



Executive Office

1625 N. Market Boulevard, Suite S-308, Sacramento, CA 95834
P (916) 574-8200 F (916) 574-8613 | www.dca.ca.gov



January 9, 2015

Hon. Mark Leno, Chair
Joint Legislative Budget Committee
1020 N Street, Room 553
Sacramento, CA 95814
Attention: Ms. Peggy Collins

RE: Supplemental Report of the 2014-15 Budget Package, Item 1110-001-XXXX—
Department of Consumer Affairs

Dear Senator Leno:

Attached is the Department of Consumer Affairs' (Department) Supplemental Report of the 2014-15 Budget, Item 1110-001-XXXX, as requested by the Joint Legislative Budget Subcommittee.

In addition, we are submitting an update to the Department's 2012 *Report to the California State Legislature: Acceptance of Military Experience & Education Towards Licensure*. The update (Appendix A) includes the information for the programs that came under the Department as a result of the Governor's Reorganization Plan of 2012.

If you have any questions regarding this report, please contact Melinda McClain, Deputy Director of Legislation, Department of Consumer Affairs, by phone at 916-574-7800 or by email at melinda.mcclain@dca.ca.gov.

Sincerely,

Awet Kidane
Director
Department of Consumer Affairs

cc: Daniel Alvarez, Secretary of the Senate
Tina McGee, Legislative Analyst's Office
E. Dotson Wilson, Chief Clerk of the Assembly
Ms. Diane Boyer-Vine, Legislative Counsel
Michael Martinez, Deputy Legislative Secretary, Office of the Governor
Reginald Fair, Deputy Secretary for Legislation, Business, Consumer Services and Housing Agency

Supplemental Report of the 2014-15 Budget Package Department of Consumer Affairs (Item 1110-001-XXXX)

Introduction

In 2012, the California Department of Consumer Affairs (Department) provided a report to the Legislature regarding the licensing programs that have statutes or regulations that allow for the use of military experience to meet licensing requirements. The broader intent was to discuss the implementation of Business and Professions Code (BPC) section 35 by the Department's licensing programs. The Department thoroughly addressed each issue identified by the Legislature (2012 Supplemental Budget Report Language – Appendix C) and provided a breakdown of every licensing requirement in 2012 that an individual must meet in order to receive licensure, which included statutes and regulations directly relating to the military.

The 2012 report, *Report to the California State Legislature: Acceptance of Military Experience & Education Towards Licensure*, outlined administrative solutions that the Department's programs were instituting to assist military applicants with the licensure process. For example, the Bureau of Security and Investigative Services (BSIS), through its Veterans Come First Program (<http://bsis.ca.gov/consumers/faqs/veterans.shtml>), has worked with over 5,000 military applicants to guide them through the application process in the last two fiscal years. Components of the program include priority application processing, training staff to assist military applicants, and unique postal and electronic mailing addresses for military applicants. The Contractors' State License Board (CSLB) has also created a formal program to assist former military members with properly applying their education and experience and completing the licensing process. Since 2012, the CSLB, through its Military Application Assistance Program (<http://www.cslb.ca.gov/Contractors/Applicants/Military/>), has received approximately 250 inquiries that have resulted in 43 new licenses being issued.

Since the 2012 report, there have been a number of changes to the Department. As a result of the Governor's Reorganization Plan of 2012 (GRP2), four licensing programs – the Board of Chiropractic Examiners, the Bureau of Real Estate, the Bureau of Real Estate Appraisers, and the Structural Pest Control Board – were added to the Department. In July 2014, the Department underwent a change in leadership with the retirement of Director Denise Brown and the appointment of the Chief Deputy Director, Awet Kidane, as Director. The Department is also in the process of implementing a number of pieces of legislation signed by the Governor in recent years designed to help members of the military and their families.

In the in the 2014-15 Budget, the Senate Committee on Rules requested that Department provide a report to the Legislature regarding acceptance of military experience towards licensure – with an emphasis on BPC 35. Included in the Supplemental Report to the 2014-15 Budget Package was Item 1110-001-XXXX—Department of Consumer Affairs. This report provides the Department’s response to the four items discussed.

Compliance with Business and Professions Code Section 35

(a) A list of the boards and the date on which they completed their last analysis of compliance with BPC 35.

The Department views the 2012 military report as essentially each program’s previous compliance review regarding BPC 35. Each program reviewed all of the licensure requirements for licenses issued to individuals, how the program handles military applicants during the licensure process, and the existing statutory and regulatory authority for the program to accept military experience or education towards licensure. Additionally, each program has its own legal counsel who advises the program on compliance with all laws and regulations that may be relevant to the program.

The four programs that are new to the Department, the Bureau of Real Estate, the Bureau of Real Estate Appraisers, the Board of Chiropractic Examiners, and the Structural Pest Control Board, completed a compliance review in preparation for this report. The results of those reviews can be found in Appendix A.

Boards that Do Not Accept Military Education, Experience, or Training

(b) An explanation from those boards that do not accept military education, experience, or training pursuant to BPC 35 on why they do not have statutes, rules, regulations, or agreements allowing military education, training, or experience to be used to meet professional licensure requirements.

None of the Department’s licensing programs have regulations based on BPC 35. However, as illustrated in the 2012 military report, many of the Department’s programs have either specific or broad authority to review and apply military education, experience, or training towards licensure. The following is an explanation received from each program that does not accept military credit toward licensure for some or all license types. Programs that do not issue licenses to individuals or have licenses without any experience or education requirements are not included.

CALIFORNIA ACUPUNCTURE BOARD

The Acupuncture Board is not currently aware of any military programs that train acupuncturists. Acupuncturist education programs require a certain amount of the coursework to provide instruction on western medical practices and a veteran could use

training or education in western medicine earned in the military toward meeting these requirements. Each training program is required by regulations to have a mechanism for evaluating and awarding transfer credit. Because the acceptance of credit would be determined by the educational program, it is not within the Board's authority to accept military experience and training.

