



The Consumer Affairs Act of 1970, Business and Profession Code Section 300 et al, which is the governing law for the Department of Consumer Affairs, requires the Department to represent the interests of California consumers before the State Legislature.

This Legislative Digest summarizes legislation that the Department reviewed on behalf of California consumers during the 2009 legislative year.

We hope that it serves as a useful resource for identifying legislation of interest.

Please don't hesitate to contact Luis Portillo, Assistant Deputy Director of the Division of Legislative and Policy Review, at (916) 574-7800 with any questions or comments.

Brian Stiger, Director
Department of Consumer Affairs

For further information on bills, relevant code sections, the Governor's veto messages, or bill authors, you can consult www.leginfo.ca.gov or your local Legislator. For additional copies of the digest, please consult www.dca.ca.gov or contact the Department's Division of Legislative and Policy Review at (916) 574-7800.

Foreword

The Department of Consumer Affairs' (DCA) 2009 Legislative Digest is a summary of significant consumer protection legislation relative to DCA Boards, Bureaus, Commission, and Programs introduced during the first year of the 2009-2010 legislative session.

We have organized the Digest by subject category, bill number, and chapter number. Some bills may be referenced in more than one category.

Unless otherwise indicated, enacted bills become effective on January 1, 2010.

The **Contents** page lists each subject heading. The subject headings refer you to the summaries for each subject.

The **Table of Bills** is organized alphabetically by category.

The **Bill Summaries** are organized numerically by bill number under each category. This section provides a brief summary of each bill, the bill's author, and its disposition.

There is also a **Bill Number Index** and a **Chaptered Bill Index** for easy reference.

All department and agency references are for California entities, unless noted otherwise.

While we have made every effort to ensure the accuracy of the information in this Digest, please refer to the California codes for exact statutory citations.

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**DEPARTMENT OF CONSUMER AFFAIRS
LEGISLATIVE DIGEST
2009 Legislative Session**

A. GENERAL CONSUMER PROTECTION BILLS

(1) BUSINESS PRACTICES

AB 63 Mendoza	<u>Service Contracts: Retailers</u> Requires retailers that sell service contracts to either: 1) maintain specified contract information and provide that information to the purchaser of a service contract or other beneficiary upon request, or 2) provide a copy of the service contract within 10 business days upon request.	Enacted Chapter 74
AB 99 De Leon	<u>Secondhand Dealers & Coin Dealers: Matricula Consular Card</u> Authorizes secondhand dealers and coin dealers to accept the "Matricula Consular" card, along with a second form of identification bearing an address, to verify the identity of a seller or pledger of tangible property in a pawn transaction.	Enacted Chapter 311
AB 138 Hayashi	<u>Accounting Firms: Peer Review</u> Implements a mandatory peer review program for all certified public accountant firms in California.	Enacted Chapter 312
AB 158 Mendoza	<u>Secondhand Dealers & Coin Dealers: Signatureless Identity Cards</u> Authorizes secondhand dealers and coin dealers to accept newer forms of identification that do not require a signature to verify a borrower's identity.	Enacted Chapter 86
AB 323 Yamada	<u>Automobile Tires</u> Would require auto body repair shops to display a sign that advises customers about automobile tire degradation.	Two Year Bill
AB 490 Smyth	<u>Pet Stores</u> Modifies the guidelines by which a pet store operator or employee may euthanize rodents and rabbits intended as food for other animals and revises the definition of a pet store to exclude the selling, or offering for sale, animals to an agricultural operation for purposes that are directly related to the raising of livestock or poultry on a farm or a ranch.	Enacted Chapter 446

AB 496 Davis	<u>Tire Age Degradation: Consumer Disclosure</u>	Two Year Bill
	Would require tire dealers, prior to the sale or installation of tires, to disclose in writing the date of manufacture of each tire, provide a written disclosure to the customer prior to the sale or installation of any tire about the risk associated with the tire, and subject each violation of these provisions to a civil penalty of \$250.	
AB 560 Skinner	<u>Net Energy Metering & Solar Contractors Scope of Practice</u>	Two Year Bill
	Would prohibit, on and after July 1, 2010, a contractor holding a class C-46 license issued by the Contractors State License Board from constructing, altering, or installing, an eligible customer-generator generating electricity under a tariff or contract pursuant to these provisions, a solar photovoltaic electrical generating facility with the capacity to generate greater than 250 kilowatts of electricity.	
AB 721 Nava	<u>Physical Therapists: Direct Access to Services</u>	Two Year Bill
	Would allow an individual to initiate physical therapy treatment directly from a licensed physical therapist without a referral.	
AB 811 John A. Perez	<u>Identification Documents from Check Cashers</u>	Vetoed
	Would have prohibited a check casher from requiring a customer to purchase a check cashing identification card to access services, selling any identification card other than the optional check cashing identification card, and misrepresenting the use of the identification card to customers. Also it would have revised the punishment for manufacturing or distributing identification documents, similar to those issued by the Department of Motor Vehicles.	
AB 880 Niello	<u>Manufactured Housing: Prefabricated Panelized Homes</u>	Two Year Bill
	Would include any person engaged in the business of the construction, installation, alteration, repair, or preparation for the moving of a prefabricated panelized home in the definition of the term "contractor."	
AB 1357 Coto	<u>Pawnbrokers</u>	Vetoed
	Would have authorized pawnbrokers to charge an interest rate of 2.5 percent per month on all unpaid balances of a loan. Currently, the 2.5 percent rate applies only to the first \$225 in unpaid loan balances, with declining rates applying to larger balances.	
AB 1496 Skinner	<u>Contractors: Energy Efficiency Measures</u>	Two Year Bill
	Would specify that the failure of a licensed contractor to comply with specified building energy efficiency standards constitutes a cause for disciplinary action and would subject unlicensed contractors to a civil penalty of not less than \$2,000. Would also provide that a licensed contractor who fails to obtain a building permit, in specified circumstances, shall be subject to a citation and a civil penalty of not less than \$500.	

AB 1534 V. Manuel Perez	<u>Contractors: Mortgage Loans</u> Would prohibit a general building contractor from originating, directly or through a related entity, a consumer loan to be used for the purchase of a home that is for sale by the contractor or a related entity of the contractor.	Two Year Bill
SB 189 Lowenthal	<u>Mechanics Liens Omnibus</u> Would recast and revise the mechanics lien law by moving certain provisions into the Public Contract Code (regarding public works) while keeping the majority of the existing and proposed parts of mechanics lien law in the Civil Code.	Two Year Bill
SB 258 Oropeza	<u>Contractors: Public Works Certification</u> Would, on and after January 1, 2012, prohibit a contractor from performing work as a contractor or subcontractor on a public work contracted by the state or a state agency unless he or she has obtained a public works certification from a state certifying agency to be determined by the Legislature. Also would require the licensee to pass a public works certification examination and pay a fee in order to obtain the certification.	Two Year Bill
SB 340 Yee	<u>Advertising: Automatic Renewal & Continuous Service Offers</u> Establishes requirements governing offers for an automatic renewal, including that a consumer affirmatively consent to the offer, and where the terms of the offer must be placed in marketing materials.	Enacted Chapter 350
SB 392 Florez	<u>Contractors: Limited Liability Companies</u> Would authorize the issuance of a contractor's license to a limited liability company (LLC) and would require the LLC to obtain and maintain a \$1,000,000 insurance policy, plus an additional \$100,000 per licensee in excess of five employed by the LLC, up to a maximum of \$5,000,000 in insurance coverage.	Two Year Bill
SB 405 Cogdill	<u>Contractors: Fire Sprinkler Installation</u> Would require any commercial or residential fire sprinkler installation project performed by a Class C-16 fire protection contractor to be under the direct and immediate supervision of a commercial fire sprinkler supervisor or a residential fire sprinkler supervisor. Would also require fire protection contractors to implement a fire sprinkler installation training program for their sprinkler fitters and supervisors with specified exemptions.	Two Year Bill
SB 427 Negrete McLeod	<u>Automotive Repair: Crash Parts</u> Would require an automotive repair dealer to include the phone number of the Bureau of Automotive Repair for consumers to contact for a free inspection if they suspect auto repair fraud or the unlawful pre-installation of auto body parts without consent, on a written estimate and repair final invoice.	Two Year Bill

SB 436
Aanestad

Contractors

Two Year Bill

Would provide that a contractor furnishing a performance and payment bond need not include, as part of the contract, a notice stating that the owner or tenant has the right to require the contractor to have a performance and payment bond provided that the contractor gives the owner tangible evidence of the bond. Would also provide that a contractor furnishing a bond, bond equivalent, or joint control is exempt from certain typeface point size requirements as long as the required notices and statements meet specified legibility and readability standards.

SB 629
Liu

Private Works of Improvement: Retention Proceeds

Two Year Bill

Applicable to contracts entered into, on, or after January 1, 2010, would limit the amount of retention proceeds that can be held under contracts between owners and general contractors, general contractors and subcontractors, and between two subcontractors. Would also provide that these provisions shall not apply if the owner or original contractor provides written notice to the original contractor or subcontractor, prior to or at the time that the bid is requested, that performance and payment bonds may be required.

(2) COURT SYSTEM & LEGAL SERVICES

AB 170
Mendoza

Court Reporters: Rough Draft Transcript

Enacted
Chapter 87

Provides that a court reporter's instant visual display of testimony or proceedings cannot be used, cited, distributed, or transcribed as the certified, official transcript of the proceedings and cannot be cited or used to rebut or contradict the official certified transcript of proceedings.

AB 355
Ammiano

Decedent's Estates: Sister State Personal Representatives

Two Year Bill

Would establish a procedure for the personal representative of a decedent who died a resident of a sister state to collect the decedent's personal property in this state valued in excess of \$100,000.

AB 370
Eng

Unlicensed Contractors

Enacted
Chapter 319

Increases the maximum penalties for engaging in the capacity of a contractor without having a license as well as requires a third or subsequent conviction of engaging in this capacity to be punishable by imprisonment in a county jail. Also provides that a person who used the services of an unlicensed contractor is a victim of crime, regardless of whether that person had knowledge that the contractor was unlicensed, and is eligible for restitution for economic losses.

AB 442 Arambula	<u>Notaries Public: Matricula Consular Card as Valid Identification</u>	Vetoed
	Would have added the Mexican government-issued Matricula Consular card to the types of documents that a notary public can accept as a valid form of identification in establishing a person's identity for the notarization of documents.	
AB 457 Monning	<u>Notification & Service of Liens</u>	Enacted Chapter 109
	Requires a specified Notice of Mechanic's Lien to be served on the owner or reputed owner of the property that is the subject of a lien, or to the construction lender or original contractor if the owner or reputed owner cannot be served. Also requires a Proof of Service Affidavit signed by the person serving the Notice of Mechanic's Lien to be included as part of the mechanic's lien.	
AB 520 Carter	<u>Public Records</u>	Two Year Bill
	Would permit a superior court to issue a protective order limiting the number and scope of California Public Records Act requests an individual can make if the court determines that the requestor has sought records for an improper purpose, including, but not limited to, the harassment of a public agency or its employees.	
AB 585 Duvall	<u>Deceased Personalities</u>	Two Year Bill
	Would expand the definition of "deceased personality" to include any natural person whose name, voice, signature, photograph, or likeness has commercial value because of his or her death.	
AB 590 Feuer	<u>Legal Aid</u>	Enacted Chapter 457
	Promotes access to justice for low-income Californians, establishes a fully self-supported pilot project by the Judicial Council for the appointment of legal representation for unrepresented low-income parties in civil matters and prohibits the use of the term "legal aid" to nonprofit organizations that provide civil legal services for the poor without charge.	
AB 663 Jones	<u>Legal Aid</u>	Two Year Bill
	Would prohibit any person or organization from utilizing the term "legal aid," or any variant unless they are actually a nonprofit organization that provides pro bono civil legal services to the poor and subject violation of this prohibition to specified civil liability.	
AB 802 Duvall	<u>Insurance Fraud: Release of Information: Other Unlawful Activity</u>	Two Year Bill
	Would require an insurer, or agent authorized by that insurer to act on behalf of the insurer, to release to an authorized governmental agency any or all relevant information deemed important to the authorized governmental agency that the insurer may possess relating to any other unlawful activity uncovered in the course of an insurance fraud investigation.	

