of equivalent status or three years of experience in the fields of pupil personnel, health, clinical or rehabilitative, or librarian services.

(3) Completion of an entry-level program of specialized and professional preparation in administrative services approved by the commission or a one-year internship in a program of supervised training in administrative services, approved by the commission as satisfying the requirements for the preliminary services credential with a specialization in administrative services.

(4) Current employment in an administrative position after completion of professional preparation as defined in paragraph (3), whether full or part time, in a public school or private school of equivalent status. The commission shall encourage school districts to consider the recency of preparation or professional growth in school administration as one of the criteria for employment.

(b) The preliminary administrative services credential shall be valid for a period of five years from the date of initial employment in an administrative position, whether full or part time, and shall not be renewable.

(c) A candidate who completed, by September 30, 1984, the requirements for the administrative services credential in effect on June 30, 1982, is eligible for the credential authorized under those requirements. All other candidates shall satisfy the requirements set forth in this section.

California LEGISLATIVE INFORMATION

AB-1510 Athletic trainers. (2017-2018)

Date	Action
04/25/17	In committee: Set, first hearing. Hearing canceled at the request of author.
04/18/17	From committee: Do pass and re-refer to Com. on B. & P. (Ayes 5. Noes 0.) (April 18). Re-referred to Com. on B. & P.
03/16/17	Referred to Coms. on A.,E.,S.,T., & I.M. and B. & P.
02/19/17	From printer. May be heard in committee March 21.
02/17/17	Read first time. To print.

AB-1510 Athletic trainers. (2017-2018)

SHARE THIS:

Date Published: 02/17/2017 09:00 PM

CALIFORNIA LEGISLATURE— 2017–2018 REGULAR SESSION

ASSEMBLY BILL No. 1510

Introduced by Assembly Member Dababneh

February 17, 2017

An act to add and repeal Chapter 5.8 (commencing with Section 2697) of Division 2 of the Business and Professions Code, relating to athletic trainers.

LEGISLATIVE COUNSEL'S DIGEST

AB 1510, as introduced, Dababneh. Athletic trainers.

Existing law provides for the regulation of various professions and vocations, including those of an athlete agent.

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. The bill would, after that determination, establish the Athletic Trainer Licensing Committee within the California Board of Occupational Therapy to implement these provisions, including issuing and renewing athletic training licenses and imposing disciplinary action. Under the bill, the committee would be comprised of 7 members, to be appointed to 4-year terms, except as specified. Commencing 6 months after the committee is established by this bill, the bill would prohibit a person from practicing as an athletic trainer or using certain titles without a license issued by the committee, except as specified. The bill would prohibit, except in specified cases for a specified period, a person from using the title "athletic trainer," unless the person is licensed by the committee. The bill would specify the requirements for licensure, including education, examination, and the payment of a license application fee established by the committee. The bill would define the practice of athletic training and prescribe supervision requirements on athletic trainers.

The bill would also establish the Athletic Trainers' Fund for the deposit of license application and renewal fees, and would make those fees available to the committee for the purpose of implementing these provisions upon appropriation by the Legislature. The bill would authorize the Director of Consumer Affairs to seek and receive donations from the California Athletic Trainers Association for purposes of obtaining funds for the startup costs of implementing the act. The bill would require the director to determine that sufficient funds for that purpose have been obtained and to provide notice to the Legislature, the Governor, and on the department's Internet Web site of the determination, as specified. This bill would repeal these provisions on January 1, 2025.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. The Legislature finds and declares the following:

(a) California is one of only two states that does not currently regulate the practice of athletic training. This lack of regulation creates the risk that individuals who have lost or are unable to obtain licensure in another state will come to California to practice, thereby putting the public in danger and degrading the standards of the profession as a whole.

(b) There is a pressing and immediate need to regulate the profession of athletic training in order to protect the public health, safety, and welfare. This need is particularly important because athletic trainers often work with schoolage children.

(c) There is also a pressing and immediate need to regulate the profession of athletic training because the absence of regulation puts California businesses, colleges, universities, and other organizations at risk of liability solely because of the unlicensed status of athletic trainers in the state.

SEC. 2. Chapter 5.8 (commencing with Section 2697) is added to Division 2 of the Business and Professions Code, to read:

CHAPTER 5.8. Athletic Trainers
Article 1. Administration

2697. This chapter shall be known, and may be cited, as the Athletic Training Practice Act.

2697.1. For the purposes of this chapter, the following definitions apply:

(a) "Athletic trainer" means a person who meets the requirements of this chapter, is licensed by the committee, and practices under the direction of a licensed physician or surgeon.

(b) "Board" means the California Board of Occupational Therapy.

(c) "Committee" means the Athletic Trainer Licensing Committee.

(d) "Director" means the Director of Consumer Affairs.

2697.2. (a) There is established the Athletic Trainer Licensing Committee within the California Board of Occupational Therapy. The committee shall consist of seven members.

(b) The seven committee members shall include the following:

(1) Four licensed athletic trainers. Initially, the committee shall include four athletic trainers who have graduated from a professional degree program described in subdivision (a) of Section 2697.5 prior to approval by the committee and who will satisfy the remainder of the licensure requirements, including submission of an application, described in Section 2697.5 as soon as it is practically possible.

(2) One public member.

(3) One physician and surgeon licensed by the Medical Board of California or one osteopathic physician and surgeon licensed by the Osteopathic Medical Board of California.

(4) One occupational therapist licensed by the board.

(c) Subject to confirmation by the Senate, the Governor shall appoint two of the licensed athletic trainers, the public member, the physician and surgeon or osteopathic physician and surgeon, and the licensed occupational therapist. The Senate Committee on Rules and the Speaker of the Assembly shall each appoint a licensed athletic trainer.

(d) (1) All appointments are for a term of four years and shall expire on June 30 of the year in which the term expires. Vacancies shall be filled for any unexpired term.

(2) Notwithstanding paragraph (1), for initial appointments to the committee, the public member appointed by the Governor and two of the athletic trainers shall serve terms of two years, and the remaining members shall serve terms of four years.

(e) Each member of the committee shall receive per diem and expenses as provided in Section 103.

2697.3. (a) (1) The committee shall adopt, repeal, and amend regulations as may be necessary to enable it to administer this chapter. All regulations shall be in accordance with this chapter.

(2) Before adopting regulations, the committee may consult the professional standards issued by the National Athletic Trainers Association, the Board of Certification, Inc., the Commission on Accreditation of Athletic Training Education, or any other nationally recognized professional athletic training organization.

(b) The committee shall approve programs for the education and training of athletic trainers.

(c) The committee shall investigate each applicant, before a license is issued, in order to determine whether the applicant meets the qualifications required by this chapter.

(d) Protection of the public shall be the highest priority for the committee in exercising its licensing, regulatory, and disciplinary functions. Whenever the protection of the public is inconsistent with other interests sought to be promoted, the protection of the public shall be paramount.

2697.4. Except as otherwise provided in this chapter, the committee shall issue an athletic training license to an applicant who meets all of the following requirements:

(a) Has submitted an application developed by the committee that includes evidence that the applicant has graduated from a professional degree program in athletic training accredited by the Commission on Accreditation of Athletic Training Education, or its predecessors or successors, and approved by the committee, at an accredited postsecondary institution or institutions approved by the committee. The professional degree program shall consist of didactic, clinical, and research experiences in athletic training using critical thinking and weighing of evidence.

(b) Has passed an athletic training certification examination offered by the Board of Certification, Inc., its predecessors or successors, or another nationally accredited athletic trainer certification agency approved and recognized by the committee.

(c) Possesses a certificate in Cardio Pulmonary Resuscitation (CPR) and Automated External Defibrillator (AED) for professional rescuers and health care providers from a certification body, approved by the committee, that adheres to the most current international guidelines for cardiopulmonary resuscitation and emergency cardiac care.

(d) Has paid the application fee established by the committee.