BARBERING AND COSMETOLOGY, BOARD OF

While military experience and training to become licensed as a barber is accepted, there are no statutes or regulations to allow credit toward licensure as a cosmetologist, manicurist, esthetician, or electrologist. The Board has not received any inquiries on including other types, likely because these are not practiced in the military. However, the Board will consider promulgating regulations to allow all licensing programs under their authority to accept military training at their board meeting scheduled on January 12, 2015.

BEHAVIORAL SCIENCES, BOARD OF

The Board requires a master's degree from an accredited educational institution in order to be eligible for licensure. Military education and practicum experience may be evaluated by the school to determine if there are any equivalents that could fulfill requirements in the master's program. Postgraduate experience requirements can be fulfilled during military service if that experience was gained under a licensed professional who has been licensed for at least two years in his or her current jurisdiction and is in good standing.

CEMETERY AND FUNERAL BUREAU

Embalmers must graduate from an accredited mortuary science program, pass the national examination, and complete a two year apprenticeship. The only branch of the military that uses uniformed embalmers is the Navy and embalmers must enter service as a licensee in any state. However, experience gained in the military as an Apprentice Embalmer may be applied toward licensure. For all other license types, military experience is accepted or no experience is required.

CHIROPRACTIC EXAMINERS, BOARD OF

Chiropractor applicants are required to complete 60 prechiropractic units and graduate from a chiropractic college that is accredited by the Council on Chiropractic Education (CCE). The CCE accredited schools evaluate a student's qualifications prior to admittance, certify completion of the prechiropractic units, and certify completion of the required chiropractic education. Because application of credit is not determined by the Board, if such education offered by the military was to be accredited by the CCE, military training would be accepted without any necessary amendments.

DENTAL HYGIENE COMMITTEE OF CALIFORNIA

Registered Dental Hygienists, Registered Dental Hygienists in Advanced Practice, and Registered Dental Hygienists in Extended Functions must complete a curriculum and clinical training approved by the Committee and the Commission on Dental Accreditation. These dental hygiene schools that provide clinical training and education may determine that

experience gained in the military qualifies the student for entry into the program. Because application of credit would be determined by each individual school, it is not within the Committee's authority to adopt any regulations to grant military educational credit.

MEDICAL BOARD OF CALIFORNIA

There is no known equivalent military experience in midwifery as the military does not use midwives. For all other license types, the Board either accepts military experience or no experience is required so there is no need for further amendments to statute or regulations. For example, to become a physician and surgeon, an applicant must have graduated from a school approved by the Liaison Committee in Medical Education (LCME). In addition, an applicant must complete one continuous year in a single program of Accreditation Council for Graduate Medical Education (ACGME) or Royal College of Physicians and Surgeons of Canada (RCPSC) accredited postgraduate training. Military medical schools, such as Uniformed Services University of the Health Sciences Medical School, are accredited by the LCME, and military postgraduate training programs are ACGME accredited, therefore military experience and training is accepted for physicians and surgeons.

NATUROPATHIC MEDICINE COMMITTEE

The Committee is not currently aware of any military facilities that provide training or education in the naturopathic medical field or any military job classifications for naturopathic doctors. If the military begins using those who practice naturopathic medicine, the member of the military would most likely be required to enter the military as a licensee, similar to other many healing arts professions.

OCCUPATIONAL THERAPY, BOARD OF

An Occupational Therapist license requires the applicant to complete a specific Master's degree, therefore, military education, experience, or training is not applicable. Individuals who complete an Occupational Therapy Assistant education program as part of a military technical school should meet the minimum education standards and qualify to take the national examination without requiring new statute or regulations.

OPTOMETRY, BOARD OF

Applicants must graduate from an accredited school of optometry and must be licensed in any state before practicing in the military. In addition, there is no known military experience or training that would qualify an applicant for licensure as an optometrist.

PHARMACY, BOARD OF

Applicants for a Pharmacist license must graduate from a school of pharmacy accredited by the Accreditation Council for Pharmacy Education. It is the school that evaluates an applicant's qualifications for entry. Pharmacy Technician applicants may use military experience in accordance with existing military-specific regulations for the Board (Title 16 California Code of Regulations Section 1793.6(b)). In addition, a Designated Representative of a drug wholesaler or veterinary food-animal retailer could meet requirements for licensure based on relevant military training and experience.

PHYSICIAN ASSISTANT BOARD

A physician assistant applicant must graduate from a Board-approved school. It is the physician assistant training programs that review an applicant's background, including military or civilian experience, to determine his or her acceptance into the program.

PODIATRIC MEDICINE, BOARD OF

The Board has not promulgated regulations or sought a statutory change because the Board is unaware of any military training that would qualify the applicant to meet licensure or student registration requirements. Additionally, applicants must graduate from a Council on Podiatric Medical Education (CPME) approved school and any credit towards completion of the program would be within the authority of the school.

VETERINARY MEDICAL BOARD

There has not been an identified need for amendment to statute or regulations. Veterinarians must have graduated from an accredited veterinary school and be licensed in any state prior to practice in the military. Military experience is already accepted for licensure as a Registered Veterinary Technician.

Department Guidance to Licensing Programs Regarding Business and Professions Code Section 35 Implementation

(c) A description of the department's actions to direct the boards to implement this code section including any memoranda to boards or other evidence of the department's actions.

This section, BPC 35, became law in 1994 through enactment of SB 1646 (Rogers, Chapter 987, Statutes of 1994). Although the Department is unaware of any specific guidance or memorandum that was given to the Department's licensing programs regarding implementing this code section, it is possible that the Department provided some general direction. However, given the length of time since the creation of BPC 35, it is unclear what, if any, direction was given. However, the Department has made it clear through staff interactions and in the Department's quarterly meetings with all Executive Officers and Bureau Chiefs that the evaluation of military experience and training is a priority and should be reviewed and when appropriate, accepted.