AB 811 John A. Perez	<u>Identification Documents from Check Cashers</u>	Vetoed
	Would have prohibited a check casher from requiring a customer to purchase a check cashing identification card to access services, selling any identification card other than the optional check cashing identification card, and misrepresenting the use of the identification card to customers. Also it would have revised the punishment for manufacturing or distributing identification document, similar to those issued by the Department of Motor Vehicles.	
AB 898 Lieu	<u>Notaries Public</u>	Two Year Bill
	Would permit the Secretary of State, with discretion, to refuse to process or file a document that appears false or fraudulent; prohibit the use of a subscribing witness when establishing a power of attorney; and retain the ability for notaries public who work for financial institutions to execute protests, but eliminate the mandate for other notaries public to execute such protests.	
AB 1163 Tran	<u>Attorney-Client Privilege: Decedent's Estates</u>	Enacted Chapter 8
	Makes two relatively minor changes to statutes relating to the attorney-client privilege, as the privilege is applied after the client is deceased.	
AB 1461 Ruskin	<u>Shorthand Reporting</u>	Two Year Bill
	Would prohibit any entity offering or providing the services of a shorthand reporter from doing or failing to do any act that constitutes unprofessional conduct under any statute, rule or regulation pertaining to shorthand reporters or shorthand reporting.	
SB 105 Harman	<u>Donative Transfers: Restrictions</u>	Two Year Bill
	Would make a number of improvements to existing statute relating to restrictions on donative transfers and would revise the application of the statutory presumption to conform more closely to the common law principles governing proof of undue influence.	
SB 324 Cedillo	<u>Counterfeit Marks</u>	Enacted Chapter 581
	Allows courts to consider a motion made by a law enforcement agency and consented to by the holder of a trademark, to have counterfeit goods that are seized, with the exception of counterfeit recordings or audiovisual goods, to be donated to a nonprofit organization for the purpose of distributing the goods to persons living in poverty at no charge to the persons served by the organization.	
SB 461 Correa	<u>Notaries Public</u>	Two Year Bill
	Would add the Mexican government-issued Matricula Consular card to the types of documents that a notary public can accept as a valid form of identification in establishing a person's identity for the notarization of documents.	

SB 544
Judiciary
Committee

Civil Law: Omnibus Bill

Enacted
Chapter 54

Makes a number of minor changes to various sections of statute governing the judiciary branch of state government, specifically relating to civil law, including changes related to guardians and conservators.

(3) INTERNET / e-COMMERCE / e-GOVERNMENT

AB 718
Emmerson

Health Care Coverage: Preferred Provider Products: Premium Rates

Two Year Bill

Would establish, until January 1, 2013, the Inland Empire Health Plan E-Prescribing Pilot Program (Program), and require the program to meet specified requirements, including the promotion of health care quality and the exchange of health care information through the use of electronic prescribing (e-prescribing) and other components.

SB 502
Walters

State Agency Web Sites: Information

Two Year Bill

Would require each state department and agency to develop and operate a searchable Internet Web site accessible by the public that includes specified information relating to expenditures of state funds, defined to include, among other things, grants, contracts, subcontracts, purchase orders, and tax refunds, rebates, and credits.

SB 719
Huff

State Agency Internet Web Sites: Information

Two Year Bill

Would require each state department and agency to develop and operate a searchable Internet Web site accessible by the public that includes specified information relating to expenditures of state funds, defined to include, among other things, grants, contracts, subcontracts, purchase orders, and tax refunds, rebates, and credits.

(4) LANDLORD TENANT / COMMON INTEREST DEVELOPMENTS

AB 313
Fletcher

Common Interest Developments: Assessments

Enacted
Chapter 431

Requires homeowners association assessments to be based on the assessed property tax value of each home, if the association levied those assessments in that manner on or before December 31, 2009, with certain exceptions.

AB 331
Hall

Foreclosures: Disclosure to Prospective Tenants

Two Year Bill

Would require landlords of certain rental properties to disclose to prospective tenants if the property is subject to any outstanding notice of default or pending foreclosure, and would allow the tenant to recover specified damages if the tenancy terminates as a result of a circumstance that the landlord failed to disclose.

AB 472 Blumenfield	<u>Earthquake & Emergency Preparedness</u>	Vetoed
	Would have authorized the California Emergency Management Agency (Cal EMA), to require a state entity that publishes a web site to prominently display on its home page a text or graphical link, as specified by Cal EMA, that directs a web site user to a page administered by Cal EMA that contains information about earthquake and emergency preparedness tips and resources.	
AB 603 Skinner	<u>Mortgages & Deeds of Trust: Tenants in Possession of Property</u>	Two Year Bill
	Would until January 1, 2013, limit the authority of an owner to terminate a tenancy of a rental unit, that is rented or leased for residential purposes whose owner acquired the property as a result of a default on a mortgage and make any violation of this provision a civil penalty.	
AB 761 Calderon, Charles	<u>Mobilehomes: Rent Control</u>	Two Year Bill
	Would phase-in partial vacancy decontrol for all mobilehome rent control ordinances over a period of eight years to permit mobilehome park owners to raise rent to market value for a new resident when a space or unit is sold. It would also specify that after execution of the new rental agreement, the local measure would govern the agreement in all applicable respects.	
AB 899 Torres	<u>Common Interest Developments: Disclosures</u>	Enacted Chapter 484
	Requires the board of directors of a homeowners association (HOA) to annually distribute to members of the HOA, upon request, a list of all legally mandated disclosures, and requires an Assessment and Reserve Funding Disclosure Summary to include information regarding the interest rate used, and the inflation rate assumed, in making certain calculations.	
AB 927 Calderon, Charles	<u>Common Interest Developments: Construction Defects</u>	Enacted Chapter 7
	Extends existing pre-litigation procedures for construction defect disputes in common interest developments from July 1, 2010 until July 1, 2017.	
AB 1061 Lieu	<u>Common Interest Developments: Water-Efficient Landscapes</u>	Enacted Chapter 503
	Voids a provision of any of the governing documents of a common interest development that prohibits the use of low water-using plants as a group or restrict compliance with a local water-efficient landscape ordinance or water conservation measure.	
AB 1170 Calderon, Charles	<u>Registered Sex Offenders: Rentals: Consumer Information Booklet</u>	Two Year Bill
	Would require the Department of Justice (DOJ) to make available to the public a consumer information booklet providing federal and state law regarding sex offender registration as it relates to the lease or rental of real property and would require the DOJ to consult with the Department of Consumer Affairs and other interested organizations in developing the consumer information booklet.	

AB 1171 Ammiano	<u>Rental Property: Public Entity Restriction</u>	Two Year Bill
	Would require the rent control system of a public entity to apply the one-year extension to all tenancies in the applicable accommodations if a tenant or lessee who is at least 62 years of age or disabled has lived in the accommodations for at least one year prior to the delivery of notice to a public entity.	
AB 1263 Strickland, Audra	<u>Unlawful Detainer: Service of Notice</u>	Two Year Bill
	Would revise the provision governing the methods of serving notice upon a tenant for purposes of the unlawful detainer provisions by deleting the requirement that service be made at the tenant's place of residence or usual place of business.	
AB 1328 Salas	<u>Common Interest Developments: Contracts</u>	Vetoed
	Would have authorized a homeowners association (HOA) of a common interest development to enter into a contract of up to five years for water or energy efficiency programs, without a vote of the HOA members, and required the board of a HOA, prior to approving a multi-year contract, to provide notice of the proposed duration of the contract, on the agenda of any meeting at which the contract will be discussed or voted on.	
SB 120 Lowenthal	<u>Residential: Utility Service</u>	Enacted Chapter 560
	Allows tenants living in detached single-family dwellings to take over a utility service account that is pending termination because the account is held by the owner or manager and the account is in arrears. It also requires utility service providers to give the termination of service notice in specified languages.	
SB 259 Benoit	<u>Common Interest Developments: Elections</u>	Two Year Bill
	Would provide that if a court voids any results of an election for one or more board members in a common interest development, the court shall not invalidate a decision of the board that was reached after the board was seated pursuant to that election unless the court finds that the action of the board was contrary to law or the governing documents.	
SB 290 Leno	<u>Tenancy: Notices</u>	Enacted Chapter 347
	Makes permanent a provision in current law that requires a landlord who wishes to remove a residential tenant, without cause, to give the tenant 60 days notice.	
SB 782 Yee	<u>Residential Tenancies: Domestic Violence</u>	Two Year Bill
	Would create a defense to eviction when a tenant is a victim of domestic violence, sexual assault, or stalking, if the eviction notice is substantially based on the act of domestic violence, sexual assault, or stalking committed against the tenant or tenant's household member.	

(5) MISCELLANEOUS CONSUMER ISSUES

AB 76 Yamada	<u>Life & Annuity Consumer Protection Fund</u> Extends the provisions of the Life and Annuity Consumer Protection Fund (LACPF), administered by the California Department of Insurance, from January 1, 2010 to January 1, 2015. In addition, requires the Insurance Commissioner to publish specified data online about consumer protection efforts supported by the LACPF.	Enacted Chapter 75
AB 176 Silva	<u>Maintenance of the Codes</u> Deletes reference to terms such as “tape,” “cassette,” “audiotape,” or “videotape” and replaces those terms with more generic terms.	Enacted Chapter 88
AB 323 Yamada	<u>Automobile Tires</u> Would require auto body repair shops to display a sign that advises customers about automobile tire degradation.	Two Year Bill
AB 356 Fletcher	<u>Radiologic Technology: Fluoroscopy</u> Permits a physician assistant (PA) to be certified by the Department of Public Health as a radiology supervisor and operator, as long as the physician that the PA is working under is also certified as a radiology supervisor and operator.	Enacted Chapter 434
AB 418 Emmerson	<u>Pharmacy Technicians: Licensure Requirements</u> Would revise the requirements under which the Pharmacy Board may renew a pharmacy technician’s license, and would require a pharmacy technician to obtain 20 hours of continuing education at the time of license renewal.	Two Year Bill
AB 448 Torres	<u>Consumer Affairs: Financial Education</u> Would require the Director of the Department of Consumer Affairs to utilize existing resources, work with the federal Financial Literacy and Education Commission to implement the “Take Ownership of the Future: the National Strategy for Financial Literacy”, and develop programs for improving financial literacy.	Two Year Bill
AB 457 Monning	<u>Notification & Service of Liens</u> Requires a specified Notice of Mechanic’s Lien to be served on the owner or reputed owner of the property that is the subject of a lien, or to the construction lender or original contractor if the owner or reputed owner cannot be served. Also requires a Proof of Service Affidavit signed by the person serving the Notice of Mechanic’s Lien to be included as part of the mechanic’s lien.	Enacted Chapter 109