2697.5. Notwithstanding Section 2697.4, the committee shall issue an athletic training license to an applicant who did not graduate from an accredited athletic training education program described in subdivision (a) of Section 2697.4, but who received athletic training via an internship, if the applicant meets all of the following requirements:

(a) Furnishes evidence satisfactory to the committee of completion of a degree at an accredited postsecondary institution that included instruction in basic sciences related to, and on the practice of, athletic training.

(b) Passes the examination described in subdivision (b) of Section 2697.4.

(c) Completes at least 1,500 hours of clinical experience under an athletic trainer certified by a certification agency described in subdivision (b) of Section 2697.4.

(d) Possesses a certificate in CPR and AED for professional rescuers and health care providers from a certification body, approved by the committee, that adheres to the most current international guidelines for cardiopulmonary resuscitation and emergency cardiac care.

(e) Has paid the application fee established by the committee.

2697.6. A license issued by the committee pursuant to Section 2697.4 or 2697.5 is valid for two years and thereafter is subject to the renewal requirements described in Sections 2697.7 and 2697.8.

2697.7. The committee shall establish license application and renewal fees in an amount sufficient to cover the reasonable regulatory costs of administering this chapter.

2697.8. The committee shall renew a license if an applicant meets all of the following requirements:

(a) Pays the renewal fee as established by the committee.

(b) Submits proof of all of the following:

(1) Satisfactory completion of continuing education, as determined by the committee.

(2) Current athletic training certification from a certification body approved by the committee, including, but not limited to, the Board of Certification, Inc., or its predecessors or successors.

(3) Current certification described in subdivision (c) of Section 2697.4.

2697.9. (a) The committee may deny a license or the renewal of a license for an applicant or licensee who is described by any of the following:

(1) Does not meet the requirements of this chapter.

(2) Has had an athletic training license, certification, or registration revoked or suspended by an accredited organization, state, or territory.

(3) Has been convicted of a felony or any other crime that substantially relates to the functions or duties of an athletic trainer.

(4) Has committed unprofessional conduct, as described in subdivision (b).

(b) The committee may order any of the following actions relative to an athletic training license after a hearing for unprofessional conduct, which includes, but is not limited to, a violation of this chapter, any regulation adopted by the committee pursuant to this chapter, and revocation or suspension of an athletic training license, certification, or registration by an accredited organization, state, or territory:

(1) Issuance of the athletic training license subject to terms and conditions.

(2) Suspension or revocation of the athletic training license.

(3) Imposition of probationary conditions upon the athletic training license.

Article 2. Athletic Training

2697.10. (a) A person shall not engage in the practice of athletic training unless licensed pursuant to this chapter.

(b) A person shall not use the title "athletic trainer," "licensed athletic trainer," "certified athletic trainer," "athletic trainer certified," "a.t.," "a.t.l.," "c.a.t.," "a.t.c.," or any other variation of these terms, or any other similar terms indicating that the person is an athletic trainer unless that person is licensed pursuant to this chapter.

(c) Notwithstanding subdivisions (a) and (b), a person who practiced athletic training in California for a period of 20 consecutive years prior to July 1, 2018, and is not eligible on that date for an athletic training license may engage in the practice of athletic training and use the title "athletic trainer" without being licensed by the committee, upon registration with the committee. However, on and after January 1, 2021, a person shall not engage in the practice of athletic training or use the title "athletic trainer" unless he or she is licensed by the committee pursuant to this chapter.

2697.11. (a) The practice of athletic training includes all of the following:

(1) Risk management and injury or illness prevention.

(2) The clinical evaluation and assessment of an injury sustained or exacerbated while participating in physical activity.

(3) The immediate care of an injury sustained or exacerbated while participating in physical activity or a condition exacerbated while participating in physical activity.

(4) The rehabilitation and reconditioning from an injury or an illness sustained or exacerbated while participating in physical activity.

(b) The practice of athletic training does not include grade 5 spinal manipulations.

(c) An athletic trainer shall refer a patient to an appropriate licensed health care provider when the treatment or management of the injury or condition does not fall within the practice of athletic training.

(d) An athletic trainer shall not provide, offer to provide, or represent that he or she is qualified to provide any treatment that he or she is not qualified to perform by his or her education, training, or experience, or that he or she is otherwise prohibited by law from performing.

(e) (1) For purposes of this section, "injury" means an injury sustained as a result of, or exacerbated by, participation in athletics or physical activity for which the athletic trainer has had formal training during his or her professional education program or advanced postprofessional study and falls within the practice of athletic training.

(2) For purposes of this section, "condition" means a condition acutely exacerbated while participating in athletics or physical activity for which the athletic trainer has had formal training during his or her professional education program or advanced postprofessional study and falls within the practice of athletic training.

2697.12. (a) An athletic trainer shall render treatment within his or her scope of practice under the direction of a physician and surgeon licensed by the Medical Board of California or an osteopathic physician and surgeon licensed by the Osteopathic Medical Board of California. This direction shall be provided by verbal or written order by the directing physician and surgeon or osteopathic physician and surgeon or by athletic training treatment plans or protocols established by the physician and surgeon or osteopathic physician and surgeon.

(b) Notwithstanding any other law, and consistent with this chapter, the committee may establish other alternative mechanisms for the adequate direction of an athletic trainer.

2697.13. The requirements of this chapter do not apply to the following:

(a) An athletic trainer licensed, certified, or registered in another state or country who is in California temporarily, traveling with a team or organization, to engage in the practice of athletic training for, among other things, an athletic or sporting event.

(b) An athletic trainer licensed, certified, or registered in another state who is invited by a sponsoring organization, such as the United States Olympic Committee, to temporarily provide athletic training services under his or her state's scope of practice for athletic training.

(c) A student enrolled in an athletic training education program, while participating in educational activities during the course of his or her educational rotations under the supervision and guidance of an athletic trainer licensed under this chapter, a physician and surgeon licensed by the Medical Board of California, an osteopathic physician and surgeon licensed by the Osteopathic Medical Board of California, or other licensed health care provider.

(d) A member or employee of the United States Armed Forces, licensed, certified, or registered in another state, as part of his or her temporary federal deployment or employment in California for a limited time.

2697.14. This chapter does not limit, impair, or otherwise apply to the practice of any person licensed and regulated under any other chapter of Division 2 (commencing with Section 500).

2697.15. This chapter does not require new or additional third-party reimbursement for services rendered by an individual licensed under this chapter.

Article 3. Athletic Trainers' Fund

2697.16. The Athletic Trainers' Fund is hereby established. All fees collected pursuant to this chapter shall be paid into the fund. These fees shall be available to the committee, upon appropriation by the Legislature, for the regulatory purpose of implementing this chapter.

2697.17. (a) Notwithstanding any other law, including Section 11005 of the Government Code, the Director of Consumer Affairs may seek and receive funds from the California Athletic Trainers Association for the initial costs of implementing this chapter.

(b) Articles 1 (commencing with Section 2697) and 2 (commencing with Section 2697.10) shall not become operative unless the director determines, on or before January 1, 2019, that sufficient funds to pay for the initial costs of this chapter have been received from the California Athletic Trainers Association, or some other source of funding, and the funds are deposited in the Athletic Trainers' Fund, in which case Article 1 shall become operative on the first January 1 or July 1, whichever occurs first, immediately following this determination. Article 2 shall become operative on the first January 1 or July 1, whichever occurs first, immediately following the operative date of Article 1. If the director finds that sufficient funds are not available by January 1, 2019, the director shall

reexamine the funding status by June 30 of each subsequent year until either the director determines that sufficient funds have been received and deposited or until January 1, 2021, whichever occurs first.

(c) The director shall provide written notification to the Legislature and the Governor when the determination described in subdivision (b) has been made, and shall concurrently post a notice on the Department of Consumer Affairs Internet Web site that the determination has been made.

(d) A failure of the director to comply with subdivision (c) shall not affect the validity of a determination made pursuant to subdivision (b).