In addition to coordinating the response for the 2012 report to the Legislature, the Department has provided significant direction on implementation of all recent legislation signed by the Governor over the past three years regarding members of the military and their families, including the following:

- AB 1588 (Atkins, Chapter 742, Statutes of 2012) – Military Renewal Waiver
This bill authorizes a waiver from license renewal fees and continuing education requirements for any licensee of a board or bureau under the jurisdiction of the

Department who is called to active duty by the United States Armed Forces or the California National Guard.

- AB 1904 (Block, Chapter 399, Statutes of 2012) – Military Spouse Application Expediting
The bill requires the Department’s boards and bureaus to expedite the licensure process for the spouse or domestic partner of a member of the military on active duty who is assigned to a duty station in California.
- SB 1405 (de León, Chapter 411, Statutes of 2012) – Accountancy Military Service
This bill authorizes a certified public accountant, licensed by the California Board of Accountancy, to apply to have a permit placed on a military inactive status if the applicant is engaged in active duty as a member of the California National Guard or the United States Armed Forces.
- AB 1057 (Medina, Chapter 693, Statutes of 2013) – Identification of Military Licensees
This bill requires all licensing programs within the Department to ensure all applications for licensure ask whether the applicant is serving in, or has previously served in, the military, effective January 1, 2015.
- SB 1226 (Correa, Chapter 657, Statutes of 2014) – Military Application Expediting
This bill requires programs under the Department to expedite the licensure process for former members of the United States Armed Forces who are honorably discharged and seek professional or occupational licensure. This bill also permits programs within the Department to assist these veterans in the licensure process. Further, this bill allows a person registered by the Bureau of Security and Investigative Services and hired as a proprietary private security officer to submit a verification of military training in lieu of completing a course in security officer skills.

The Department has issued instruction in the form of specific implementation direction for AB 1588 and general notice to all programs regarding Department-wide legislation, such as with AB 1057, AB 1904 and SB 1226.

Each of these bills required, or will require, changes to the Department’s databases. The Department, through its Division of Legislative and Regulatory Review and its Office of Information Services, has guided the Department’s implementation efforts on these bills.

The Department has also included language on its website (http://www.dca.ca.gov/about_dca/military.shtml) providing guidance to potential applicants and interested parties regarding the implementation of new legislation impacting members of the military and their families.

Staff in the Department's Consumer Information Center (CIC) Call Center are also able to provide general information to callers regarding this legislation and can connect callers directly to a live person at the respective board or bureau in order to assist applicants with questions or issues they may have. In addition, the CIC's Correspondence Unit maintains a dedicated email inbox for consumers and licensees who have questions about these new laws, and those emails are transferred directly to individuals at the boards and bureaus who can answer those questions.

Interactions with the Department of Veteran Affairs and the Military Department

(d) A description of how the department has interacted with the Department of Veterans Affairs and the Military Department regarding this issue.

As stated above, it is unclear what interactions the Department had when BPC 35 became law in 1994. However, in the course of developing its 2012 report, the Department met multiple times with the Military Department. The Department continues to have regular, ongoing discussions with the Military Department on emerging issues and the potential for improving the licensure process for members of the military.

Staff from the CSLB have also met with the Military Department in the course of establishing their program to help military applicants properly apply their experience and training towards licensure. The CSLB consulted with the Military Department to develop a webpage (<http://www.cslb.ca.gov/Contractors/Applicants/Military/>) to provide licensure requirements, a description of the evaluation process, ways the CSLB can assist veterans during the application process, and other resources for veterans. In addition, CSLB staff regularly attend military events to educate current active-duty military on licensure requirements to facilitate career planning so when a member is discharged, they have transferable skills and relevant experience.

The Board for Professional Engineers, Land Surveyors and Geologists engages in similar outreach activity. Recently, their staff Mechanical Engineer attended events at the California Maritime Academy and Camp Pendleton where he discussed the education and experience requirements for licensure and the benefits to licensure as a building block for success in one's career in and out of the armed forces.

BSIS has been active in providing information to military applicants through their website (<http://www.bsis.ca.gov/consumers/faqs/veterans.shtml>) and outreach efforts through involvement with the Work for Warriors program. In addition, BSIS assists veterans in the transition to civilian employment through their Veterans Come First program, which offers priority application processing, staff who are trained to determine how military experience can be applied, and dedicated telephone and email contacts.

The Bureau for Private Postsecondary Education (BPPE) met with staff from the Department of Veterans Affairs (CalVet) several times over the past year. BPPE staff was included in meetings relating to the drafting of regulations surrounding private postsecondary educational institution participation in veterans' education programs managed by CalVet. The BPPE also participated in meetings to share BPPE's approval information of private postsecondary educational institutions and the information that CalVet maintains on private postsecondary educational institutions approved to participate in veterans' education programs. CalVet and BPPE continue to discuss issues common to both agencies as the need arises.

The Department is also monitoring the implementation of AB 2462 (Block, Chapter 404, Statutes of 2012) by the Chancellor's Office of the California Community Colleges. This legislation requires the Chancellor of the California Community Colleges to determine, by July 1, 2015, the courses for which credit should be awarded for prior military experience. Many of the Department's programs do not determine the applicability of military experience and training to the profession, rather it is the responsibility of approved schools to grant credit toward the educational requirements of a license. Therefore, the Department anticipates that this implementation could have significant and positive impacts on military applicants.