AB 471 Nava & Arambula	<u>Legal Services</u> Would clarify existing law to ensure that the Attorney General maintains clear authority over litigation involving state agencies and would also authorize state agencies to employ in-house legal counsel for advice in non-litigation matters. The bill was later amended to revise the Water Bond Act.	Two Year Bill
AB 496 Davis	<u>Tire Age Degradation: Consumer Disclosure</u> Would require tire dealers, prior to the sale or installation of tires, to disclose in writing the date of manufacture of each tire, provide a written disclosure to the customer prior to the sale or installation of any tire about the risk associated with the tire, and subject each violation of these provisions to a civil penalty of \$250.	Two Year Bill
AB 579 Huber	<u>State Boards & Commissions: Audits</u> Would have required the State Auditor to annually audit the workload of at least two boards and commissions to which the state pays an annual salary for the services of the members, starting with the California Unemployment Insurance Appeals Board.	Vetoed
AB 655 Emmerson	<u>Self-Service Storage Facilities</u> Would make various changes to the remedies and procedures of the California Self Service Storage Facility Act for self-storage facility owners when occupants are delinquent in paying rent or other charges.	Two Year Bill
AB 721 Nava	<u>Physical Therapists: Direct Access to Services</u> Would allow an individual to initiate physical therapy treatment directly from a licensed physical therapist without a referral.	Two Year Bill
AB 792 Duvall	<u>Business: Mail Solicitations</u> Would permit a person who solicits a consumer by mail, seeking the consumer's consent to receive information by telephone, to include a blank space for the consumer to provide his/her telephone number.	Two Year Bill
AB 859 Jones	<u>Smog Check: Annual Inspection of Older Vehicles</u> Would require the Department of Consumer Affairs to incorporate the annual inspection of motor vehicles that are 15 years old or greater into the motor vehicle inspection and maintenance program by January 1, 2011. Would also make changes to the Consumer Assistance Program, including increasing the amount of repair assistance and raising the income eligibility level for assistance.	Two Year Bill
AB 992 Lieu	<u>Property Taxes: Assessment Appeal Application Filing Services</u> Makes various changes to provisions in existing law relating to property assessment appeal filing services and advertisements for these services.	Enacted Chapter 496

AB 1123 Davis	<u>Professions & Vocations: Process Servers: Registration</u> Requires process servers renewing a certificate of registration that has lapsed to submit a completed "Request for LiveScan" form confirming fingerprint submission to the Department of Justice and the Federal Bureau of Investigation, in order to verify that the process server has not been convicted of a felony.	Enacted Chapter 137
AB 1170 Calderon, Charles	<u>Registered Sex Offenders: Rentals: Consumer Information Booklet</u> Would require the Department of Justice (DOJ) to make available to the public a consumer information booklet providing federal and state law regarding sex offender registration as it relates to the lease or rental of real property and would require the DOJ to consult with the Department of Consumer Affairs and other interested organizations in developing the consumer information booklet.	Two Year Bill
AB 1200 Hayashi	<u>Motor Vehicle Insurance: Direct Repair Programs</u> Authorizes an insurer to provide a claimant with specific truthful and non-deceptive information regarding the services and benefits available to the claimant during the claims process.	Enacted Chapter 387
AB 1245 Monning	<u>Recovery of Public Records</u> Establishes a process by which the Secretary of State or a local agency may seek the return of public records belonging to the state or a local agency from a person, organization, or institution not authorized by law to possess those records, or require that person to respond in writing and declare why the records do not belong to the state or local agency.	Enacted Chapter 519
AB 1291 Niello	<u>Unclaimed Property</u> Makes a number of changes to provisions in the Unclaimed Property Law to strengthen notice requirements to property owners about a pending transfer (escheat) of unclaimed property to the state.	Enacted Chapter 522
AB 1317 Block	<u>Assisted Oocyte Production: Advertisement: Information</u> Requires an advertisement seeking oocyte donation associated with the delivery of fertility treatment that includes assisted oocyte production and a financial payment, or compensation of any kind, to contain a prescribed notice relating to the potential health risks associated with human egg donation.	Enacted Chapter 523
AB 1357 Coto	<u>Pawnbrokers</u> Would have authorized pawnbrokers to charge an interest rate of 2.5 percent per month on all unpaid balances of a loan. Currently, the 2.5 percent rate applies only to the first \$225 in unpaid loan balances, with declining rates applying to larger balances.	Vetoed

SB 250 Florez	<u>Dogs and Cats: Spaying and Neutering</u>	Two Year Bill
	Would restrict the ownership of unsterilized dogs and cats with certain exemptions, require surgical sterilization of the animal in specified circumstances, and impose civil penalties for any violation of these provisions.	
SB 324 Cedillo	<u>Counterfeit Marks</u>	Enacted Chapter 581
	Allows courts to consider a motion made by a law enforcement agency and consented to by the holder of a trademark, to have counterfeit goods that are seized, with the exception of counterfeit recordings or audiovisual goods, to be donated to a nonprofit organization for the purpose of distributing the goods to persons living in poverty at no charge to the persons served by the organization.	
SB 340 Yee	<u>Advertising: Automatic Renewal & Continuous Service Offers</u>	Enacted Chapter 350
	Establishes requirements governing offers for an automatic renewal, including that a consumer affirmatively consent to the offer, and where the terms of the offer must be placed in marketing materials.	
SB 348 Cogdill	<u>Passenger Vehicle Rentals: Advertising</u>	Enacted Chapter 156
	Permits a rental car company to recover the actual costs incurred by the company for the payment of the increased Vehicle Licensing Fee from the current rate of 0.65 percent to a rate of 1.15 percent and specifies the manner in which a rental company calculates the increased vehicle license recovery fee. <i>(Urgency Clause)</i>	
SB 359 Romero	<u>Records: Disclosure Exemptions</u>	Enacted Chapter 584
	Updates the California Public Records Act (CPRA)'s index of statutes that contain CPRA request exemptions and further requires the Legislature to produce a bill, during the first year of every legislative session, updating this index.	
SB 374 Calderon	<u>Personal Trainers</u>	Two Year Bill
	Would define the term personal trainer, establish educational and training requirements for personal trainers and prohibit individuals from calling themselves personal trainers unless they meet those requirements.	
SB 385 Wright	<u>Historic Motor Vehicles: Smog Check Exemption</u>	Two Year Bill
	Would exempt from the motor vehicle inspection and maintenance program a motor vehicle that has historic vehicle license plates if the registered owner signs a statement under penalty of perjury that the motor vehicle will be used for specified purposes and if the registered owner owns two or more currently registered motor vehicles that are not registered as historic motor vehicles.	

SB 427 Negrete McLeod	<u>Automotive Repair: Crash Parts</u> Would require an automotive repair dealer to include the phone number of the Bureau of Automotive Repair for consumers to contact for a free inspection if they suspect auto repair fraud or the unlawful pre-installation of auto body parts without consent, on a written estimate and repair final invoice.	Two Year Bill
SB 436 Aanestad	<u>Contractors</u> Would provide that a contractor furnishing a performance and payment bond need not include, as part of the contract, a notice stating that the owner or tenant has the right to require the contractor to have a performance and payment bond provided that the contractor gives the owner tangible evidence of the bond. Would also provide that a contractor furnishing a bond, bond equivalent, or joint control is exempt from certain typeface point size requirements as long as the required notices and statements meet specified legibility and readability standards.	Two Year Bill
SB 437 Pavley	<u>Unlisted Telephone Numbers</u> Would prohibit a subscriber from being charged for making the choice to not have his or her name or telephone number listed in a directory or publicly available directory assistance database.	Two Year Bill
SB 522 Runner	<u>State Agencies: Accounts: Reports</u> Would delete a sunset date for a statutory provision requiring the State Board of Equalization, Franchise Tax Board, State Lands Commission, Department of General Services, Department of Motor Vehicles, Department of Real Estate, and Department of Corporations to submit to the Director of Finance the status of their liquidated and delinquent accounts as of the end of the previous fiscal year and efforts made by the agency to collect those accounts.	Two Year Bill
SB 811 DeSaulnier	<u>Smog Check: Out-of-State Specially Constructed Vehicles</u> Would have required a specially constructed vehicle (SPCNS) that comes from outside of California to be assigned the same model year as the calendar year in which it was first registered outside of this state, for the purposes of determining the proper emissions control equipment for the vehicle.	Vetoed
SB 819 Yee	<u>Professions & Vocations</u> Makes several minor, non-substantive changes to various provisions pertaining to the health-related regulatory boards and bureaus of the Department of Consumer Affairs. Also, on January 1, 2014, removes the 120 hours of education licensure pathway for certified public accountants (CPAs) provided that accounting ethics educational requirements are adopted by the California Board of Accountancy as a condition of CPA licensure and statutes regarding out of state CPAs practicing in California are no longer amended or repealed.	Enacted Chapter 308

**SB 821
Business,
Professions
& Econ Dev**

Consumer Affairs: Professions & Vocations

**Enacted
Chapter 307**

Makes several minor, non-substantive changes to various provisions pertaining to the regulatory boards and bureaus of the Department of Consumer Affairs.

(6) NEW / PROPOSED REGULATORY PROGRAMS

**AB 660
Torrico**

Sprinkler Fitters: Licensing

Two Year Bill

Would require certification and regulation of sprinkler fitters by the State Fire Marshal and would prohibit a person from performing work on a fire suppression system without a certificate or permit issued by the State Fire Marshal.

**AB 880
Niello**

Manufactured Housing: Prefabricated Panelized Homes

Two Year Bill

Would include any person engaged in the business of the construction, installation, alteration, repair, or preparation for the moving of a prefabricated panelized home in the definition of the term "contractor."

**SB 258
Oropeza**

Contractors: Public Works Certification

Two Year Bill

Would, on and after January 1, 2012, prohibit a contractor from performing work as a contractor or subcontractor on a public work contracted by the state or a state agency unless he or she has obtained a public works certification from a state certifying agency to be determined by the Legislature. Also would require the licensee to pass a public works certification examination and pay a fee in order to obtain the certification.

**SB 405
Cogdill**

Contractors: Fire Sprinkler Installation

Two Year Bill

Would require any commercial or residential fire sprinkler installation project performed by a Class C-16 fire protection contractor to be under the direct and immediate supervision of a commercial fire sprinkler supervisor or a residential fire sprinkler supervisor. Would also require fire protection contractors to implement a fire sprinkler installation training program for their sprinkler fitters and supervisors with specified exemptions.

**SB 435
Pavley**

Smog Check Program: Motorcycles

Two Year Bill

Would include specific motorcycles in the motor vehicle inspection and maintenance program beginning January 1, 2012.