2697.18. This chapter shall remain in effect only until January 1, 2025, and as of that date is repealed.

California LEGISLATIVE INFORMATION

AB-1659 Healing arts boards: inactive licenses. (2017-2018)

Date	Action
01/22/18	Read second time. Ordered to Consent Calendar.
01/18/18	From committee: Do pass. To Consent Calendar. (Ayes 17. Noes 0.) (January 18).
01/11/18	From committee: Do pass and re-refer to Com. on APPR. (Ayes 15. Noes 0.) (January 9). Re-referred to Com. on APPR.
01/04/18	Re-referred to Com. on B. & P. pursuant to Assembly Rule 96.
01/04/18	Re-referred to Com. on NAT. RES.
01/03/18	From committee chair, with author's amendments: Amend, and re-refer to Com. on NAT. RES. Read second time and amended.
04/24/17	In committee: Set, first hearing. Hearing canceled at the request of author.
04/05/17	Re-referred to Com. on NAT. RES.
04/04/17	From committee chair, with author's amendments: Amend, and re-refer to Com. on NAT. RES. Read second time and amended.
04/03/17	Referred to Com. on NAT. RES.
02/19/17	From printer. May be heard in committee March 21.
02/17/17	Read first time. To print.

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AB-1659 Healing arts boards: inactive licenses. (2017-2018)

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Date Published: 01/03/2018 02:29 PM

AMENDED IN ASSEMBLY JANUARY 03, 2018

AMENDED IN ASSEMBLY APRIL 04, 2017

CALIFORNIA LEGISLATURE— 2017–2018 REGULAR SESSION

ASSEMBLY BILL No. 1659

Introduced by Assembly Member Low

February 17, 2017

~~An act to add Sections 43020.2 and 43020.3 to, and to add Chapter 6 (commencing with Section 42370) to Part 3 of Division 30 of, the Public Resources Code, relating to recycling.~~ *An act to amend Sections 701, 702, and 703 of the Business and Professions Code, relating to healing arts.*

LEGISLATIVE COUNSEL'S DIGEST

AB 1659, as amended, Low. ~~Food Service Plastic Packaging Recovery and Recycling Stewardship Act.~~ *Healing arts boards: inactive licenses.*

Existing law establishes healing arts boards in the Department of Consumer Affairs to ensure private businesses and professions deemed to engage in activities which have potential impact upon the public health, safety, and welfare are adequately regulated in order to protect the people of California. Existing law requires each healing arts board to issue inactive licenses to holders of active licenses whose license is not punitively restricted by that board. Existing law prohibits the holder of an inactive license from engaging in any activity for which an active license is required. Existing law requires the renewal fee for an active license to apply to an inactive license.

This bill would prohibit the holder of an inactive license from representing that he or she has an active license. The bill would also authorize a healing arts board to establish a lower inactive license renewal fee.

~~(1)The California Integrated Waste Management Act of 1989, administered by the Department of Resources Recycling and Recovery, generally regulates the disposal, management, and recycling of solid waste.~~

~~Existing law requires a manufacturer of carpets sold in the state, individually or through a carpet stewardship organization, to submit a carpet stewardship plan to the Department of Resources Recycling and Recovery for approval that would, among other things, increase the amount of postconsumer carpet that is diverted from landfills and recycled into secondary products. Existing law requires the carpet stewardship plan to include a funding mechanism that provides sufficient funding to carry out the plan and requires a manufacturer or carpet stewardship organization to pay the department an annual administrative fee. Existing law requires the department to identify the direct development or regulatory costs incurred by the department prior to the~~

~~submittal of the carpet stewardship plans, and to establish a fee in an amount adequate to cover these costs, that is paid by a carpet stewardship organization. Existing law imposes administrative civil penalties on a person who violates these provisions.~~

~~This bill, the Food Service Plastic Packaging Recovery and Recycling Stewardship Act, would authorize a city, county, or city and county to establish and implement a residential curbside collection program for the collection and recycling of a particular type of plastic packaging, defined to mean a container or single-use food service packaging product labeled with the same resin code. The bill would require a residential curbside collection program to impose certain requirements on the transportation of plastic packaging collected as a part of the program and on material recovery facilities to which waste that includes that plastic packaging is delivered.~~

~~The bill would require, by June 30, 2018, a manufacturer of plastic packaging sold in this state, individually or through a plastic packaging stewardship organization, to submit to the department one or more plastic packaging stewardship plans, similar to the carpet stewardship plans described above, collectively covering each particular type of plastic packaging distributed, sold, or used in the state by that manufacturer. The bill would require the plan to include a funding mechanism similar to that required in the carpet stewardship law. The bill would require the manufacturer or organization to, among other things, establish a plastic packaging stewardship fee that would be imposed on members of the organization and to determine the appropriate projects and programs to be funded by the stewardship fee that would further the efforts to recycle the particular type of plastic packaging. The bill would require each plastic packaging stewardship organization to make reasonable efforts to achieve specified rate of community access to residential curbside collection programs for each type of plastic packaging covered by the organization's plan, with an overall goal of a 75% rate of community access for each type of plastic packaging on or before January 1, 2043.~~

~~Similar to the carpet stewardship organization, a manufacturer or plastic packaging stewardship organization would be required to pay the department an annual administrative fee, as determined by the department. The bill would require the department to identify the direct development or regulatory costs incurred by the department prior to the submittal of plastic packaging stewardship plans and to establish a fee in an amount adequate in aggregate to cover those costs, to be paid by each plastic packaging stewardship organization that submits a plastic packaging stewardship plan. The bill would provide for the imposition of administrative civil penalties upon a person who violates the bill. The bill would establish the Plastic Packaging Stewardship Account in the Integrated Waste Management Fund and would require the fees collected by the department to be deposited in that account, for expenditure by the department, upon appropriation by the Legislature, to cover the department's cost to implement the bill's provisions. The bill would also establish the Plastic Packaging Stewardship Penalty Subaccount in the Integrated Waste Management Fund and would require that the civil penalties collected by the department pursuant to the bill's provisions be deposited in that subaccount, for expenditure by the department, upon appropriation by the Legislature, to cover the department's costs to implement the bill's provisions.~~

~~(2) Existing law requires the department to adopt regulations relating to waste management, including standards for the design, operation, maintenance, and ultimate reuse of solid waste facilities, and for solid waste handling, transfer, composting, transformation, and disposal.~~

~~This bill would authorize a material recovery facility to send residual materials containing plastic packaging to a secondary sorting facility with the capacity of sorting or separating plastic packaging material from the residual material for recycling. The bill would encourage a solid waste landfill that receives solid waste that contains plastic packaging to send the plastic packaging to a material recovery facility, secondary sorting facility, or to a recycling facility that has the capability to sort, separate, or recycle plastic packaging material.~~

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. *Section 701 of the Business and Professions Code is amended to read:*

~~701. Each healing arts board referred to in this division shall 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 that board.~~

701. *(a)* As used in this article, "board" refers to any healing arts board, division, or examining committee which licenses or certifies health professionals.

(b) Each healing arts board referred to in this division shall 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 that board.

SEC. 2. *Section 702 of the Business and Professions Code is amended to read:*

702. The holder of an inactive healing arts license or certificate issued pursuant to this article shall not ~~engage~~ *do any of the following:*

(a) Engage in any activity for which an active license or certificate is required.

(b) Represent that he or she has an active license.

SEC. 3. *Section 703 of the Business and Professions Code is amended to read:*

703. *(a)* An inactive healing arts license or certificate issued pursuant to this article shall be renewed during the same time period at which an active license or certificate is renewed. In order to renew a license or certificate issued pursuant to this article, the holder thereof need not comply with any continuing education requirement for renewal of an active license or certificate.