Appendix A – Licensure Statutes & Regulations of the Department’s New Licensing Programs under the Governor’s Reorganization Plan

Following are details from review of the programs that came to the Department under the GRP2, including the licensure statutes and regulations of these programs:

Chiropractic Examiners, Board of

CHIROPRACTOR

Chiropractors manipulate and adjust the spinal column and other joints of the human body, and in the process, may manipulate related muscle and connective tissue. Chiropractors use treatments that include, but are not limited to, air, cold, diet, exercise, heat, light, massage, physical culture, rest, ultrasound, water, and physical therapy techniques in the course of chiropractic manipulations and/or adjustments (16 CCR §302).

MINIMUM EXPERIENCE AND EDUCATION REQUIREMENTS

- Graduation from a Council on Chiropractic Education accredited and Board-approved school, which includes 60 units of pre-chiropractic coursework satisfactory to the Board.

ACCEPTANCE AND APPLICATION OF MILITARY EXPERIENCE AND TRAINING

- Determination of whether military training or education is applicable toward meeting graduation requirements is up to the school upon matriculation of the student. There are no statutes to allow the Board to apply military training or education toward this requirement.

Real Estate, Bureau of

REAL ESTATE BROKER

Real Estate Brokers buy and sell real property, solicit sellers or purchasers, and negotiate the sale or exchange of real property or business opportunities. Brokers also lease and rent land; negotiate loans secured by real property and perform services for borrowers and lenders; buy, sell, and exchange real property sales contracts or promissory notes; and negotiate sales and purchases of specified securities secured by real property.

MINIMUM EXPERIENCE AND EDUCATION REQUIREMENTS

- Applicants must complete 24 units of specified real estate related coursework; AND
- Minimum of two years of experience as a licensed Real Estate Salesperson; OR
- In lieu of two years of licensure as a Real Estate Salesperson above, an applicant with two years of general real estate experience may petition to have their experience and

qualifications considered to apply toward licensure. These petitions are reviewed on a case-by-case basis.

ACCEPTANCE AND APPLICATION OF MILITARY EXPERIENCE AND TRAINING

- Statute allows for waiver of the minimum education requirements for members of the State Bar or those who have completed an “equivalent course of study,” at a private vocational school accredited by the Western Association of Schools and Colleges.
- A former member of the military may use their experience and qualifications to apply for a Real Estate Broker license using a petition to the Commissioner, but it is not known whether qualifying experience in the military exists.

REAL ESTATE BROKER MORTGAGE LOAN ORIGINATOR LICENSE ENDORSEMENT

The mortgage loan originator endorsement is not a standalone license; it can only be applied for in addition to an existing broker license. Mortgage loan originators take, offer, or negotiate residential mortgage loans for compensation or gain.

MINIMUM EXPERIENCE AND EDUCATION REQUIREMENTS

- Applicants must possess a valid Real Estate Broker license; AND
- Complete 20 hours of education, which shall include three hours of federal law and regulations, three hours of ethics, and two hours of lending standards.

ACCEPTANCE AND APPLICATION OF MILITARY EXPERIENCE AND TRAINING

- No experience required.

REAL ESTATE SALESPERSON

A Real Estate Salesperson performs all the same services as a Broker, but they must be employed by a licensed Broker in order to perform real estate activity.

MINIMUM EXPERIENCE AND EDUCATION REQUIREMENTS

- An applicant must successfully complete a three unit semester course, or the quarter equivalent, in real estate principles, real estate practice, and any additional course set forth in Business and Professions Code Section 10153.2, other than the advanced real estate courses.

ACCEPTANCE AND APPLICATION OF MILITARY EXPERIENCE AND TRAINING

- There is not a specific statute or regulation that addresses acceptance of military training in lieu of the educational requirements for a Real Estate Salesperson license.

REAL ESTATE SALESPERSON MORTGAGE LOAN ORIGINATOR LICENSE ENDORSEMENT

A Real Estate Salesperson may apply for a mortgage loan originator endorsement in addition to their primary license. Mortgage loan originators take, offer, or negotiate residential mortgage loans for compensation or gain.

MINIMUM EXPERIENCE AND EDUCATION REQUIREMENTS

- Applicants must possess a valid Real Estate Salesperson license; AND
- Complete 20 hours of education, which shall include three hours of federal law and regulations, three hours of ethics, and two hours of lending standards.

ACCEPTANCE AND APPLICATION OF MILITARY EXPERIENCE AND TRAINING

- Experience and education gained in the military can be used to meet the work experience requirements; however, there is not a specific statute or regulation in place that addresses the acceptance of military training or experience for the purposes of licensure.

REAL ESTATE OFFICER/CORPORATION

A Real Estate Officer/Corporation license allows an entity to act as a real estate broker through a designated officer to perform all the same activities as a licensed Broker. The Real Estate Officer takes responsibility for all real estate activities performed by the corporation.

MINIMUM EXPERIENCE AND EDUCATION REQUIREMENTS

- Applicants must complete 24 units of specified real estate related coursework; AND
- A minimum of two years of experience as a licensed Real Estate Salesperson; OR
- In lieu of two years of licensure as a Real Estate Salesperson above, an applicant with two years of general real estate experience may petition to have their experience and qualifications considered to apply toward licensure. These petitions are reviewed on a case-by-case basis.

ACCEPTANCE AND APPLICATION OF MILITARY EXPERIENCE AND TRAINING

- Statute allows for waiver of the minimum education requirements for members of the State Bar or those who have completed an “equivalent course of study,” at a private vocational school accredited by the Western Association of Schools and Colleges.
- A former member of the military may use their experience and qualifications to apply for a Real Estate Broker license using a petition to the Commissioner, but it is not known whether qualifying experience in the military exists.

REAL ESTATE BROKER CORPORATION LOAN ORIGINATOR LICENSE ENDORSEMENT

A Real Estate Broker Corporation may apply for a loan originator endorsement in addition to their primary license. Loan originators take, offer, or negotiate loans for compensation or gain.