(7) TELECOMMUNICATIONS

No bills introduced in the 2009 legislative session

**DEPARTMENT OF CONSUMER AFFAIRS
LEGISLATIVE DIGEST
2009 Legislative Session**

B. BILLS BY DCA BOARDS, BUREAUS, & PROGRAMS

(1) ACCOUNTANCY

AB 117 Niello	<u>Accountants</u> Requires a holder of an inactive certified public accountant license to place the word “inactive” after any reference that would suggest he or she is licensed by the California Board of Accountancy.	Enacted Chapter 409
AB 138 Hayashi	<u>Accounting Firms:Peer Review</u> Implements a mandatory peer review program for all certified public accountant firms in California.	Enacted Chapter 312
AB 797 Ma	<u>Accountants: Discipline: Internet Posting</u> Would require the California Board of Accountancy (Board) to post on its Internet web site the text of decisions issued by the Board imposing discipline against a licensee for a period of at least ten years.	Two Year Bill
AB 1005 Block	<u>California Board of Accountancy</u> Requires the California Board of Accountancy (Board) to post the finalized minutes of it’s meetings on it’s web site along with providing a live audio or visual broadcast of these meetings. Also requires the Board to post all formal accusations filed by the Board against a licensee on its web site.	Enacted Chapter 378
SB 691 Yee	<u>Accountants</u> Would require: <ul style="list-style-type: none">• After January 1, 2014, an applicant for a certified public accountant (CPA) license who qualifies for licensure through the bachelor degree CPA licensure pathway (Pathway 1) to acknowledge, that his/her CPA license may not be considered substantially equivalent for purposes of practice privileges in other states that require 150 hours of education for licensure.• The California Board of Accountancy (Board) to audit every other state board of accountancy to determine if the provisions of this bill makes the California CPA license obtained through the 150 hour educational pathway (Pathway 2) substantially equivalent with respect to practice privilege and reciprocity in that state.• The Board to immediately notify the Legislature if the Board determines that another state would not recognize a California CPA license obtained under Pathway 2 as not sustainably equivalent.	Two Year Bill

AB 1391 Eng	<u>Acupuncture Board</u> Would extend the sunset date of the Acupuncture Board to January 1, 2017.	Two Year Bill
SB 294 Negrete McLeod	<u>Healing Arts: Enforcement</u> Would make a number of reforms to the enforcement programs of the healing arts licensing boards within the Department of Consumer Affairs. Would give the boards new enforcement authorities, provide for greater oversight of the enforcement programs, and make changes to existing diversion programs, including a sunset date.	Two Year Bill
SB 674 Negrete McLeod	<u>Healing Arts</u> Would have strengthened requirements for advertisements and disclosures by healing arts practitioners, required regulation of fertility clinics as outpatient settings, increased oversight and enforcement of the use of lasers and intense pulse light devices in cosmetic medical procedures, and increased oversight and enforcement of accredited outpatient medical settings.	Vetoed
SB 700 Negrete McLeod	<u>Healing Arts: Peer Review</u> Would make a number of changes to the healing arts professional peer review reporting process, including establishing procedures for expunging records of peer reviews found to have been conducted in bad faith, and establishing procedures for earlier reporting to licensing boards, so that the boards may become aware of possible misconduct earlier.	Two Year Bill
SB 762 Aanestad	<u>Professions & Vocations: Healing Arts</u> Precludes a local government from prohibiting a healing arts professional licensed by the Department of Consumer Affairs from engaging in any act or performing any procedure that falls within the professionally recognized scope of practice.	Enacted Chapter 16
SB 820 Negrete McLeod	<u>Healing Arts: Peer Review</u> Would have made a number of changes to the healing arts professional peer review reporting process, including establishing procedures for expunging records of peer reviews found to have been conducted in bad faith, and establishing procedures for earlier reporting to licensing boards, so that the boards may become aware of possible misconduct earlier.	Vetoed
SB 821 Business, Professions & Econ Dev	<u>Consumer Affairs: Professions & Vocations</u> Defines a "quorum" as four members of the Acupuncture Board and specifies that one of the four must be an acupuncturist.	Enacted Chapter 307

(3) ALL BOARDS / BUREAUS / COMMISSIONS / PROGRAMS

AB 484 Eng	<u>Franchise Tax Board: Professional or Occupational Licenses</u>	Two Year Bill
	Would allow the Franchise Tax Board to suspend occupational and professional licenses due to unpaid income tax liabilities.	
AB 1494 Eng	<u>Public Meetings: Definition</u>	Enacted Chapter 150
	Modifies the Bagley-Keene Open Meeting Act by replacing a provision that prohibits the use of direct communication by a majority of the members of a state body to develop a collective concurrence as to action to be taken outside a meeting, with a provision prohibiting the use of a series of communications of any kind, to discuss, deliberate, or take action on any item of business that is within the subject matter of the state body.	
AB 1518 Anderson	<u>State Government: Boards, Commissions, Committees: Repeal</u>	Two Year Bill
	On January 1, 2010, would repeal all statutorily created state boards, commissions, and committees that have not met or had a quorum at any of their regular meetings since January 1, 2008.	
SB 257 Pavley	<u>Lactation Accommodation: State Employees</u>	Vetoed
	Would have required every state agency and department, including local offices, when notified by a female employee that she is nearing maternity leave, to notify the employee, through its usual channels of communication with state employees and in the most cost-effective manner, of specified information regarding breastfeeding.	
SB 389 Negrete McLeod	<u>Professions & Vocations: CORI</u>	Two Year Bill
	Would require all licensees of the Department of Consumer Affairs boards, bureaus, and commission (regulatory entities) listed in Section 144(b) of the Business and Professions Code to be fingerprinted and undergo a criminal offender record information (CORI) search if they have not already done so or if a record of them doing so no longer exists.	
SB 502 Walters	<u>State Agency Web Sites: Information</u>	Two Year Bill
	Would require each state department and agency to develop and operate a searchable Internet Web site accessible by the public that includes specified information relating to expenditures of state funds, defined to include, among other things, grants, contracts, subcontracts, purchase orders, and tax refunds, rebates, and credits.	
SB 638 Negrete McLeod	<u>Regulatory Boards: Operations</u>	Two Year Bill
	Would delete the requirement that a board become a bureau under the Department of Consumer Affairs if it sunsets, and instead provide for the removal of a board's members, and appointment of a successor board.	

AB 859 Jones	<u>Smog Check: Annual Inspection of Older Vehicles</u>	Two Year Bill
	Would require the Department of Consumer Affairs to incorporate the annual inspection of motor vehicles that are 15 years old or greater into the motor vehicle inspection and maintenance program by January 1, 2011. Also would make changes to the Consumer Assistance Program, including increasing the amount of repair assistance and raising the income eligibility level for assistance.	
AB 1200 Hayashi	<u>Motor Vehicle Insurance: Direct Repair Programs</u>	Enacted Chapter 387
	Authorizes an insurer to provide a claimant with specific truthful and non-deceptive information regarding the services and benefits available to the claimant during the claims process.	
SB 232 Benoit	<u>Vehicles: Specially Constructed Vehicles (SPCNS)</u>	Two Year Bill
	Would eliminate the cap of 500 SPCNS registered each year that undergo a special inspection by a Referee station to determine model year of the SPCNS.	
SB 350 Yee	<u>Aftermarket Crash Parts</u>	Two Year Bill
	Would prohibit the use of non-original equipment manufacturer aftermarket crash parts unless the insurer warrants that those parts are at least equal to the original equipment manufacturer parts in terms of kind, quality, safety, fit, and performance and shall pay the cost of any modifications to those parts necessary to affect the repair. Would also require all original and non-original equipment manufacturer aftermarket crash parts, manufactured on or after January 1, 2010, when supplied by auto body repair shops, to contain specified identification.	
SB 385 Wright	<u>Historic Motor Vehicles: Smog Check Exemption</u>	Two Year Bill
	Would exempt from the motor vehicle inspection and maintenance program a motor vehicle that has historic vehicle license plates if the registered owner signs a statement under penalty of perjury that the motor vehicle will be used for specified purposes and if the registered owner owns two or more currently registered motor vehicles that are not registered as historic motor vehicles.	
SB 427 Negrete McLeod	<u>Automotive Repair: Crash Parts</u>	Two Year Bill
	Would require an automotive repair dealer to include the phone number of the Bureau of Automotive Repair for consumers to contact for a free inspection if they suspect auto repair fraud or the unlawful pre-installation of auto body parts without consent, on a written estimate and repair final invoice.	
SB 435 Pavley	<u>Smog Check Program: Motorcycles</u>	Two Year Bill
	Would include specific motorcycles in the motor vehicle inspection and maintenance program beginning January 1, 2012.	
SB 734 Lowenthal	<u>Transportation Omnibus: Code Clean-up for BAR</u>	Enacted Chapter 200
	Makes several minor or non-substantive changes to various provisions pertaining to transportation issues, including provisions impacting the Bureau of Automotive Repair.	

SB 811 **Smog Check: Out-of-State Specially Constructed Vehicles** **Vetoed**
DeSaulnier
Would have required a specially constructed vehicle (SPCNS) that comes from outside of California to be assigned the same model year as the calendar year in which it was first registered outside of this state, for the purposes of determining the proper emissions control equipment for the vehicle.

SB 821 **Consumer Affairs: Professions & Vocations** **Enacted**
Business, Professions & Econ Dev **Chapter 307**
Requires the Director of Consumer Affairs to issue an automotive repair dealer registration upon receipt of a specified form and fee; and authorizes the Director to deny, suspend, revoke or place on probation a registration for specified acts by an automotive repair dealer, lamp and brake adjusting station, and smog check station and technician applicants.

(7) BARBERING & COSMETOLOGY

SB 549 **Barbering & Cosmetology** **Vetoed**
Correa
Would have permitted applicants for initial licensure and license renewal with the Board of Barbering and Cosmetology (Board) to report their gender, language preference, and ethnicity to the Board and required the Board to publish this information quarterly on its Internet Website in a confidential manner that would not identify individual licensees.

(8) BEHAVIORAL SCIENCES

AB 681 **Confidentiality of Medical Information: Psychotherapy** **Enacted**
Hernandez **Chapter 464**
Permits a psychotherapist to disclose medical information to law enforcement without having a signed request by the person requesting the information, if the psychotherapist believes the disclosure is necessary to prevent a serious and imminent threat to the health or safety of a victim.

AB 1113 **Prisoners: Marriage & Family Therapists** **Enacted**
Lowenthal, Bonnie **Chapter 135**
Allows a person to gain qualifying experience for licensure as a marriage and family therapist while working in a state correctional facility.

SB 33 **Marriage & Family Therapy: Licensure & Registration** **Enacted**
Correa **Chapter 26**
Makes a number of changes to the required curriculum to become licensed as a Marriage and Family Therapist (MFT), or registered as an MFT intern for persons who begin graduate study on or after August 1, 2012.

SB 788 **Licensed Professional Clinical Counselors** **Enacted**
Wyland **Chapter 619**
Provides for the licensure and regulation of licensed professional counselors and professional counselor interns by the Board of Behavioral Sciences, and adds two additional members to the Board.