~~The~~

(b) The renewal fee for a license or certificate in an active status shall apply also for renewal of a license or certificate in an inactive ~~status.~~ *status, unless a lower fee has been established by the issuing board.*

~~SECTION 1.This act shall be known, and may be cited, as the Food Service Plastic Packaging Recovery and Recycling Stewardship Act.~~

~~SEC. 2.Chapter 6 (commencing with Section 42370) is added to Part 3 of Division 30 of the Public Resources Code, to read:~~

~~6.Food Service Plastic Packaging Stewardship Program~~

~~1.General Provisions~~

~~42370.The Legislature finds and declares the following:~~

~~(a)It is the intent of the Legislature, in adopting this chapter, to reduce the amount of food service packaging that is littered and improperly disposed of, to reduce the amount of food service plastic packaging that is disposed of in landfills, to increase opportunities for businesses or multifamily complexes to save money, to create jobs in California by providing materials for recycling manufacturing facilities, to reduce greenhouse gas emissions, to keep valuable materials out of landfills, and to create a healthy environment for the community and future generations by recovering natural resources by increasing the recycling rate of food service plastic packaging.~~

~~(b)California is home to a number of food service packaging manufacturers that produce a variety of products. These facilities employ thousands of Californians and are important components of the state's economy.~~

~~(c)All food service packaging, regardless of the material from which it is made, has environmental impacts, including, but not limited to, raw material acquisition, energy use, greenhouse gas emissions and other emissions associated with its manufacture, transportation, and disposal, consumption of increasingly scarce landfill capacity, and unsightly and environmentally damaging consequences of littering and other improper disposal.~~

~~(d)Manufacturers, distributors, and users of food service packaging have a shared responsibility to identify, finance, and implement food service packaging materials life cycle management solutions that are both environmentally responsible and economically sustainable. These solutions include, but are not limited to, reduction of food service packaging, reuse of food service packaging materials, enhanced material collection, sorting and recycling programs, antilitter, pollution prevention, and other public education programs, and developing and supporting emerging material recycling and conversion technologies to facilitate greater reuse and recycling of food service packaging materials.~~

~~(e)Manufacturers of each type of food service packaging material, transporters, solid waste haulers, recyclers, the State of California, local governments, and other stakeholders should work together to develop and implement programs to ensure all food service packaging materials are managed in an environmentally sound and economically sustainable manner.~~

~~(f)With the enactment of this chapter, the Legislature intends to encourage the development of recycling technologies for food service plastic packaging materials without favoring one type of food service packaging~~

~~material, whether plastic or otherwise, over another. It is anticipated that the methods and programs that will be developed pursuant to this chapter will serve as models for similar programs addressing other types of food service packaging materials.~~

~~42370.1.The purpose of this chapter is to increase the amount of food service plastic packaging waste that is diverted from landfills and recycled into new products or otherwise managed in a manner that is consistent with the state's hierarchy for waste management practices pursuant to Section 40051.~~

~~42370.2.(a)For purposes of this chapter, and unless the context otherwise requires, the following definitions shall apply:~~

~~(1)"Community recycling access rate," for a particular type of plastic packaging, means the number of residents that have access to a residential curbside collection program that accepts that type of plastic packaging for recycling divided by the total number of residents in the State of California.~~

~~(2)"Department" means the Department of Resources Recycling and Recovery.~~

~~(3)"Manufacturer" means either of the following:~~

~~(A)The person or entity in the state that manufactures plastic packaging that is sold, offered for sale, or distributed for use in the state.~~

~~(B)If there is no person or entity that is a manufacturer of plastic packaging for purposes of subparagraph (A), the person or entity that imports the plastic packaging into the state for sale, distribution, or use in the state.~~

~~(4)"Material recovery facility" means a facility that sorts residential solid waste that includes recyclable materials for the purpose of separating recyclable materials from materials destined for disposal at a landfill.~~

~~(5)"Particular type of plastic packaging" or "type of plastic packaging" means all plastic packaging labeled with the same resin code pursuant to Section 18015.~~

~~(6)"Plastic packaging" means a container or other single-use food service packaging product labeled with a resin code pursuant to Section 18015 that is used by a food service provider to carry or contain food or beverages that are prepared onsite so that a customer may consume the food offsite if the customer wishes to do so.~~

~~(7)"Plastic packaging stewardship organization" or "organization" means either of the following:~~

~~(A)An organization appointed by one or more manufacturers of a particular type of plastic packaging to act as an agent on behalf of the manufacturer to design, submit, and administer a plastic packaging stewardship plan pursuant to this chapter.~~

~~(B)A plastic packaging manufacturer that complies with this chapter as an individual manufacturer.~~

~~(8)"Recycle" means to take a product or material that has been used and discarded and divert it from disposal in a landfill for the purpose of being transformed, regenerated, or reused in the production of a useful product.~~

~~(b)A term not specifically defined in this chapter shall be interpreted consistent with its meaning in this division.~~

~~2.Food Service Plastic Packaging Stewardship Organization~~

~~42371.On or before June 30, 2018, a manufacturer of plastic packaging distributed, sold, or used in this state shall, individually or through a plastic packaging stewardship organization formed pursuant to Section 42371.2, submit to the department one or more plastic packaging stewardship plans, collectively covering each particular type of plastic packaging distributed, sold, or used in this state by that manufacturer, that will do all of the following:~~

~~(a)Achieve the purposes of this chapter, as described in Section 42370.1, and meet the requirements of Section 42372.4.~~

~~(b)Establish goals that, to the extent feasible based on available technology and information, increase the recycling of plastic packaging, increase the diversion of plastic packaging from landfills, increase the recyclability of plastic packaging, and provide incentives for the market growth of secondary products made from recycled plastic packaging.~~

~~(c)Describe proposed measures that will be implemented by the organization that reduce the disposal of plastic packaging manufactured by the organization's members in a manner consistent with the state's solid waste management hierarchy, including, but not limited to, source reduction, source separation and processing to~~

~~segregate and recover recyclable materials, and environmentally sound management of materials that cannot feasibly be recycled.~~

~~(d)Include a funding mechanism consistent with subdivision (b) of Section 42371.2.~~

~~(e)Include a process by which the financial activities of the plastic packaging stewardship organization that are related to implementation of the plastic packaging stewardship plan will be subject to an independent audit.~~

~~42371.2.Manufacturers of one or more than one particular type of plastic packaging may form an organization known as a plastic packaging stewardship organization. A plastic packaging stewardship organization may address a stewardship plan to more than one type of plastic packaging only if all of the manufacturers of that organization manufacture all of the types of plastic packaging to be covered by the plan. A plastic packaging stewardship organization shall do all of the following:~~

~~(a)Prepare a plastic packaging stewardship plan that meets the requirements of Section 42371.~~

~~(b)Establish a funding mechanism, consistent with Article 4 (commencing with Section 42374), that provides sufficient funding to carry out the plastic packaging stewardship plan, including the administrative, operational, and capital costs of the plan, payment of fees pursuant to Section 42374.6, and incentive payments that will advance the purposes of this chapter.~~

~~(c) Set the plastic packaging stewardship fee in accordance with Article 4 (commencing with Section 42374).~~

~~(d)Determine the projects and programs to be funded by the plastic packaging stewardship fee collected pursuant to Section 42374.4.~~

~~3.Food Service Plastic Packaging Recycling Program~~

~~42372.(a)A city, county, or city and county may establish and implement a residential curbside collection program pursuant to this article for the collection and recycling of a particular type of plastic packaging. If a city, county, or city and county establishes and implements a residential curbside collection program, the city, county, or city and county shall notify the department for purposes of tracking community access rates to residential curbside collection programs for each particular type of plastic packaging.~~

~~(b)To help ensure statewide consistency, the department may collaborate with any city, county, or city and county on the establishment and implementation of a residential curbside collection program for a particular type of plastic packaging, and may develop a list that identifies by resin code the particular types of plastic packaging materials accepted for recycling by each program.~~

~~42372.2.(a)A residential curbside collection program established pursuant to this article shall include the following requirements:~~

~~(1)Postconsumer untreated plastic packaging that is collected as part of a residential curbside collection program for a particular type of plastic packaging shall be transported only to a facility where it is feasible to recycle that type of plastic packaging or to a material recovery facility for the purpose of sorting that particular type of plastic packaging before recycling.~~