MINIMUM EXPERIENCE AND EDUCATION REQUIREMENTS

- Applicants must possess a valid Real Estate Broker license; AND
- A current Real Estate Broker Mortgage Loan Originator License Endorsement.

ACCEPTANCE AND APPLICATION OF MILITARY EXPERIENCE AND TRAINING

- No experience is required.

PREPAD RENTAL LISTING SERVICE (PRLS)

A PRLS may engage in supplying prospective tenants with listings of residential real properties for tenancy.

MINIMUM EXPERIENCE AND EDUCATION REQUIREMENTS

- No experience or training requirements.

ACCEPTANCE AND APPLICATION OF MILITARY EXPERIENCE AND TRAINING

- No experience or training requirements.

Real Estate Appraisers, Bureau of

LICENSED RESIDENTIAL APPRAISER

A residential level licensee can appraise a non-complex, one to four family property, with a transaction value up to \$1 million and any non-residential property with a transaction value up to \$250,000.

MINIMUM EXPERIENCE AND EDUCATION REQUIREMENTS

- Thirty semester hours of college or an Associate's Degree in any field; AND
- 150 hours of Basic Appraisal Education including a National 15-hour Uniform Standard of Professional Appraisal Practice class.

ACCEPTANCE AND APPLICATION OF MILITARY EXPERIENCE AND TRAINING

- If education and experience meets the minimum requirements of the Appraisal Foundation pursuant to Section 1112 of the Financial Institutions Reform Recovery and Enforcement Act of 1989 (FIRREA), they are accepted.

CERTIFIED RESIDENTIAL APPRAISER

A certified residential licensee can appraise any one to four family property regardless of transaction value or complexity and any non-residential property with a transaction value up to \$250,000.

MINIMUM EXPERIENCE AND EDUCATION REQUIREMENTS

- Bachelor's Degree from an accredited college; AND
- 200 hours of Basic Appraisal Education including a National 15-hour Uniform Standard of Professional Appraisal Practice class.

ACCEPTANCE AND APPLICATION OF MILITARY EXPERIENCE AND TRAINING

- If education and experience meets the minimum requirements of the Appraisal Foundation pursuant to Section 1112 of the Financial Institutions Reform Recovery and Enforcement Act of 1989 (FIRREA) they are accepted.

CERTIFIED GENERAL APPRAISER

A certified general licensee can appraise any real estate without regard to transaction value or complexity.

MINIMUM EXPERIENCE AND EDUCATION REQUIREMENTS

- Bachelor's Degree from an accredited college AND 300 hours of Basic Appraisal Education including a National 15-hour Uniform Standard of Professional Appraisal Practice class.

ACCEPTANCE AND APPLICATION OF MILITARY EXPERIENCE AND TRAINING

- If education and experience meets the minimum requirements of the Appraisal Foundation pursuant to Section 1112 of the Financial Institutions Reform Recovery and Enforcement Act of 1989 (FIRREA) they are accepted.
- There is not a military-specific statute or regulation, however, experience can qualify the applicant for licensure if he or she holds a valid Real Estate Broker license AND has accumulated 1,000 hours of experience in the valuation of real property.

Structural Pest Control Board

The practice of structural pest control can be classified in three distinct scopes, or branches. Each license issued by the Structural Pest Control Board is assigned in one of three branches according to the work that will be performed. An individual may be licensed in one or more branch, but must stay within the scope of the branch(es) in which he or she is licensed. The branches are defined as:

- Branch 1 – Fumigation: The practice relating to the control of household and wood-destroying pests or organisms by fumigation with poisonous or lethal gases.

- Branch 2 – General Pest: The practice relating to the control of household pests, excluding fumigation with poisonous or lethal gases.
- Branch 3 – Termite: The practice relating to the control of wood-destroying pests or organisms by the use of insecticides, or structural repairs and corrections, excluding fumigation with poisonous or lethal gases.

APPLICATOR

Applicators are responsible for applying a pesticide, rodenticide, or allied chemicals or substances for the purpose of eliminating, exterminating, controlling, or preventing infestation or infections of pests or organisms included in Branch 2 or Branch 3 on behalf of a registered company.

MINIMUM EXPERIENCE AND EDUCATION REQUIREMENTS

- No experience or training requirements.

ACCEPTANCE AND APPLICATION OF MILITARY EXPERIENCE AND TRAINING

- No experience or training requirements.

FIELD REPRESENTATIVE

Field Representatives secure structural pest control work, identify infestations or infections, make inspections, apply pesticides, submit bids for or otherwise contract, on behalf of a registered company.

MINIMUM EXPERIENCE AND EDUCATION REQUIREMENTS

- Branch 1 requires six months' training and experience in the practice of fumigating with poisonous or lethal gases under the immediate supervision of a Field Representative licensed in Branch 1.
- Branch 2 requires proof satisfactory to the Board of training and experience in pesticide application, Branch 2 pest identification and biology, pesticide application equipment, and pesticide hazards and safety practice while under the immediate supervision of a Field Representative licensed in Branch 2.
- Branch 3 requires proof satisfactory to the board of training and experience in the practice of pesticide application, Branch 3 pest identification and biology, pesticide application equipment, pesticide hazards and safety practices, structural repairs, and structural inspection procedures and report writing while under the immediate supervision of a Field Representative licensed in Branch 3.

ACCEPTANCE AND APPLICATION OF MILITARY EXPERIENCE AND TRAINING

- Branches 1, 2, and 3 accept "equivalent" experience and training, including experience and training gained through service in the military.

OPERATOR

An Operator is the qualifying manager of a company who supervises the daily business of a company that practices structural pest control by managing, supervising, and directing the business, as well as identifying infestations or infections, making inspections, and representing the company in the securing of pest control work.