AB 560 Skinner	<u>Net Energy Metering & Solar Contractors Scope of Practice</u>	Two Year Bill
	Would prohibit, on and after July 1, 2010, a contractor holding a class C-46 license issued by the Contractors State License Board from constructing, altering, or installing, for an eligible customer-generator generating electricity under a tariff or contract pursuant to these provisions, a solar photovoltaic electrical generating facility with the capacity to generate greater than 250 kilowatts of electricity.	
AB 660 Torrico	<u>Sprinkler Fitters: Licensing</u>	Two Year Bill
	Would require certification and regulation of sprinkler fitters by the State Fire Marshal and would prohibit a person from performing work on a fire suppression system without a certificate or permit issued by the State Fire Marshal.	
AB 880 Niello	<u>Manufactured Housing: Prefabricated Panelized Homes</u>	Two Year Bill
	Would include any person engaged in the business of the construction, installation, alteration, repair, or preparation for the moving of a prefabricated panelized home in the definition of the term "contractor."	
AB 1074 Conway	<u>Contractors: Fraudulent License Numbers</u>	Two Year Bill
	Would provide that it is a crime if a person willfully and intentionally uses, with the intent to defraud, any number that does not correspond to the number on a currently valid contractor's license held by that person.	
AB 1229 Evans	<u>CSLB: Public Contracts & Prospective Bidders</u>	Two Year Bill
	Would require the Contractors State License Board (instead of the Department of Industrial Relations), in collaboration with affected agencies and interested parties, to develop guidelines for qualifying bidders, and prepare the standardized questionnaire that shall be used by public entities for purposes of laws regulating local public works projects.	
AB 1496 Skinner	<u>Contractors: Energy Efficiency Measures</u>	Two Year Bill
	Would specify that the failure of a licensed contractor to comply with specified building energy efficiency standards constitutes a cause for disciplinary action and would subject unlicensed contractors to a civil penalty of not less than \$2,000. Would also provide that a licensed contractor who fails to obtain a building permit, in specified circumstances, shall be subject to a citation and a civil penalty of not less than \$500.	
AB 1534 V. Manuel Perez	<u>Contractors: Mortgage Loans</u>	Two Year Bill
	Would prohibit a general building contractor from originating, directly or through a related entity, a consumer loan to be used for the purchase of a home that is for sale by the contractor or a related entity of the contractor.	

SB 189 Lowenthal	<u>Mechanics Liens Omnibus</u>	Two Year Bill
	Would recast and revise the mechanics lien law by moving certain provisions into the Public Contract Code (regarding public works) while keeping the majority of the existing and proposed parts of mechanics lien law in the Civil Code.	
SB 258 Oropeza	<u>Contractors: Public Works Certification</u>	Two Year Bill
	Would, on and after January 1, 2012, prohibit a contractor from performing work as a contractor or subcontractor on a public work contracted by the state or a state agency unless he or she has obtained a public works certification from a state certifying agency to be determined by the Legislature. Also would require the licensee to pass a public works certification examination and pay a fee in order to obtain the certification.	
SB 392 Florez	<u>Contractors: Limited Liability Companies</u>	Two Year Bill
	Would authorize the issuance of a contractor's license to a limited liability company (LLC) and would require the LLC to obtain and maintain a \$1,000,000 insurance policy, plus an additional \$100,000 per licensee in excess of five employed by the LLC, up to a maximum of \$5,000,000 in insurance coverage.	
SB 405 Cogdill	<u>Contractors: Fire Sprinkler Installation</u>	Two Year Bill
	Would require any commercial or residential fire sprinkler installation project performed by a Class C-16 fire protection contractor to be under the direct and immediate supervision of a commercial fire sprinkler supervisor or a residential fire sprinkler supervisor. Would also require fire protection contractors to implement a fire sprinkler installation training program for their sprinkler fitters and supervisors with specified exemptions.	
SB 436 Aanestad	<u>Contractors</u>	Two Year Bill
	Would provide that a contractor furnishing a performance and payment bond need not include, as part of the contract, a notice stating that the owner or tenant has the right to require the contractor to have a performance and payment bond provided that the contractor gives the owner tangible evidence of the bond. Would also provide that a contractor furnishing a bond, bond equivalent, or joint control is exempt from certain typeface point size requirements as long as the required notices and statements meet specified legibility and readability standards.	
SB 629 Liu	<u>Private Works of Improvement: Retention Proceeds</u>	Two Year Bill
	Applicable to contracts entered into, on, or after January 1, 2010, would limit the amount of retention proceeds that can be held under contracts between owners and general contractors, general contractors and subcontractors, and between two subcontractors. Would also provide that these provisions shall not apply if the owner or original contractor provides written notice to the original contractor or subcontractor, prior to or at the time that the bid is requested, that performance and payment bonds may be required.	

**SB 821
Business,
Professions
& Econ Dev**

Consumer Affairs: Professions & Vocations

**Enacted
Chapter 307**

Deletes the provision that prohibits an owner-builder who works without a contractor's license from obtaining a contractor's license for a period of one year, and makes other technical, non-substantive changes.

(11) COURT REPORTERS

**AB 170
Mendoza**

Court Reporters: Rough Draft Transcript

**Enacted
Chapter 87**

Provides that a court reporter's instant visual display of testimony or proceedings cannot be used, cited, distributed, or transcribed as the certified, official transcript of the proceedings and cannot be cited or used to rebut or contradict the official certified transcript of proceedings.

**AB 1461
Ruskin**

Shorthand Reporting

Two Year Bill

Would prohibit any entity offering or providing the services of a shorthand reporter from doing or failing to do any act that constitutes unprofessional conduct under any statute, rule or regulation pertaining to shorthand reporters or shorthand reporting.

**SB 819
Yee**

Professions & Vocations: Court Reporters

**Enacted
Chapter 308**

Specifies that the funds in the Transcript Reimbursement Fund, which is administered by the Court Reporters Board, be transferred to the Court Reporter's Fund on January 1, 2011.

(12) DENTISTS / DENTAL AUXILIARIES

**AB 120
Hayashi**

Healing Arts: Peer Review

Vetoed

Would have encouraged external peer review of healing arts licensees in specified circumstances, provided for increased sharing of information between peer review bodies, made a number of changes to the processes and procedures for hearings held regarding the proposed final decisions of peer review bodies, and become operative only if SB 820 (Negrete McLeod) had also been enacted and became operative.

**AB 171
Jones**

Dental Services: Credit

**Enacted
Chapter 418**

Sets in place procedures and requirements for dentists, dental employees or agents, and specialized health care service plans to follow before arranging for or establishing a line of credit that is extended by a third party for payment related to dental services.

**AB 403
Fuller**

Dental Hygienists: Examinations & Licensure

**Enacted
Chapter 104**

Permits applicants for a registered dental hygienist license to take the Western Regional Examining Board clinical examination or any other clinical examination approved by the Dental Hygiene Committee of California, instead of the California state clinical examination.

AB 456 Emmerson	<u>Dentistry: Diversion Program</u> Would modify the statutory requirements of the Dental Board of California's diversion program to allow for more communication between the Board's diversion program and the Board's enforcement division.	Two Year Bill
AB 583 Hayashi	<u>Health Care Practitioners: Disclosure of Education & Office Hours</u> Would require healing arts practitioners to include additional information on an already-required name tag or sign, require physicians to include specialty board certification on name tags or signs, and require physicians working in more than one location to post the hours they are in each office.	Two Year Bill
AB 667 Block	<u>Topical Fluoride Application</u> Allows any person, including a dental assistant, to apply topical fluoride, including fluoride varnish, in a school base setting or a government run public health program, under the general direction of a licensed dentist or physician.	Enacted Chapter 119
AB 877 Emmerson	<u>Healing Arts: Scope of Practice</u> Would require the Department of Consumer Affairs to establish a scope of practice committee to review bills in the Legislature that would expand the scope of practice of a healing arts licensee and prepare written reports to the Legislature.	Two Year Bill
AB 1140 Niello	<u>Diagnostic Imaging Services</u> Would add to the definition of a third-party payer, as this definition applies to a provision that prohibits healing arts practitioners from billing a patient, client, customer, or third-party payer for the technical component of specified diagnostic imaging services.	Two Year Bill
AB 1310 Hernandez	<u>Healing Arts: Database</u> Would require certain healing arts boards within the Department of Consumer Affairs to collect specified information from their licensees and would require those boards and the Department to, as much as practicable, work with the Office of Statewide Health Planning and Development to transfer that data to the Health Care Workforce Clearinghouse.	Two Year Bill
AB 1524 Hayashi	<u>Dentistry: Examination Requirements</u> Would abolish the current dental licensure exams and replace them with a system where applicants for a dentist license would be evaluated on their qualifications by examining their dental school performance.	Two Year Bill
SB 294 Negrete McLeod	<u>Healing Arts: Enforcement</u> Would make a number of reforms to the enforcement programs of the healing arts licensing boards within the Department of Consumer Affairs. Would give the boards new enforcement authorities, provide for greater oversight of the enforcement programs, and make changes to existing diversion programs, including a sunset date.	Two Year Bill

SB 599
Negrete
McLeod

Workforce Development

Enacted
Chapter 642

- Requires the successor agency to the Bureau for Private Postsecondary and Vocational Education to transmit specified data to the California Postsecondary Education Commission.
- Allows local workforce investment boards to work directly with institutions of higher education and other training providers, including accredited private postsecondary institutions that participate in the federal student financial aid programs, for purposes of disbursing economic recovery funds made available as part of the federal American Recovery and Reinvestment Act (ARRA) of 2009 to workforce development programs.
- Reestablishes the spending authority of the California Dental Corps Loan Repayment Program until July 1, 2012.

SB 674
Negrete
McLeod

Healing Arts

Vetoed

Would have strengthened requirements for advertisements and disclosures by healing arts practitioners, required regulation of fertility clinics as outpatient settings, increased oversight and enforcement of the use of lasers and intense pulse light devices in cosmetic medical procedures, and increased oversight and enforcement of accredited outpatient medical settings.

SB 700
Negrete
McLeod

Healing Arts: Peer Review

Two Year Bill

Would make a number of changes to the healing arts professional peer review reporting process, including establishing procedures for expunging records of peer reviews found to have been conducted in bad faith, and establishing procedures for earlier reporting to licensing boards, so that the boards may become aware of possible misconduct earlier.

SB 762
Aanestad

Professions & Vocations: Healing Arts

Enacted
Chapter 16

Precludes a local government from prohibiting a healing arts professional licensed by the Department of Consumer Affairs from engaging in any act or performing any procedure that falls within the professionally recognized scope of practice.

SB 820
Negrete
McLeod

Healing Arts: Peer Review

Vetoed

Would have made a number of changes to the healing arts professional peer review reporting process, including establishing procedures for expunging records of peer reviews found to have been conducted in bad faith, and establishing procedures for earlier reporting to licensing boards, so that the boards may become aware of possible misconduct earlier.

(13) ELECTRONIC & APPLIANCE REPAIR

AB 63
Mendoza

Service Contracts: Retailers

Enacted
Chapter 74

Requires retailers that sell service contracts to either: 1) maintain specified contract information and provide that information to the purchaser of a service contract or other beneficiary upon request, or 2)

provide a copy of the service contract within 10 business days upon request.

ABX4 20
Strickland,
Audra

Consumer Affairs: Regulatory Boards: Operations: Reorganization

Enacted
Chapter 18

Consolidates the Bureau of Electronic and Appliance Repair with the Bureau of Home Furnishings and Thermal Insulation.

SB 819
Yee

Professions & Vocations: Electronic & Appliance Repair

Enacted
Chapter 308

Makes it an infraction to act as a service contractor unless that person maintains a valid registration.

(14) ENGINEERS & LAND SURVEYORS

AB 645
Niello

Professional Engineers & Land Surveyors: Licensing

Enacted
Chapter 368

Eliminates the requirement that engineering plans and documents bear the expiration date of the engineer's license but retains the requirement that these documents hold the signature and seal of the licensee as well as the date of signing. Also requires licensed land surveyors to obtain a stamp or seal and eliminates the requirement that the expiration date of the license be on the stamp or seal.

ABX4 20
Strickland,
Audra

Consumer Affairs: Regulatory Boards: Operations: Reorganization

Enacted
Chapter 18

Consolidates the Board for Geologists and Geophysicists with the Board for Professional Engineers and Land Surveyors.