~~(2)A material recovery facility that receives material from a residential curbside collection program for a particular type of plastic packaging that is unable to separate at least 75 percent of that particular type of plastic packaging from the mixture of solid waste and recyclable materials collected in the residential curbside collection program shall send its residual material to a secondary sorting facility if the secondary sorting facility is reasonably available and willing to accept the residual material.~~

~~(b)For purposes of this section, the following definitions apply:~~

~~(1)"Reasonably available" means available at a cost, including the cost of transporting the residual material and any fee charged by the secondary sorting facility receiving the material, that does not exceed the cost of transporting the residual material to a landfill and disposing of the material at that landfill.~~

~~(2)"Residual material" means any material collected through a residential curbside collection program by, or material delivered through a drop off program to, a material recovery facility that remains after processing by the material recovery facility. "Processing" means the removal of recyclable material from other material to the extent a material recovery facility is equipped to do so.~~

~~(3)"Secondary sorting facility" means a facility equipped to sort a particular type of plastic packaging from other recyclable material and solid waste in residual material.~~

~~(c)The department shall adopt regulations establishing a mechanism by which the department will resolve disputes regarding whether a secondary sorting facility is reasonably available and under what circumstances the department may direct a residential curbside collection program, a recycling facility, or a solid waste facility to transfer residual material containing plastic packaging to a secondary sorting facility in order to further the purposes of this act.~~

~~42372.4.(a)On and before January 1, 2023, each plastic packaging stewardship organization shall make reasonable efforts to achieve a 15-percent rate of community access to residential curbside collection programs for each type of plastic packaging covered by the organization.~~

~~(b)On and before January 1, 2028, each plastic packaging stewardship organization shall make reasonable efforts to achieve a 30-percent rate of community access to residential curbside collection programs for each type of plastic packaging covered by the organization.~~

~~(c)On and before January 1, 2033, each plastic packaging stewardship organization shall make reasonable efforts to achieve a 45-percent rate of community access to residential curbside collection programs for each type of plastic packaging covered by the organization.~~

~~(d)On and before January 1, 2038, each plastic packaging stewardship organization shall make reasonable efforts to achieve a 60-percent rate of community access to residential curbside collection programs for each type of plastic packaging covered by the organization.~~

~~(e)On and before January 1, 2043, each plastic packaging stewardship organization shall make reasonable efforts to achieve a 75-percent rate of community access to residential curbside collection programs for each type of plastic packaging covered by the organization.~~

~~4.Plastic Packaging Stewardship Fees and Administrative Fees~~

~~42374.Each plastic packaging stewardship organization shall establish a plastic packaging stewardship fee for each particular type of plastic packaging covered by the organization, to be paid by members of the organization based on the amount of that particular type of plastic packaging of each member that is covered. The plastic packaging stewardship fee shall be calculated on a per pound basis by type of plastic packaging as follows:~~

~~(a)For each type of plastic packaging, if manufactured in the state, the organization member shall pay the applicable amount for its plastic packaging to be sold or used in the state.~~

~~(b)For each type plastic packaging, if manufactured out of state, the organization member shall pay the applicable amount for plastic packaging introduced into the state by the organization member.~~

~~42374.2.Each plastic packaging stewardship organization shall determine the rules and procedures that are necessary and proper to implement the collection of the charge in a fair, efficient, and lawful manner.~~

~~42374.4.The plastic packaging stewardship fee for each particular type of plastic packaging shall be collected by a plastic packaging stewardship organization and deposited in accounts, segregated by the type of plastic packaging, that are maintained and disbursed by the organization. Moneys collected pursuant to this article shall be used by a plastic packaging stewardship organization only for purposes of carrying out its duties under this chapter and for appropriate projects and programs that would further the efforts to recycle the particular type of plastic packaging for which the moneys were collected, pursuant to the plastic packaging stewardship plan. Those projects or programs may include, but are not limited to, investments in infrastructure that promote the recycling of the particular type of plastic packaging for which the moneys were collected, pursuant to the plastic packaging stewardship plan.~~

~~42374.6.(a)A plastic packaging stewardship organization submitting a plastic packaging stewardship plan shall pay the department a quarterly administrative fee. The department shall set the fee at an amount that, when paid by every plastic packaging stewardship organization that submits a plastic packaging stewardship plan, is adequate to cover the department's full costs of administering and enforcing this chapter, including any program development costs or regulatory costs incurred by the department prior to plastic packaging stewardship plans being submitted. The department may establish a variable fee based on relevant factors, including, but not limited to, the portion of a particular type of plastic packaging sold in the state by members of the organization compared to the total amount of the same type of plastic packaging sold in the state by all organizations submitting a plastic packaging stewardship plan.~~

~~(b)The total amount of fees collected annually pursuant to this section shall not exceed the amount necessary to recover costs incurred by the department in connection with the administration and enforcement of the requirements of this chapter.~~

~~(c)The department shall identify the direct development or regulatory costs it incurs pursuant to this chapter prior to the submittal of a plastic packaging stewardship plan and shall establish a fee in an amount adequate to cover those costs, which shall be paid by a plastic packaging stewardship organization that submits a plastic packaging stewardship plan. The fee established pursuant to this subdivision shall be paid pursuant to the schedule specified in subdivision (d).~~

~~(d)A plastic packaging stewardship organization subject to this section shall pay a quarterly fee to the department to cover the administrative and enforcement costs of the requirements of this chapter pursuant to subdivision (a) on or before July 1, 2019, and every three months thereafter. The plastic packaging stewardship organization shall pay the applicable portion of the fee pursuant to subdivision (c) on July 1, 2019, and every three months thereafter through July 1, 2043. After the initial year of payment, the total amount of the administrative fees paid for a calendar year shall not exceed 5 percent of the total amount of stewardship fees collected for the preceding calendar year.~~

~~(e)The department shall deposit the fees collected pursuant to this section into the Plastic Packaging Stewardship Account created pursuant to Section 42377.~~

~~5.Member Reporting~~

~~42375.(a)Each plastic packaging stewardship organization shall submit annual reports on their efforts to recycle plastic packaging to the department. A plastic packaging stewardship organization submitting an annual report on behalf of its members shall identify the individual members of the organization but is not required to distinguish the individual recycling efforts of its members.~~

~~(b)A member of a plastic packaging stewardship organization shall be considered in compliance with this section with regards to the types of plastic packaging covered by the organization if the plastic packaging stewardship organization of which it is a member submits a report.~~

~~6.Enforcement~~

~~42376.(a)A civil penalty up to one thousand dollars ($1,000) per day may be administratively imposed by the department on any person who is in violation of any provision of this chapter, or up to ten thousand dollars ($10,000) per day if the violation is intentional, knowing, or negligent.~~

~~(b)In assessing or reviewing the amount of a civil penalty imposed pursuant to subdivision (a) for a violation of this chapter, the department or the court shall consider all of the following:~~

~~(1)The nature and extent of the violation.~~

~~(2)The number and severity of the violation or violations.~~

~~(3)The economic effect of the penalty on the violator.~~

~~(4)Whether the violator took good faith measures to comply with this chapter and the period of time over which these measures were taken.~~

~~(5)The willfulness of the violator's misconduct.~~

~~(6)The deterrent effect that the imposition of the penalty would have on both the violator and the regulated community.~~

~~(7)Any other factor that justice may require.~~

~~7.Financial Provisions~~

~~42377.(a)The Plastic Packaging Stewardship Account and the Plastic Packaging Stewardship Penalty Subaccount are hereby established in the Integrated Waste Management Fund.~~

~~(b)All fees collected by the department pursuant to this article shall be deposited in the Plastic Packaging Stewardship Account and may be expended by the department, upon appropriation by the Legislature, to cover the department's costs to implement this chapter.~~

~~(c)All civil penalties collected pursuant to this article shall be deposited in the Plastic Packaging Stewardship Penalty Subaccount and may be expended by the department, upon appropriation by the Legislature, to cover the department's costs to implement this chapter.~~