MINIMUM EXPERIENCE AND EDUCATION REQUIREMENTS

- Branch 1 – Fumigation requires 3,200 hours of field experience OR 1,600 hours experience as a Field Representative while in the employ of a company registered in the branch.
- Branch 2 – General Pest requires 3,200 hours of field experience OR 1,600 hours experience as a Field Representative while in the employ of a company registered in the branch.
- Branch 3 – Termite 6,400 hours of actual field experience OR 3,200 hours experience as a Field Representative while in the employ of a company registered in the branch.

ACCEPTANCE AND APPLICATION OF MILITARY EXPERIENCE AND TRAINING

- Branches 1, 2, and 3 accept “equivalent” experience and training, including experience and training gained through service in the military.

Appendix B – Supplemental Report Language – 2014

Business, Consumer Services, and Housing

Item 1110-001-XXXX—Department of Consumer Affairs

1. **BUSINESS AND PROFESSIONS CODE (BPC) SECTION 35.** No later than January 10, 2015, the department shall report on the following issues to the appropriate budget subcommittees:
 - (a) A list of the boards and the date on which they completed their last analysis of compliance with BPC 35.
 - (b) An explanation from those boards that do not accept military education, experience, or training pursuant to BPC 35 on why they do not have statutes, rules, regulations, or agreements allowing military education, training, or experience to be used to meet professional licensure requirements.
 - (c) A description of the department’s actions to direct the boards to implement this code section including any memoranda to boards or other evidence of the department’s actions.
 - (d) A description of how the department has interacted with the Department of Veterans Affairs and the Military Department regarding this issue.

Appendix C – Supplemental Report Language – 2012

State and Consumer Services

Item 1110-001-XXXX—Department of Consumer Affairs

1. **BUSINESS AND PROFESSIONS CODE (BPC) SECTION 35.** The Department of Consumer Affairs shall prepare a report describing its implementation of Business and Professions Code Section 35. No later than October 1, 2012, the department shall report to the appropriate subcommittee the following:
 - (a) A list of the boards that have statutes, rules, regulations, or agreements allowing military experience to be used to meet professional licensure requirements and a description of the statutes, rules, regulations, or agreements.
 - (b) A list of the boards that do not have statutes, rules, regulations, or agreements allowing military experience to be used to meet professional licensure requirements with an explanation from the boards on why they do not have statutes, rules, regulations, or agreements.
 - (c) If the board has decided not to accept military experience, an explanation from the board about why they do not accept military experience.
 - (d) A description of the department's actions to direct the boards to implement this code section, including any memoranda to boards or other evidence of the department's actions.
 - (e) A description of how the department has interacted with the Department of Veterans Affairs and the Military Department regarding this issue.

Appendix D – Business & Professions Code Section 35

35. It is the policy of this state that, consistent with the provision of high-quality services, persons with skills, knowledge, and experience obtained in the armed services of the United States should be permitted to apply this learning and contribute to the employment needs of the state at the maximum level of responsibility and skill for which they are qualified. To this end, rules and regulations of boards provided for in this code shall provide for methods of evaluating education, training, and experience obtained in the armed services, if applicable to the requirements of the business, occupation, or profession regulated. These rules and regulations shall also specify how this education, training, and experience may be used to meet the licensure requirements for the particular business, occupation, or profession regulated. Each board shall consult with the Department of Veterans Affairs and the Military Department before adopting these rules and regulations. Each board shall perform the duties required by this section within existing budgetary resources of the agency within which the board operates.

Appendix E – Department of Consumer Affairs Military Legislation

AB 1588 (Atkins, Chapter 742, Statutes of 2012)

Assembly Bill No. 1588

CHAPTER 742

An act to add Section 114.3 to the Business and Professions Code, relating to professions and vocations.

[Approved by Governor September 29, 2012. Filed with
Secretary of State September 29, 2012.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1588, Atkins. Professions and vocations: reservist licensees: fees and continuing education.

Existing law provides for the regulation of various professions and vocations by boards within the Department of Consumer Affairs and for the licensure or registration of individuals in that regard. Existing law 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 examination or penalty if certain requirements are met.

This bill would require the boards described above, with certain exceptions, to waive the renewal fees, continuing education requirements, and other renewal requirements as determined by the board, if any are applicable, of any licensee or registrant who is called to active duty as a member of the United States Armed Forces or the California National Guard if certain requirements are met. The bill would, except as specified, prohibit a licensee or registrant from engaging in any activities requiring a license while a waiver is in effect. The bill would require a licensee or registrant to meet certain renewal requirements within a specified time period after being discharged from active duty service prior to engaging in any activity requiring a license. The bill would require a licensee or registrant to notify the board of his or her discharge from active duty within a specified time period.

The people of the State of California do enact as follows:

SECTION 1. Section 114.3 is added to the Business and Professions Code, to read:

114.3. (a) Notwithstanding any other provision of law, every board, as defined in Section 22, within the department shall waive the renewal fees, continuing education requirements, and other renewal requirements as determined by the board, if any are applicable, for any licensee or registrant called to active duty as a member of the United States Armed Forces or the California National Guard if all of the following requirements are met:

(1) The licensee or registrant possessed a current and valid license with the board at the time he or she was called to active duty.

(2) The renewal requirements are waived only for the period during which the licensee or registrant is on active duty service.

(3) Written documentation that substantiates the licensee or registrant's active duty service is provided to the board.

(b) (1) Except as specified in paragraph (2), the licensee or registrant shall not engage in any activities requiring a license during the period that the waivers provided by this section are in effect.

(2) If the licensee or registrant will provide services for which he or she is licensed while on active duty, the board shall convert the license status to military active and no private practice of any type shall be permitted.

(c) In order to engage in any activities for which he or she is licensed once discharged from active duty, the licensee or registrant shall meet all necessary renewal requirements as determined by the board within six months from the licensee's or registrant's date of discharge from active duty service.