SB 819
Yee

Professions & Vocations: Engineers & Land Surveyors

Enacted
Chapter 308

Deletes the provision requiring a majority vote by the Board of Professional Engineers and Land Surveyors to determine the qualifications of an applicant for registration.

(15) FIDUCIARIES, PROFESSIONAL

AB 276
Hayashi

Professional Fiduciaries: Licensing

Two Year Bill

Would give certified public accountants and enrolled agents a blanket exemption from licensure as a professional fiduciary.

SB 308
Harman

Professional Fiduciaries: Donative Transfers

Enacted
Chapter 348

Modifies the definition of "professional fiduciary" in the Professional Fiduciaries Act, sets standards for how degrees of kinship or consanguinity between two persons are to be determined in the Probate Code and makes various technical changes to statute to reflect changes made by SB 1264 (Harman, Chapter 174, Statutes of 2008).

SB 819
Yee

Professions & Vocations: Fiduciaries

Enacted
Chapter 308

Adds the Professional Fiduciaries Bureau to the list of entities within the Department of Consumer Affairs that are required to post specified information about their licensees.

SB 821
Business,
Professions
& Econ Dev

Consumer Affairs: Professions & Vocation

Makes a violation of the professional fiduciary licensure requirement punishable as an infraction.

Enacted
Chapter 307

(16) GEOLOGISTS & GEOPHYSICISTS

ABX4 20
Strickland,
Audra

Consumer Affairs: Regulatory Boards: Operations: Reorganization

Consolidates the Board for Geologists and Geophysicists with the Board for Professional Engineers and Land Surveyors.

Enacted
Chapter 18

(17) GUIDE DOGS

SB 475
Padilla

Guide Dogs for the Blind

Increases the annual renewal fee limit for the State Board of Guide Dogs for the Blind (Board) from 0.004 to no more than 0.005 of a school's annual expenses; requires the Board to define the exact amount of the fee by regulation; and requires the renewal fee to be paid by April 30th of each year.

Enacted
Chapter 51

(18) HEARING AID DISPENSERS

AB 120
Hayashi

Healing Arts: Peer Review

Would have encouraged external peer review of healing arts licensees in specified circumstances, provided for increased sharing of information between peer review bodies, made a number of changes to the processes and procedures for hearings held regarding the proposed final decisions of peer review bodies, and become operative only if SB 820 (Negrete McLeod) had also been enacted and became operative.

Vetoed

AB 583
Hayashi

Health Care Practitioners: Disclosure of Education & Office Hours

Would require healing arts practitioners to include additional information on an already-required name tag or sign, require physicians to include specialty board certification on name tags or signs, and require physicians working in more than one location to post the hours they are in each office.

Two Year Bill

AB 877
Emmerson

Healing Arts: Scope of Practice

Would require the Department of Consumer Affairs to establish a scope of practice committee to review bills in the Legislature that would expand the scope of practice of a healing arts licensee and prepare written reports to the Legislature.

Two Year Bill

AB 1140
Niello

Diagnostic Imaging Services

Would add to the definition of a third-party payer, as this definition applies to a provision that prohibits healing arts practitioners from billing

Two Year Bill

a patient, client, customer, or third-party payer for the technical component of specified diagnostic imaging services.

AB 1310 Hernandez	<u>Healing Arts: Database</u>	Two Year Bill
	Would require certain healing arts boards within the Department of Consumer Affairs to collect specified information from their licensees and would require those boards and the Department to, as much as practicable, work with the Office of Statewide Health Planning and Development to transfer that data to the Health Care Workforce Clearinghouse.	
AB 1535 Jones	<u>Speech-Language Pathology & Audiology & Hearing Aid Dispensers</u>	Enacted Chapter 309
	Eliminates the Hearing Aid Dispensers Bureau consolidating its functions into the Speech-Language Pathology and Audiology Board and renames the merged entities as the "Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board." Also revises the definition of the practice of audiology to include the selling of hearing aids and specifies certain requirements for the sale of hearing aids applicable to audiologists.	
SB 294 Negrete McLeod	<u>Healing Arts: Enforcement</u>	Two Year Bill
	Would make a number of reforms to the enforcement programs of the healing arts licensing boards within the Department of Consumer Affairs. Would give the boards new enforcement authorities, provide for greater oversight of the enforcement programs, and make changes to existing diversion programs, including a sunset date.	
SB 674 Negrete McLeod	<u>Healing Arts</u>	Vetoed
	Would have strengthened requirements for advertisements and disclosures by healing arts practitioners, required regulation of fertility clinics as outpatient settings, increased oversight and enforcement of the use of lasers and intense pulse light devices in cosmetic medical procedures, and increased oversight and enforcement of accredited outpatient medical settings.	
SB 700 Negrete McLeod	<u>Healing Arts: Peer Review</u>	Two Year Bill
	Would make a number of changes to the healing arts professional peer review reporting process, including establishing procedures for expunging records of peer reviews found to have been conducted in bad faith, and establishing procedures for earlier reporting to licensing boards, so that the boards may become aware of possible misconduct earlier.	
SB 762 Aanestad	<u>Professions & Vocations: Healing Arts</u>	Enacted Chapter 16
	Precludes a local government from prohibiting a healing arts professional licensed by the Department of Consumer Affairs from engaging in any act or performing any procedure that falls within the professionally recognized scope of practice.	
SB 820 Negrete McLeod	<u>Healing Arts: Peer Review</u>	Vetoed
	Would have made a number of changes to the healing arts professional	

peer review reporting process, including establishing procedures for expunging records of peer reviews found to have been conducted in bad faith, and establishing procedures for earlier reporting to licensing boards, so that the boards may become aware of possible misconduct earlier.

SB 821
Business,
Professions
& Econ Dev

Consumer Affairs: Professions & Vocations

Enacted
Chapter 307

Permits the Hearing Aid Dispensers Bureau to issue a new trainee license to a previous trainee license holder; requires the licensees to notify the Bureau of address changes within 30 days; and allows the Bureau to inspect records relating to the sale and fitting of hearing aids.

(19) HOME FURNISHINGS & THERMAL INSULATION

ABX4 20
Strickland,
Audra

Consumer Affairs: Regulatory Boards: Operations: Reorganization

Enacted
Chapter 18

Consolidates the Bureau of Electronic and Appliance Repair with the Bureau of Home Furnishings and Thermal Insulation.

SB 772
Leno

Home Furnishings: Fire Retardancy: Juvenile Products

Two Year Bill

Would exempt strollers, infant carriers, bassinets, and nursing pillows from complying with fire retardant regulations set by the Bureau of Home Furnishings and Thermal Insulation (BHFTI) unless BHFTI determines a product poses a serious fire hazard.

(20) LANDSCAPE ARCHITECTS

No bills introduced in the 2009 legislative session.

(21) MEDICINE

AB 120
Hayashi

Healing Arts: Peer Review

Vetoed

Would have encouraged external peer review of healing arts licensees in specified circumstances, provided for increased sharing of information between peer review bodies, made a number of changes to the processes and procedures for hearings held regarding the proposed final decisions of peer review bodies, and become operative only if SB 820 (Negrete McLeod) had also been enacted and become operative.

AB 245
Ma

Physicians & Surgeons

Vetoed

Would have required the Medical Board to remove an expunged misdemeanor or felony conviction from the public record of a licensee within 90 days of receiving a copy of the expungement order from the licensee.

AB 252
Carter

Cosmetic Surgery: Employment of Physicians & Surgeons

Vetoed

Would have authorized the Medical Board to revoke the license of a physician who is employed in violation of the prohibition against the corporate practice of medicine, and increase the penalty for a business that violates the prohibition against the corporate practice of medicine.

AB 356 Fletcher	<u>Radiologic Technology: Fluoroscopy</u> Permits a physician assistant (PA) to be certified by the Department of Public Health as a radiology supervisor and operator, as long as the physician that the PA is working under is also certified as a radiology supervisor and operator.	Enacted Chapter 434
AB 501 Emmerson	<u>Physicians & Surgeons</u> Authorizes specified medical graduates who are not yet licensed to use the title "M.D.", authorizes the Medical Board (Board) to issue a limited license to an applicant with a disability that affects his/her ability to safely practice some aspects of medicine, and authorizes the Board to adjust its licensing fees by regulation, up to a set amount.	Enacted Chapter 400
AB 526 Fuentes	<u>Public Protection & Physician Health Program Act of 2009</u> Would create a diversion-like program for licensed physicians, to be overseen by the Public Protection and Physician Health Oversight Committee and administered by a physician health program under contract. The designated physician health program would enter into agreements with substance-abusing or mentally incapacitated physicians for ongoing treatment and monitoring.	Two Year Bill
AB 583 Hayashi	<u>Health Care Practitioners: Disclosure of Education & Office Hours</u> Would require healing arts practitioners to include additional information on an already-required name tag or sign, require physicians to include specialty board certification on name tags or signs, and require physicians working in more than one location to post the hours they are in each office.	Two Year Bill
AB 646 Swanson	<u>Physicians & Surgeons: Employment</u> Would repeal an existing pilot project that exempts certain district hospitals from the prohibition against the corporate practice of medicine ("pilot project") and would instead provide a full exemption to local health care districts in rural areas indefinitely. Would also exempt nonprofit hospitals and clinics in underserved urban communities from the prohibition against the corporate practice of medicine.	Two Year Bill
AB 648 Chesbro	<u>Rural Hospitals: Physician Services</u> Would establish the Rural Hospital Physician and Surgeon Services Demonstration Project, which would exempt rural hospitals from the prohibition against the corporate practice of medicine. Rural hospitals directly employing physicians would be prohibited from interfering with physicians' independent medical judgment in providing care to patients.	Two Year Bill
AB 877 Emmerson	<u>Healing Arts: Scope of Practice</u> Would require the Department of Consumer Affairs to establish a scope of practice committee to review bills in the Legislature that would expand the scope of practice of a healing arts licensee and prepare written reports to the Legislature.	Two Year Bill

AB 1070 Hill	<u>Healing Arts</u> Makes a number of changes relating to the operations of the Medical Board (Board), the reporting of medical malpractice actions to the Board, and the provision of medical records to the Board by physicians and health care facilities during investigations, and extends the sunset date of the Board's vertical enforcement program from July 1, 2010 to January 1, 2013.	Enacted Chapter 505
AB 1071 Emmerson	<u>Professions & Vocations: Medical Board</u> Extends the sunset date for the Medical Board of California from July 1, 2010 to January 1, 2013.	Enacted Chapter 270
AB 1116 Carter	<u>Cosmetic Surgery</u> Requires a person to undergo a physical examination by a licensed physician, maxillofacial surgeon, nurse practitioner, or physician assistant, and receive written clearance prior to any elective cosmetic surgery procedure from a physician or maxillofacial surgeon.	Enacted Chapter 509
AB 1140 Niello	<u>Diagnostic Imaging Services</u> Would add to the definition of a third-party payer, as this definition applies to a provision that prohibits healing arts practitioners from billing a patient, client, customer, or third-party payer for the technical component of specified diagnostic imaging services.	Two Year Bill
AB 1310 Hernandez	<u>Healing Arts: Database</u> Would require certain healing arts boards within the Department of Consumer Affairs to collect specified information from their licensees and would require those boards and the Department to, as much as practicable, work with the Office of Statewide Health Planning and Development to transfer that data to the Health Care Workforce Clearinghouse.	Two Year Bill
AB 1540 Health Committee	<u>Health Omnibus</u> Makes numerous technical or non-controversial changes to the laws affecting various health and human services agencies.	Enacted Chapter 298
SB 132 Denham	<u>Polysomnographic Technologists: Sleep & Wake Disorders</u> Would require individuals to register with the Medical Board in order to use the title "certified polysomnographic technologist" and engage in the practice of polysomnography. Would also require the Medical Board to adopt regulations that establish the means and circumstances under which a physician may employ a polysomnographic technician or polysomnographic trainee. (Urgency Clause)	Two Year Bill
SB 294 Negrete McLeod	<u>Healing Arts: Enforcement</u> Would make a number of reforms to the enforcement programs of the healing arts licensing boards within the Department of Consumer Affairs. Would give the boards new enforcement authorities, provide for greater oversight of the enforcement programs, and make changes to existing diversion programs, including a sunset date.	Two Year Bill