~~8.Antitrust Immunity~~

~~42378.(a)Except as provided in subdivision (b), an action relating to the establishment, administration, collection, or disbursement of the funds associated with implementation of this chapter that is taken by the plastic packaging stewardship organization or its members is not a violation of the Cartwright Act (Chapter 2 (commencing with Section 16700) of Part 2 of Division 7 of the Business and Professions Code), the Unfair Practices Act (Chapter 4 (commencing with Section 17000) of Part 2 of Division 7 of the Business and Professions Code), or the Unfair Competition Law (Chapter 5 (commencing with Section 17200) of Part 2 of Division 7 of the Business and Professions Code).~~

~~(b)Subdivision (a) shall not apply to an agreement that does any of the following:~~

~~(1)Fixes a price of or for plastic packaging.~~

~~(2)Fixes the output or production of plastic packaging.~~

~~(3)Restricts the geographic area in which, or customers to whom, plastic packaging will be sold.~~

~~SEC. 3.Section 43020.2 is added to the Public Resources Code, to read:~~

~~43020.2.(a)A solid waste landfill that receives solid waste that contains plastic packaging material may landfill the plastic packaging material, but is encouraged to send solid waste containing plastic packaging material received to a material recovery facility, a secondary sorting facility, or a recycling facility that has the capability to sort, separate, or recycle plastic packaging material.~~

~~(b)For purposes of this section, the definitions of Chapter 6 (commencing with Section 42370) of Part 3 shall apply.~~

~~SEC. 4.Section 43020.3 is added to the Public Resources Code, to read:~~

~~43020.3.(a)A material recovery facility may send residual materials containing plastic packaging to a secondary sorting facility with the capability of sorting or separating plastic packaging material from the residual material for recycling.~~

~~(b)For purposes of this section, the definitions of Chapter 6 (commencing with Section 42370) of Part 3 shall apply.~~

California LEGISLATIVE INFORMATION

SB-27 Professions and vocations: licenses: military service. (2017-2018)

Date	Action
05/25/17	May 25 hearing: Held in committee and under submission.
05/19/17	Set for hearing May 25.
05/15/17	May 15 hearing: Placed on APPR. suspense file.
05/04/17	Set for hearing May 15.
04/26/17	From committee: Do pass and re-refer to Com. on APPR. (Ayes 7. Noes 0. Page 830.) (April 25). Re-referred to Com. on APPR.
04/17/17	From committee with author's amendments. Read second time and amended. Re-referred to Com. on V.A.
04/07/17	Set for hearing April 25.
04/03/17	From committee: Do pass and re-refer to Com. on V.A. (Ayes 9. Noes 0. Page 585.) (April 3). Re-referred to Com. on V.A.
03/21/17	Set for hearing April 3.
01/12/17	Referred to Coms. on B., P. & E.D. and V.A.
12/06/16	From printer. May be acted upon on or after January 5.
12/05/16	Introduced. Read first time. To Com. on RLS. for assignment. To print.

SB-27 Professions and vocations: licenses: military service. (2017-2018)

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Date Published: 04/18/2017 04:00 AM

AMENDED IN SENATE APRIL 17, 2017

CALIFORNIA LEGISLATURE— 2017–2018 REGULAR SESSION

SENATE BILL No. 27

Introduced by Senator Morrell
(Coauthors: Senators Bates, Berryhill, Nguyen, and Wilk)
(Coauthors: Assembly Members Acosta, Baker, Chávez, Cunningham, Lackey, Mathis, and Patterson)

December 05, 2016

An act to add Section 114.6 to the Business and Professions Code, relating to professions and vocations.

LEGISLATIVE COUNSEL'S DIGEST

SB 27, as amended, Morrell. Professions and vocations: licenses: military service.

Existing law provides for the licensure and regulation of various professions and vocations by boards within the Department of Consumer Affairs. Existing law authorizes any licensee or registrant whose license expired while he or she was on active duty as a member of the California National Guard or the United States Armed Forces to reinstate his or her license or registration without examination or penalty if certain requirements are met. Existing law also requires the boards to waive the renewal fees, continuing education requirements, and other renewal requirements, if applicable, of any licensee or registrant called to active duty as a member of the United States Armed Forces or the California National Guard, if certain requirements are met. Existing law requires each board to inquire in every application if the individual applying for licensure is serving in, or has previously served in, the military. Existing law requires a board within the Department of Consumer Affairs to expedite, and authorizes a board to assist with, the initial licensure process for an applicant who has served as an active duty member of the United States Armed Forces and was honorably discharged.

This bill would require every board within the Department of Consumer Affairs to grant a fee waiver for the application for and the issuance of an initial license to an applicant who supplies satisfactory evidence, as defined, to the board that the applicant has served as an active duty member of the California National Guard or the United States Armed Forces and was honorably discharged. The bill would require that a veteran be granted only one fee waiver, except as specified.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 114.6 is added to the Business and Professions Code, to read:

114.6. (a) (1) Notwithstanding any other law, every board within the department shall grant a fee waiver for the application for and issuance of an initial license to an applicant who supplies satisfactory evidence to the board that the applicant has served as an active duty member of the California National Guard or the United States Armed Forces and was honorably discharged.

(2) For purposes of this section, "satisfactory evidence" means a completed "Certificate of Release or Discharge from Active Duty" (DD Form 214).

(b) (1) A veteran shall be granted only one fee waiver, except as specified in paragraph (2). After a fee waiver has been issued by ~~any~~ *a* board within the department, the veteran is no longer eligible for a waiver.

(2) If a board charges a fee for the application for a license and another fee for the issuance of a license, the veteran shall be granted fee waivers for both the application for and issuance of a license.

(3) The fee waiver shall apply only to an application of and a license issued to an individual veteran and not to an application of or a license issued to an individual veteran on behalf of a business or other entity.

(4) A fee waiver shall not be issued for any of the following:

(A) Renewal of a license.

(B) The application for and issuance of an additional license, a certificate, a registration, or a permit associated with the initial license.

(C) The application for an examination.

California LEGISLATIVE INFORMATION

SB-359 Professions and vocations: military medical personnel. (2017-2018)

Date	Action
02/23/17	Referred to Com. on RLS.
02/15/17	From printer. May be acted upon on or after March 17.
02/14/17	Introduced. Read first time. To Com. on RLS. for assignment. To print.

SB-359 Professions and vocations: military medical personnel. (2017-2018)

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Date Published: 02/14/2017 09:00 PM

CALIFORNIA LEGISLATURE— 2017–2018 REGULAR SESSION

SENATE BILL **No. 359**

Introduced by Senator Galgiani

February 14, 2017

An act relating to professions and vocations.

LEGISLATIVE COUNSEL'S DIGEST

SB 359, as introduced, Galgiani. Professions and vocations: military medical personnel.

Existing law provides for the licensure and regulation of various professions and vocations by boards within the Department of Consumer Affairs.

This bill would state the intent of the Legislature to enact legislation that would promote and pursue programmatic changes to nursing and paramedic licensure requirements for California's military medical personnel in order to recognize the talent, skills, and training of these military medical personnel.

Vote: majority Appropriation: no Fiscal Committee: no Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. It is the intent of the Legislature to enact legislation that would promote and pursue programmatic changes to nursing and paramedic licensure requirements for California's military medical personnel in order to recognize the talent, skills, and training of these military medical personnel.

California LEGISLATIVE INFORMATION

SB-572 Healing arts licensees: violations: grace period. (2017-2018)

Date	Action
04/19/17	April 24 hearing postponed by committee.
04/13/17	Set for hearing April 24.
04/13/17	April 17 hearing postponed by committee.
03/29/17	Set for hearing April 17.
03/28/17	April 3 hearing postponed by committee.
03/27/17	From committee with author's amendments. Read second time and amended. Re-referred to Com. on B., P. & E.D.
03/21/17	Set for hearing April 3.
03/02/17	Referred to Com. on B., P. & E.D.
02/21/17	From printer. May be acted upon on or after March 23.
02/17/17	Introduced. Read first time. To Com. on RLS. for assignment. To print.