(d) After a licensee or registrant receives notice of his or her discharge date, the licensee or registrant shall notify the board of his or her discharge from active duty within 60 days of receiving his or her notice of discharge.

(e) A board may adopt regulations to carry out the provisions of this section.

(f) This section shall not apply to any board that has a similar license renewal waiver process statutorily authorized for that board.

AB 1904 (Block, Chapter 399, Statutes of 2012)

Assembly Bill No. 1904

CHAPTER 399

An act to add Section 115.5 to the Business and Professions Code, relating to professions and vocations.

[Approved by Governor September 20, 2012. Filed with
Secretary of State September 20, 2012.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1904, Block. Professions and vocations: military spouses: expedited licensure.

Existing law provides for the licensure and regulation of various professions and vocations by boards within the Department of Consumer Affairs. Existing law provides for the issuance of reciprocal licenses in certain fields where the applicant, among other requirements, has a license to practice within that field in another jurisdiction, as specified. Existing law authorizes a licensee to reinstate an expired license without examination or penalty if, among other requirements, the license expired while the licensee was on active duty as a member of the California National Guard or the United States Armed Forces.

This bill would require a board within the department to expedite the licensure process for an applicant who holds a license in the same profession or vocation in another jurisdiction and is married to, or in a legal union with, an active duty member of the Armed Forces of the United States who is assigned to a duty station in California under official active duty military orders.

The people of the State of California do enact as follows:

SECTION 1. Section 115.5 is added to the Business and Professions Code, to read:

115.5. (a) A board within the department shall expedite the licensure process for an applicant who meets both of the following requirements:

(1) Supplies evidence satisfactory to the board that the applicant 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 under official active duty military orders.

(2) Holds a current license in another state, district, or territory of the United States in the profession or vocation for which he or she seeks a license from the board.

(b) A board may adopt regulations necessary to administer this section.

AB 1405 (de León, Chapter 411, Statutes of 2012)

Senate Bill No. 1405

CHAPTER 411

An act to amend Sections 5070, 5092, and 5096.9 of, to amend, repeal, and add Sections 5072, 5096, 5096.1, 5096.2, 5096.3, 5096.4, 5096.5, 5096.6, 5096.7, 5096.10, 5096.12, 5096.13, 5096.14, and 5096.15 of, to add Sections 5058.4 and 5070.2 to, and to add and repeal Sections 5096.20 and 5096.21 of, the Business and Professions Code, relating to accountancy.

[Approved by Governor September 20, 2012. Filed with
Secretary of State September 20, 2012.]

LEGISLATIVE COUNSEL'S DIGEST

SB 1405, De León. Accountancy: military service: practice privilege.

Existing law provides for the licensure and regulation of the practice of accountancy by the California Board of Accountancy within the Department of Consumer Affairs. The department is under the control of the Director of Consumer Affairs.

(1) Existing law provides for the regulation of various professions and vocations by boards within the Department of Consumer Affairs and for the licensure of individuals in that regard. Existing law 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 examination or penalty if certain requirements are met. A permit issued to a certified public accountant or a public accountant is subject to a biennial renewal fee. Existing law also imposes certain continuing education and peer review requirements on persons licensed by the board. Existing law makes violation of certain provisions governing accountants a crime.

This bill, beginning January 1, 2014, would authorize a certified public accountant or a public accountant to apply to the board to have his or her permit placed in a military inactive status while he or she is engaged in active duty as a member of the California National Guard or the United States Armed Forces, and would exempt a person granted that status from paying the biennial renewal fee or participating in continuing education and peer review activities. The bill would prohibit a person in military exempt status from engaging in the practice of public accountancy and would impose various other requirements. The bill would thereby change the definition of a crime and impose a state-mandated local program. The bill would require a person in military exempt status to pay the biennial renewal fee and to meet continuing education and peer review requirements within a specified period after his or her discharge from active duty.

(2) Existing law authorizes an individual whose principal place of business is not in this state, and who has a valid and current license, certificate, or permit, to practice public accountancy from another state, and to engage in the practice of public accountancy in this state under a practice privilege if a condition is satisfied. Under existing law, if such a condition is met, the individual, in order to obtain a practice privilege, is required to, among other things, provide notice to the board by submitting

a notification form and pay fees, as specified. Existing law provides that an individual with a practice privilege is subject to the personal and subject matter jurisdiction and disciplinary authority of the board and the state courts and is required to comply with the accountancy provisions applicable to licensees. Under existing law, except as otherwise specified, a practice privilege expires one year from the date of the notice to the board. Existing law authorizes the board to deny practice privileges using specified procedures. Existing law prohibits an individual with a practice privilege from signing an attest report unless he or she meets specified experience requirements and completes any continuing education or other conditions as required by the board. Existing law makes these provisions operative only if there is a specified appropriation in the annual Budget Act to fund the practice privilege provisions.

This bill would, commencing July 1, 2013, and until January 1, 2019, eliminate the notification form and fee requirements and would instead authorize an individual otherwise meeting a condition for a practice privilege to perform certain audit and financial statement review services only through a firm of certified public accountants that is required to be registered with the board. The bill would require the individual to cease practicing for a specified period of time under the practice privilege in this state if the regulatory agency in the state where the individual is licensed, among other things, suspends or revokes the license or takes specified disciplinary action against the individual or the individual is convicted of a crime involving dishonesty. The bill would require an individual who is required to cease practice to notify the board and cease practice and would make an individual who violates these requirements subject to specified discipline by the board. The bill would require an individual, within a specified time period before he or she wishes to practice in this state to notify the board and shall not practice until the board provides the person with written permission to do so if certain circumstances apply. The bill would eliminate the expiration on a practice privilege and would also eliminate the board's authority to deny a practice privilege, except as specified, and would authorize the board to instead revoke such a privilege. If the board revokes a practice privilege, the bill would require the board to notify the regulatory agency of the state where the individual is licensed and certain federal regulatory agencies. With respect to the signing of attestation reports, the bill would eliminate the continuing education or other conditions requirements required by the board. The bill would also delete that provision making these provisions contingent on a specified appropriation in the annual Budget Act.