SB 606 Ducheny	<u>Physicians & Surgeons: Loan Repayment</u> Requires the Osteopathic Medical Board to charge a \$25 fee in addition to existing licensing fees and transfer the money for use by the Steven M. Thompson Physician Corps Loan Repayment Program. The \$25 supplemental fee will be charged at the time of initial licensure and each biennial license renewal.	Enacted Chapter 600
SB 674 Negrete McLeod	<u>Healing Arts</u> Would have strengthened requirements for advertisements and disclosures by healing arts practitioners, required regulation of fertility clinics as outpatient settings, increased oversight and enforcement of the use of lasers and intense pulse light devices in cosmetic medical procedures, and increased oversight and enforcement of accredited outpatient medical settings.	Vetoed
SB 700 Negrete McLeod	<u>Healing Arts: Peer Review</u> Would make a number of changes to the healing arts professional peer review reporting process, including establishing procedures for expunging records of peer reviews found to have been conducted in bad faith, and establishing procedures for earlier reporting to licensing boards, so that the boards may become aware of possible misconduct earlier.	Two Year Bill
SB 726 Ashburn	<u>Rural Hospitals: Employment of Physicians & Surgeons</u> Would extend the sunset date for an existing pilot project that provides a limited exemption from the prohibition against the corporate practice of medicine from January 1, 2011 to January 1, 2018, and make limited expansions to the pilot project.	Two Year Bill
SB 762 Aanestad	<u>Professions & Vocations: Healing Arts</u> Precludes a local government from prohibiting a healing arts professional licensed by the Department of Consumer Affairs from engaging in any act or performing any procedure that falls within the professionally recognized scope of practice.	Enacted Chapter 16
SB 819 Yee	<u>Professions & Vocations: Medical Board</u> Makes several minor, non-substantive changes to various provisions pertaining to the Medical Board of California.	Enacted Chapter 308
SB 820 Negrete McLeod	<u>Healing Arts: Peer Review</u> Would have made a number of changes to the healing arts professional peer review reporting process, including establishing procedures for expunging records of peer reviews found to have been conducted in bad faith, and establishing procedures for earlier reporting to licensing boards, so that the boards may become aware of possible misconduct earlier.	Vetoed
SB 821 Business, Professions & Econ Dev	<u>Consumer Affairs: Professions & Vocations</u> Adds special faculty permit holders to the definition of licentiates for the peer review process and deletes obsolete code sections.	Enacted Chapter 307

(22) NATUROPATHIC MEDICINE

AB 120 Hayashi	<u>Healing Arts: Peer Review</u>	Vetoed
	Would have encouraged external peer review of healing arts licensees in specified circumstances, provided for increased sharing of information between peer review bodies, made a number of changes to the processes and procedures for hearings held regarding the proposed final decisions of peer review bodies, and become operative only if SB 820 (Negrete McLeod) had also been enacted and became operative.	
AB 583 Hayashi	<u>Health Care Practitioners: Disclosure of Education & Office Hours</u>	Two Year Bill
	Would require healing arts practitioners to include additional information on an already-required name tag or sign, require physicians to include specialty board certification on name tags or signs, and require physicians working in more than one location to post the hours they are in each office.	
AB 877 Emmerson	<u>Healing Arts: Scope of Practice</u>	Two Year Bill
	Would require the Department of Consumer Affairs to establish a scope of practice committee to review bills in the Legislature that would expand the scope of practice of a healing arts licensee and prepare written reports to the Legislature.	
AB 1071 Emmerson	<u>Professions & Vocations: Naturopathic Medical Committee</u>	Enacted Chapter 270
	Extends the sunset date for the Naturopathic Medical Committee, within the Board of Osteopathic Medicine, to January 1, 2013.	
AB 1140 Niello	<u>Diagnostic Imaging Services</u>	Two Year Bill
	Would add to the definition of a third-party payer, as this definition applies to a provision that prohibits healing arts practitioners from billing a patient, client, customer, or third-party payer for the technical component of specified diagnostic imaging services.	
AB 1310 Hernandez	<u>Healing Arts: Database</u>	Two Year Bill
	Would require certain healing arts boards within the Department of Consumer Affairs to collect specified information from their licensees and would require those boards and the Department to, as much as practicable, work with the Office of Statewide Health Planning and Development to transfer that data to the Health Care Workforce Clearinghouse.	
ABX4 20 Strickland, Audra	<u>Consumer Affairs: Regulatory Boards: Operations: Reorganization</u>	Enacted Chapter 18
	Consolidates the Bureau of Naturopathic Medicine with the Osteopathic Medical Board.	
SB 294 Negrete McLeod	<u>Healing Arts: Enforcement</u>	Two Year Bill
	Would make a number of reforms to the enforcement programs of the healing arts licensing boards within the Department of Consumer Affairs. Would give the boards new enforcement authorities, provide for greater	

oversight of the enforcement programs, and make changes to existing diversion programs, including a sunset date.

SB 674
Negrete
McLeod

Healing Arts

Vetoed

Would have strengthened requirements for advertisements and disclosures by healing arts practitioners, required regulation of fertility clinics as outpatient settings, increased oversight and enforcement of the use of lasers and intense pulse light devices in cosmetic medical procedures, and increased oversight and enforcement of accredited outpatient medical settings.

SB 700
Negrete
McLeod

Healing Arts: Peer Review

Two Year Bill

Would make a number of changes to the healing arts professional peer review reporting process, including establishing procedures for expunging records of peer reviews found to have been conducted in bad faith, and establishing procedures for earlier reporting to licensing boards, so that the boards may become aware of possible misconduct earlier.

SB 762
Aanestad

Professions & Vocations: Healing Arts

Enacted
Chapter 16

Precludes a local government from prohibiting a healing arts professional licensed by the Department of Consumer Affairs from engaging in any act or performing any procedure that falls within the professionally recognized scope of practice.

SB 819
Yee

Professions & Vocations: Naturopathic Medicine Committee

Enacted
Chapter 308

Makes several minor, non-substantive changes to various provisions pertaining to the Bureau of Naturopathic Medicine.

SB 820
Negrete
McLeod

Healing Arts: Peer Review

Vetoed

Would have made a number of changes to the healing arts professional peer review reporting process, including establishing procedures for expunging records of peer reviews found to have been conducted in bad faith, and establishing procedures for earlier reporting to licensing boards, so that the boards may become aware of possible misconduct earlier.

(23) OCCUPATIONAL THERAPY

AB 120
Hayashi

Healing Arts: Peer Review

Vetoed

Would have encouraged external peer review of healing arts licensees in specified circumstances, provided for increased sharing of information between peer review bodies, made a number of changes to the processes and procedures for hearings held regarding the proposed final decisions of peer review bodies, and become operative only if SB 820 (Negrete McLeod) had also been enacted and became operative.

AB 583
Hayashi

Health Care Practitioners: Disclosure of Education & Office Hours

Two Year Bill

Would require healing arts practitioners to include additional information on an already-required name tag or sign, require physicians to include

specialty board certification on name tags or signs, and require physicians working in more than one location to post the hours they are in each office.

AB 877 Emmerson	<u>Healing Arts: Scope of Practice</u>	Two Year Bill
	Would require the Department of Consumer Affairs to establish a scope of practice committee to review bills in the Legislature that would expand the scope of practice of a healing arts licensee and prepare written reports to the Legislature.	
AB 1140 Niello	<u>Diagnostic Imaging Services</u>	Two Year Bill
	Would add to the definition of a third-party payer, as this definition applies to a provision that prohibits healing arts practitioners from billing a patient, client, customer, or third-party payer for the technical component of specified diagnostic imaging services.	
AB 1310 Hernandez	<u>Healing Arts: Database</u>	Two Year Bill
	Would require certain healing arts boards within the Department of Consumer Affairs to collect specified information from their licensees and would require those boards and the Department to, as much as practicable, work with the Office of Statewide Health Planning and Development to transfer that data to the Health Care Workforce Clearinghouse.	
SB 294 Negrete McLeod	<u>Healing Arts: Enforcement</u>	Two Year Bill
	Would make a number of reforms to the enforcement programs of the healing arts licensing boards within the Department of Consumer Affairs. Would give the boards new enforcement authorities, provide for greater oversight of the enforcement programs, and make changes to existing diversion programs, including a sunset date. Would also make changes specific to the Board of Registered Nursing.	
SB 674 Negrete McLeod	<u>Healing Arts</u>	Vetoed
	Would have strengthened requirements for advertisements and disclosures by healing arts practitioners, required regulation of fertility clinics as outpatient settings, increased oversight and enforcement of the use of lasers and intense pulse light devices in cosmetic medical procedures, and increased oversight and enforcement of accredited outpatient medical settings.	
SB 700 Negrete McLeod	<u>Healing Arts: Peer Review</u>	Two Year Bill
	Would make a number of changes to the healing arts professional peer review reporting process, including establishing procedures for expunging records of peer reviews found to have been conducted in bad faith, and establishing procedures for earlier reporting to licensing boards, so that the boards may become aware of possible misconduct earlier.	
SB 762 Aanestad	<u>Professions & Vocations: Healing Arts</u>	Enacted Chapter 16
	Precludes a local government from prohibiting a healing arts professional licensed by the Department of Consumer Affairs from	

engaging in any act or performing any procedure that falls within the professionally recognized scope of practice.

SB 819 Yee	<u>Professions & Vocations: Occupational Therapy</u> Makes several minor, non-substantive changes to various provisions pertaining to the California Board of Occupational Therapy.	Enacted Chapter 308
SB 820 Negrete McLeod	<u>Healing Arts: Peer Review</u> Would have made a number of changes to the healing arts professional peer review reporting process, including establishing procedures for expunging records of peer reviews found to have been conducted in bad faith, and establishing procedures for earlier reporting to licensing boards, so that the boards may become aware of possible misconduct earlier.	Vetoed
SB 821 Business, Professions & Econ Dev	<u>Consumer Affairs: Professions & Vocations</u> Makes several minor, non-substantive changes to various provisions pertaining to the regulatory boards and bureaus of the Department of Consumer Affairs.	Enacted Chapter 307

(24) OFFICE OF PRIVACY PROTECTION

No bills introduced in 2009 Legislative Session.