SB-572 Healing arts licensees: violations: grace period. (2017-2018)

SHARE THIS:

Date Published: 03/27/2017 09:00 PM

AMENDED IN SENATE MARCH 27, 2017

CALIFORNIA LEGISLATURE— 2017–2018 REGULAR SESSION

SENATE BILL No. 572

Introduced by Senator Stone

February 17, 2017

An act to add Article 16 (commencing with Section 870) to Chapter 1 of Division 2 of the Business and Professions Code, relating to healing arts.

LEGISLATIVE COUNSEL'S DIGEST

SB 572, as amended, Stone. Healing arts licensees: violations: grace period.

Existing law provides for the licensure and regulation of various healing arts professions by various boards, as defined, within the Department of Consumer Affairs. Existing law imposes certain fines and other penalties for, and authorizes these boards to take disciplinary action against licensees for, violations of the provisions governing those professions.

This bill would prohibit the boards from taking disciplinary action against, or otherwise penalizing, healing arts licensees who violate those provisions but correct the violations within 15 ~~days,~~ *days and who are not currently on probation at the time of the violations,* if the violations did not cause irreparable harm and will not result in irreparable harm if left uncorrected for 15 days.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Article 16 (commencing with Section 870) is added to Chapter 1 of Division 2 of the Business and Professions Code, to read:

Article 16. Grace Period for Violations

870. Notwithstanding any other law, a person with a license issued pursuant to this division shall not be subject to disciplinary action by, or otherwise penalized by, the board that issued the license for a violation of a provision applicable to the license if ~~both~~ *all* of the following apply:

(a) The violation did not cause any irreparable harm and will not result in irreparable harm if left uncorrected for 15 days.

(b) The ~~person~~ *licensee* corrects the violation within 15 days.

(c) The licensee is not currently on probation at the time of the violation.

California LEGISLATIVE INFORMATION

SB-715 Department of Consumer Affairs: regulatory boards: removal of board members. (2017-2018)

Date	Action
09/14/17	Ordered to inactive file on request of Assembly Member Calderon.
09/14/17	Ordered to third reading.
09/14/17	From inactive file.
09/13/17	Notice of intention to remove from inactive file given by Assembly Member Calderon.
06/29/17	Ordered to inactive file on request of Assembly Member Bonta.
06/26/17	Read second time. Ordered to third reading.
06/22/17	Ordered to second reading.
06/22/17	Withdrawn from committee.
06/20/17	From committee: Do pass and re-refer to Com. on APPR. (Ayes 15. Noes 0.) (June 20). Re-referred to Com. on APPR.
05/26/17	Referred to Com. on B. & P.
05/04/17	In Assembly. Read first time. Held at Desk.
05/04/17	Read third time. Passed. (Ayes 39. Noes 0. Page 955.) Ordered to the Assembly.
05/02/17	Read second time. Ordered to third reading.
05/01/17	From committee: Do pass. (Ayes 8. Noes 0. Page 914.) (May 1).
04/27/17	Set for hearing May 1.
04/26/17	Re-referred to Com. on B., P. & E.D.
04/25/17	From committee with author's amendments. Read second time and amended. Re-referred to Com. on RLS.
03/09/17	Referred to Com. on RLS.
02/21/17	From printer. May be acted upon on or after March 23.
02/17/17	Introduced. Read first time. To Com. on RLS. for assignment. To print.

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SB-715 Department of Consumer Affairs: regulatory boards: removal of board members. (2017-2018)

SHARE THIS:

Date Published: 04/26/2017 04:00 AM

AMENDED IN SENATE APRIL 25, 2017

CALIFORNIA LEGISLATURE— 2017–2018 REGULAR SESSION

SENATE BILL No. 715

Introduced by Senator Newman

February 17, 2017

~~An act to amend Section 5503 of the Public Resources Code, relating to park districts.~~ *An act to amend Section 106 of the Business and Professions Code, relating to consumer affairs.*

LEGISLATIVE COUNSEL'S DIGEST

SB 715, as amended, Newman. ~~Park and open-space districts.~~ *Department of Consumer Affairs: regulatory boards: removal of board members.*

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 Governor to remove from office any member of any board within the department appointed by him or her, on specific grounds, including continued neglect of duties required by law.

This bill would specifically include the failure to attend meetings of the board as one example of continued neglect of duties required by law that the Governor can use as a reason to remove a member from a board.

~~Existing law provides a procedure for the formation of a regional park district, regional park and open space district, or a regional open-space district.~~

~~This bill would make nonsubstantive changes to one of those provisions.~~

Vote: majority Appropriation: no Fiscal Committee: no Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. *Section 106 of the Business and Professions Code is amended to read:*

106. The Governor has power to remove from office at any time, any member of any board appointed by him *or her* for continued neglect of duties required by law, *which may include the failure to attend board meetings,* or for incompetence, or unprofessional or dishonorable conduct. Nothing in this section shall be construed as a

limitation or restriction on the power of the Governor, conferred on him *or her* by any other ~~provision of~~ law, to remove any member of any board.

~~SECTION 1.Section 5503 of the Public Resources Code is amended to read:~~

~~5503.Whenever it is desired to form a district under this article, a petition requesting the creation and maintenance of a district, and describing the exterior boundaries of the proposed district shall be signed by at least 5,000 electors residing within the territory proposed to be included in the district. The petition shall be presented to the board of supervisors of the county containing the largest area within the proposed district.~~

California LEGISLATIVE INFORMATION

SB-762 Healing arts licensee: license activation fee: waiver. (2017-2018)

Date	Action
06/15/17	Referred to Com. on B. & P.
06/01/17	In Assembly. Read first time. Held at Desk.
05/31/17	Read third time. Passed. (Ayes 40. Noes 0. Page 1358.) Ordered to the Assembly.
05/26/17	Ordered to special consent calendar.
05/26/17	Read second time. Ordered to third reading.
05/25/17	From committee: Do pass. (Ayes 7. Noes 0. Page 1189.) (May 25).
05/19/17	Set for hearing May 25.
05/15/17	May 15 hearing: Placed on APPR. suspense file.
05/04/17	Set for hearing May 15.
04/25/17	From committee: Do pass and re-refer to Com. on APPR. with recommendation: To consent calendar. (Ayes 9. Noes 0. Page 825.) (April 24). Re-referred to Com. on APPR.
04/20/17	Set for hearing April 24 in B., P. & E.D. pending receipt.
04/19/17	Re-referred to Com. on B., P. & E.D.
04/17/17	From committee with author's amendments. Read second time and amended. Re-referred to Com. on RLS.
03/09/17	Referred to Com. on RLS.
02/21/17	From printer. May be acted upon on or after March 23.
02/17/17	Introduced. Read first time. To Com. on RLS. for assignment. To print.

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SB-762 Healing arts licensee: license activation fee: waiver. (2017-2018)

SHARE THIS:

Date Published: 04/17/2017 02:52 PM

AMENDED IN SENATE APRIL 17, 2017

CALIFORNIA LEGISLATURE— 2017–2018 REGULAR SESSION

SENATE BILL No. 762

Introduced by Senator Hernandez

February 17, 2017

An act *to amend Section 704 of the Business and Professions Code,* relating to ~~workforce development.~~ *healing arts.*

LEGISLATIVE COUNSEL'S DIGEST

SB 762, as amended, Hernandez. ~~Health care workforce development.~~ *Healing arts licensee: license activation fee: waiver.*

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. Existing law requires the renewal fee to be waived for a physician and surgeon who certifies to the Medical Board of California 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.

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.