The bill would require the board to adopt emergency regulations to implement these provisions.

AB 1057 (Medina, Chapter 693, Statutes of 2013)

Assembly Bill No. 1057

CHAPTER 693

An act to add Section 114.5 to the Business and Professions Code, relating to professions and vocations.

[Approved by Governor October 10, 2013. Filed with
Secretary of State October 10, 2013.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1057, Medina. 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 a licensee or registrant whose license expired while the licensee or registrant was on active duty as a member of the California National Guard or the United States Armed Forces to, upon application, reinstate his or her license without penalty and without examination, if certain requirements are satisfied, unless the licensing agency determines that the applicant has not actively engaged in the practice of his or her profession while on active duty, as specified.

This bill would require each board, commencing January 1, 2015, to inquire in every application for licensure if the individual applying for licensure is serving in, or has previously served in, the military.

The people of the State of California do enact as follows:

SECTION 1. Section 114.5 is added to the Business and Professions Code, to read:

114.5. Commencing January 1, 2015, each board shall inquire in every application for licensure if the individual applying for licensure is serving in, or has previously served in, the military.

SB 1226 (Correa, Chapter 657, Statutes of 2014)

Senate Bill No. 1226

CHAPTER 657

An act to amend Section 7574.18 of, and to add Section 115.4 to, the Business and Professions Code, relating to veterans.

[Approved by Governor September 27, 2014. Filed with
Secretary of State September 27, 2014.]

LEGISLATIVE COUNSEL'S DIGEST

SB 1226, Correa. Veterans: professional licensing.

Under existing law, boards within the Department of Consumer Affairs license and regulate persons practicing various healing arts, professions, vocations, and businesses, including accountants, dentists, proprietary security services, and real estate brokers. Existing law requires a board to expedite the licensure process for an applicant who holds a current license in another state, district, or territory of the United States in the profession or vocation for which he or she seeks a license from the board, if the applicant 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 California under official active duty military orders.

This bill, on and after July 1, 2016, would require a board to expedite, or when applicable assist, the initial licensure process for an applicant who supplies satisfactory evidence to the board that he or she has served as an active duty member of the Armed Forces of the United States and was honorably discharged.

Existing law requires a person registered and hired as a proprietary private security officer to complete training in security officer skills within 6 months of registration being issued or being employed, except as specified.

This bill would authorize submission of Verification of Military Experience and Training (VMET) records showing the person has completed equivalent military training in lieu of completing a course of training in security officer skills. The bill would require the department to determine the type of equivalent military training that qualifies to serve as a substitute.

The people of the State of California do enact as follows:

SECTION 1. Section 115.4 is added to the Business and Professions Code, to read:

115.4. (a) Notwithstanding any other law, on and after July 1, 2016, a board within the department shall expedite, and may assist, the initial licensure process for an applicant who supplies satisfactory evidence to the board that the applicant has served as an active duty member of the Armed Forces of the United States and was honorably discharged.

(b) A board may adopt regulations necessary to administer this section.

SEC. 2. Section 7574.18 of the Business and Professions Code is amended to read:

7574.18. (a) Except for a person who has completed the course of training required by Section 7583.45, a person registered and hired as a proprietary private security officer shall complete training in security officer

skills within six months from the date upon which registration is issued, or within six months of his or her employment with a proprietary private security employer.

(b) (1) Except as provided in paragraph (2), a course provider shall issue a certificate to a proprietary private security officer upon satisfactory completion of a required course, conducted in accordance with the department's requirements.

(2) If a proprietary private security employer administers a course of training pursuant to this section, that proprietary private security employer shall issue a certificate to a proprietary private security officer for the completion of training in security officer skills that each proprietary private security officer is required to complete, as determined by the department, including, but not limited to, power-to-arrest training. However, the employer shall not be required to provide a certificate for training courses provided pursuant to a curriculum adopted by the department that are specific to that employer's business and where the subject of training is not specifically required by the department.

(c) An employer of a proprietary private security officer may provide training programs and courses in addition to the training required in this section.

(d) The department shall develop and establish by regulation a standard course and curriculum, which shall include a minimum number of hours of instruction, for the skills training required by subdivision (a) to promote and protect the safety of persons and the security of property. For this purpose, the regulations adopted by the department pursuant to Section 7574.5, as added by Chapter 721 of the Statutes of 2007, are continued in existence, and shall be amended by the department as necessary.

(e) The course of training required by subdivision (a) may be administered, tested, and certified by any proprietary private security employer, organization, or school approved by the department. The department may approve any proprietary private security employer, organization, or school to teach the course.

(f) (1) A proprietary private security employer shall annually provide each employee registered pursuant to this chapter with specifically dedicated review or practice of security officer skills prescribed in the training required in this section. The bureau shall adopt and approve by regulation the minimum number of hours required for annual review.

(2) A proprietary private security employer shall maintain at the principal place of business or branch office a record verifying completion of the review or practice training for a period of not less than two years. The records shall be available for inspection by the department upon request.

(g) This section does not apply to a peace officer, as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2 of the Penal Code, who has successfully completed a course of study in the exercise of the power to arrest approved by the Commission on Peace Officer Standards and Training. This section does not apply to armored vehicle guards.

(h) A person registered and hired as a proprietary private security officer may submit Verification of Military Experience and Training (VMET) records that document that the person has completed equivalent military training in lieu of completing a course of training in security officer skills pursuant to subdivision (a). The department shall determine the type of equivalent military training that qualifies to serve as a substitute.