~~The federal Workforce Innovation and Opportunity Act of 2014 provides for workforce investment activities, including activities in which states may participate. Existing law contains various programs for job training and employment investment, including work incentive programs, as specified, and establishes local workforce investment boards to perform duties related to the implementation and coordination of local workforce investment activities. Existing law requires local workforce investment boards to spend a minimum percentage of specified funds for adults and dislocated workers on federally identified workforce training programs and allows the boards to leverage specified funds to meet the funding requirements, as specified.~~

~~This bill would state the intent of the Legislature to enact legislation relating to health care workforce development.~~

Vote: majority Appropriation: no Fiscal Committee: ~~no~~*yes* Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. *Section 704 of the Business and Professions Code is amended to read:*

704. In order for the holder of an inactive license or certificate issued pursuant to this article to restore his or her license or certificate to an active status, the holder of an inactive license or certificate shall comply with ~~all~~ *both* the following:

(a) Pay the renewal fee; provided, that the renewal fee shall be waived for a ~~physician and surgeon~~ *healing arts licensee* who certifies to the ~~Medical Board of California~~ *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 ~~which~~ *that* provides medical services to indigent patients in medically underserved or critical-need population areas of the state.

(b) If the board requires completion of continuing education for renewers of an active license or certificate, complete continuing education equivalent to that required for a single license renewal period.

~~SECTION 1.It is the intent of the Legislature to enact legislation relating to health care workforce development.~~

2018 TENTATIVE LEGISLATIVE CALENDAR

COMPILED BY THE OFFICE OF THE ASSEMBLY CHIEF CLERK

Revised 9-20-17

JANUARY							
	S	M	T	W	TH	F	S
Wk. 1		1	2	3	4	5	6
Wk. 2	7	8	9	10	11	12	13
Wk. 3	14	15	16	17	18	19	20
Wk. 4	21	22	23	24	25	26	27
Wk. 1	28	29	30	31			

FEBRUARY							
	S	M	T	W	TH	F	S
Wk. 1					1	2	3
Wk. 2	4	5	6	7	8	9	10
Wk. 3	11	12	13	14	15	16	17
Wk. 4	18	19	20	21	22	23	24
Wk. 1	25	26	27	28			

MARCH							
	S	M	T	W	TH	F	S
Wk. 1					1	2	3
Wk. 2	4	5	6	7	8	9	10
Wk. 3	11	12	13	14	15	16	17
Wk. 4	18	19	20	21	22	23	24
Spring Recess	25	26	27	28	29	30	31

APRIL							
	S	M	T	W	TH	F	S
Wk. 1	1	2	3	4	5	6	7
Wk. 2	8	9	10	11	12	13	14
Wk. 3	15	16	17	18	19	20	21
Wk. 4	22	23	24	25	26	27	28
Wk. 1	29	30					

MAY							
	S	M	T	W	TH	F	S
Wk. 1			1	2	3	4	5
Wk. 2	6	7	8	9	10	11	12
Wk. 3	13	14	15	16	17	18	19
Wk. 4	20	21	22	23	24	25	26
No Hrgs.	27	28	29	30	31		

DEADLINES

Jan. 1 Statutes take effect (Art. IV, Sec. 8(c)).

Jan. 3 Legislature reconvenes (J.R. 51(a)(4)).

Jan. 10 Budget must be submitted by Governor (Art. IV, Sec. 12(a)).

Jan. 12 Last day for **policy committees** to hear and report to **fiscal committees** fiscal bills introduced in their house in the odd-numbered year (J.R. 61(b)(1)).

Jan. 15 Martin Luther King, Jr. Day.

Jan. 19 Last day for any committee to hear and report to the **Floor** bills introduced in that house in the odd-numbered year. (J.R. 61(b)(2)). Last day to submit **bill requests** to the Office of Legislative Counsel.

Jan. 31 Last day for each house to pass bills introduced in that house in the odd-numbered year (J.R. 61(b)(3)) (Art. IV, Sec. 10(c)).

Feb. 16 Last day for bills to be **introduced** (J.R. 61(b)(4), J.R. 54(a)).

Feb. 19 Presidents' Day.

Mar. 22 **Spring Recess** begins upon adjournment (J.R. 51(b)(1)).

Mar. 30 Cesar Chavez Day observed.

Apr. 2 Legislature reconvenes from Spring Recess (J.R. 51 (b)(1)).

Apr. 27 Last day for **policy committees** to hear and report to fiscal committees **fiscal bills** introduced in their house (J.R. 61(b)(5)).

May 11 Last day for **policy committees** to hear and report to the Floor **nonfiscal** bills introduced in their house (J.R. 61(b)(6)).

May 18 Last day for **policy committees** to meet prior to June 4 (J.R. 61(b)(7)).

May 25 Last day for **fiscal committees** to hear and report to the **Floor** bills introduced in their house (J.R. 61 (b)(8)). Last day for **fiscal committees** to meet prior to June 4 (J.R. 61 (b)(9)).

May 28 Memorial Day.

May 29 – June 1 **Floor session only.** No committee may meet for any purpose except for Rules Committee, bills referred pursuant to Assembly Rule 77.2, and Conference Committees (J.R. 61(b)(10)).

*Holiday schedule subject to final approval by Rules Committee.

JUNE							
	S	M	T	W	TH	F	S
No Hrgs.						1	2
Wk. 1	3	4	5	6	7	8	9
Wk. 2	10	11	12	13	14	15	16
Wk. 3	17	18	19	20	21	22	23
Wk. 4	24	25	26	27	28	29	30

June 1 Last day for each house to pass bills introduced in that house (J.R. 61(b)(11)).

June 4 Committee meetings may resume (J.R. 61(b)(12)).

June 15 Budget Bill must be passed by midnight (Art. IV, Sec. 12(c)).

June 28 Last day for a legislative measure to qualify for the Nov. 6 General Election ballot. (Elec. Code Sec. 9040)

June 29 Last day for **policy committees** to hear and report **fiscal bills** to fiscal committees (J.R. 61(b)(13).

JULY							
	S	M	T	W	TH	F	S
Wk. 1	1	2	3	4	5	6	7
Summer Recess	8	9	10	11	12	13	14
Summer Recess	15	16	17	18	19	20	21
Summer Recess	22	23	24	25	26	27	28
Summer Recess	29	30	31				

July 4 Independence Day.

July 6 Last day for **policy committees** to meet and report bills (J.R. 61(b)(14)). **Summer Recess** begins on adjournment, provided Budget Bill has been passed (J.R. 51(b)(2)).

AUGUST							
	S	M	T	W	TH	F	S
Summer Recess				1	2	3	4
Wk. 2	5	6	7	8	9	10	11
Wk. 3	12	13	14	15	16	17	18
No Hrgs.	19	20	21	22	23	24	25
No Hrgs.	26	27	28	29	30	31	

Aug. 6 Legislature reconvenes from Summer Recess (J.R. 51(b)(2)).

Aug. 17 Last day for **fiscal committees** to meet and report bills (J.R. 61(b)(15)).

Aug. 20 – 31 **Floor session only.** No committee may meet for any purpose except Rules Committee, bills referred pursuant to Assembly Rule 77.2, and Conference Committees (J.R. 61(b)(16)).

Aug. 24 Last day to **amend** on Floor (J.R. 61(b)(17)).

Aug. 31 Last day for each house to pass bills (Art. IV, Sec 10(c), J.R. 61(b)(18)). **Final Recess** begins on adjournment (J.R. 51(b)(3)).

IMPORTANT DATES OCCURRING DURING FINAL RECESS

2018

Sept. 30 Last day for Governor to sign or veto bills passed by the Legislature before Sept. 1 and in the Governor's possession on or after Sept. 1 (Art. IV, Sec.10(b)(2)).

Oct. 1 Bills enacted on or before this date take effect January 1, 2019 (Art. IV, Sec. 8(c)).

Nov. 6 General Election.

Nov. 30 Adjournment *sine die* at midnight (Art. IV, Sec. 3(a)).

Dec. 3 2019-20 Regular Session convenes for Organizational Session at 12 noon (Art. IV, Sec. 3(a)).

2019

Jan. 1 Statutes take effect (Art. IV, Sec. 8(c)).

*Holiday schedule subject to final approval by Rules Committee.