(25) OPTOMETRY

AB 120 Hayashi	<u>Healing Arts: Peer Review</u> Would have encouraged external peer review of healing arts licensees in specified circumstances, provided for increased sharing of information between peer review bodies, made a number of changes to the processes and procedures for hearings held regarding the proposed final decisions of peer review bodies, and become operative only if SB 820 (Negrete McLeod) had also been enacted and become operative.	Vetoed
AB 583 Hayashi	<u>Health Care Practitioners: Disclosure of Education & Office Hours</u> Would require healing arts practitioners to include additional information on an already-required name tag or sign, require physicians to include specialty board certification on name tags or signs, and require physicians working in more than one location to post the hours they are in each office.	Two Year Bill
AB 877 Emmerson	<u>Healing Arts: Scope of Practice</u> Would require the Department of Consumer Affairs to establish a scope of practice committee to review bills in the Legislature that would expand the scope of practice of a healing arts licensee and prepare written reports to the Legislature.	Two Year Bill
AB 1071 Emmerson	<u>Professions & Vocations: Board of Optometry</u> Extends the sunset date for the Board of Optometry, from July 1, 2010 to January 1, 2013.	Enacted Chapter 270

AB 1140 Niello	<u>Diagnostic Imaging Services</u> Would add to the definition of a third-party payer, as this definition applies to a provision that prohibits healing arts practitioners from billing a patient, client, customer, or third-party payer for the technical component of specified diagnostic imaging services.	Two Year Bill
AB 1310 Hernandez	<u>Healing Arts: Database</u> Would require certain healing arts boards within the Department of Consumer Affairs to collect specified information from their licensees and would require those boards and the Department to, as much as practicable, work with the Office of Statewide Health Planning and Development to transfer that data to the Health Care Workforce Clearinghouse.	Two Year Bill
SB 294 Negrete McLeod	<u>Healing Arts: Enforcement</u> Would make a number of reforms to the enforcement programs of the healing arts licensing boards within the Department of Consumer Affairs. Would give the boards new enforcement authorities, provide for greater oversight of the enforcement programs, and make changes to existing diversion programs, including a sunset date.	Two Year Bill
SB 674 Negrete McLeod	<u>Healing Arts</u> Would have strengthened requirements for advertisements and disclosures by healing arts practitioners, required regulation of fertility clinics as outpatient settings, increased oversight and enforcement of the use of lasers and intense pulse light devices in cosmetic medical procedures, and increased oversight and enforcement of accredited outpatient medical settings.	Vetoed
SB 700 Negrete McLeod	<u>Healing Arts: Peer Review</u> Would make a number of changes to the healing arts professional peer review reporting process, including establishing procedures for expunging records of peer reviews found to have been conducted in bad faith, and establishing procedures for earlier reporting to licensing boards, so that the boards may become aware of possible misconduct earlier.	Two Year Bill
SB 762 Aanestad	<u>Professions & Vocations: Healing Arts</u> Precludes a local government from prohibiting a healing arts professional licensed by the Department of Consumer Affairs from engaging in any act or performing any procedure that falls within the professionally recognized scope of practice.	Enacted Chapter 16
SB 820 Negrete McLeod	<u>Healing Arts: Peer Review</u> Would have made a number of changes to the healing arts professional peer review reporting process, including establishing procedures for expunging records of peer reviews found to have been conducted in bad faith, and establishing procedures for earlier reporting to licensing boards, so that the boards may become aware of possible misconduct earlier.	Vetoed

(26) OSTEOPATHIC MEDICINE

AB 120 Hayashi	<u>Healing Arts: Peer Review</u> Would have encouraged external peer review of healing arts licensees in specified circumstances, provided for increased sharing of information between peer review bodies, made a number of changes to the processes and procedures for hearings held regarding the proposed final decisions of peer review bodies, and become operative only if SB 820 (Negrete McLeod) had also been enacted and became operative.	Vetoed
AB 583 Hayashi	<u>Health Care Practitioners: Disclosure of Education & Office Hours</u> Would require healing arts practitioners to include additional information on an already-required name tag or sign, require physicians to include specialty board certification on name tags or signs, and require physicians working in more than one location to post the hours they are in each office.	Two Year Bill
AB 877 Emmerson	<u>Healing Arts: Scope of Practice</u> Would require the Department of Consumer Affairs to establish a scope of practice committee to review bills in the Legislature that would expand the scope of practice of a healing arts licensee and prepare written reports to the Legislature.	Two Year Bill
AB 1140 Niello	<u>Diagnostic Imaging Services</u> Would add to the definition of a third-party payer, as this definition applies to a provision that prohibits healing arts practitioners from billing a patient, client, customer, or third-party payer for the technical component of specified diagnostic imaging services.	Two Year Bill
AB 1310 Hernandez	<u>Healing Arts: Database</u> Would require certain healing arts boards within the Department of Consumer Affairs to collect specified information from their licensees and would require those boards and the Department to, as much as practicable, work with the Office of Statewide Health Planning and Development to transfer that data to the Health Care Workforce Clearinghouse.	Two Year Bill
ABX4 20 Strickland, Audra	<u>Consumer Affairs: Regulatory Boards: Operations: Reorganization</u> Consolidates the Bureau of Naturopathic Medicine with the Osteopathic Medical Board.	Enacted Chapter 18
SB 294 Negrete McLeod	<u>Healing Arts: Enforcement</u> Would make a number of reforms to the enforcement programs of the healing arts licensing boards within the Department of Consumer Affairs. Would give the boards new enforcement authorities, provide for greater oversight of the enforcement programs, and make changes to existing diversion programs, including a sunset date.	Two Year Bill

SB 606 Ducheny	<u>Physicians & Surgeons: Loan Repayment</u> Requires the Osteopathic Medical Board to charge a \$25 fee in addition to existing licensing fees and transfer the money for use by the Steven M. Thompson Physician Corps Loan Repayment Program. The \$25 supplemental fee will be charged at the time of initial licensure and each biennial license renewal.	Enacted Chapter 600
SB 620 Wiggins	<u>Healing Arts: Osteopathic Physicians & Surgeons</u> Requires osteopathic physicians to report specified practice information to the Osteopathic Medical Board at the time of initial licensure, and authorizes osteopathic physicians to report information regarding cultural and linguistic competency.	Enacted Chapter 602
SB 674 Negrete McLeod	<u>Healing Arts</u> Would have strengthened requirements for advertisements and disclosures by healing arts practitioners, required regulation of fertility clinics as outpatient settings, increased oversight and enforcement of the use of lasers and intense pulse light devices in cosmetic medical procedures, and increased oversight and enforcement of accredited outpatient medical settings.	Vetoed
SB 700 Negrete McLeod	<u>Healing Arts: Peer Review</u> Would make a number of changes to the healing arts professional peer review reporting process, including establishing procedures for expunging records of peer reviews found to have been conducted in bad faith, and establishing procedures for earlier reporting to licensing boards, so that the boards may become aware of possible misconduct earlier.	Two Year Bill
SB 762 Aanestad	<u>Professions & Vocations: Healing Arts</u> Precludes a local government from prohibiting a healing arts professional licensed by the Department of Consumer Affairs from engaging in any act or performing any procedure that falls within the professionally recognized scope of practice.	Enacted Chapter 16
SB 820 Negrete McLeod	<u>Healing Arts: Peer Review</u> Would have made a number of changes to the healing arts professional peer review reporting process, including establishing procedures for expunging records of peer reviews found to have been conducted in bad faith, and establishing procedures for earlier reporting to licensing boards, so that the boards may become aware of possible misconduct earlier.	Vetoed
<div style="border: 3px double black; padding: 5px; width: fit-content; margin: 0 auto;">(27) PHARMACY</div>		
AB 120 Hayashi	<u>Healing Arts: Peer Review</u> Would have encouraged external peer review of healing arts licensees in specified circumstances, provided for increased sharing of information between peer review bodies, made a number of changes to the processes and procedures for hearings held regarding the proposed	Vetoed

final decisions of peer review bodies, and become operative only if SB 820 (Negrete McLeod) had also been enacted and became operative.

AB 418 Emmerson	<u>Pharmacy Technicians: Licensure Requirements</u>	Two Year Bill
	Would revise the requirements under which the Pharmacy Board may renew a pharmacy technician's license, and would require a pharmacy technician to obtain 20 hours of continuing education at the time of license renewal.	
AB 583 Hayashi	<u>Health Care Practitioners: Disclosure of Education & Office Hours</u>	Two Year Bill
	Would require healing arts practitioners to include additional information on an already-required name tag or sign, require physicians to include specialty board certification on name tags or signs, and require physicians working in more than one location to post the hours they are in each office.	
AB 718 Emmerson	<u>Health Care Coverage: Preferred Provider Products: Premium Rates</u>	Two Year Bill
	Would establish, until January 1, 2013, the Inland Empire Health Plan E-Prescribing Pilot Program (Program), and require the program to meet specified requirements, including the promotion of health care quality and the exchange of health care information through the use of electronic prescribing (e-prescribing) and other components.	
AB 877 Emmerson	<u>Healing Arts: Scope of Practice</u>	Two Year Bill
	Would require the Department of Consumer Affairs to establish a scope of practice committee to review bills in the Legislature that would expand the scope of practice of a healing arts licensee and prepare written reports to the Legislature.	
AB 931 Fletcher	<u>Emergency Supplies</u>	Enacted Chapter 491
	Increases from 24 to 48 the total number of oral and suppository drugs permitted to be stored in emergency drug supply kits at long-term care facilities, and increases the statutory maximum of the number of doses of each drug from four to 16, as determined by the Department of Public Health.	
AB 977 Skinner	<u>Pharmacists: Immunization Protocols with Physicians</u>	Two Year Bill
	Would request the California Pharmacists Association to provide information to specified legislative committees on the status of immunization protocols between independent pharmacists and physicians.	
AB 1071 Emmerson	<u>Professions & Vocations: Board of Pharmacy</u>	Enacted Chapter 270
	Increases the minimum and maximum fees that the Board of Pharmacy may charge under its fee schedule, and extends their sunset date to January 1, 2013.	
AB 1140 Niello	<u>Diagnostic Imaging Services</u>	Two Year Bill
	Would add to the definition of a third-party payer, as this definition applies to a provision that prohibits healing arts practitioners from billing	

a patient, client, customer, or third-party payer for the technical component of specified diagnostic imaging services.

AB 1310 Hernandez	<u>Healing Arts: Database</u>	Two Year Bill
	Would require certain healing arts boards within the Department of Consumer Affairs to collect specified information from their licensees and would require those boards and the Department to, as much as practicable, work with the Office of Statewide Health Planning and Development to transfer that data to the Health Care Workforce Clearinghouse.	
SB 26 Simitian	<u>Home-Generated Pharmaceutical Waste</u>	Two Year Bill
	Would make changes to existing pharmacy law by: (1) requiring the Pharmacy Board to coordinate with other state agencies, local governments, drug manufacturers, and pharmacies to develop sustainable, efficient policies and programs to manage pharmaceutical waste and home-generated sharps waste; and, (2) authorizing pharmacies to accept the return of home-generated pharmaceutical waste and home-generated sharps waste.	
SB 238 Calderon	<u>Prescription Drugs</u>	Two Year Bill
	Would allow a pharmacy to make written communications to a patient, without the patient's authorization under specified conditions.	
SB 294 Negrete McLeod	<u>Healing Arts: Enforcement</u>	Two Year Bill
	Would make a number of reforms to the enforcement programs of the healing arts licensing boards within the Department of Consumer Affairs. Would give the boards new enforcement authorities, provide for greater oversight of the enforcement programs, and make changes to existing diversion programs, including a sunset date.	
SB 470 Corbett	<u>Prescriptions</u>	Enacted Chapter 590
	Revises current requirements regarding prescriptions for drugs and drug labels to permit a prescription for a drug and the drug label to include the condition or purpose for which the drug is prescribed, instead of limiting the information to the condition for which it is prescribed, if requested by the patient.	
SB 484 Wright	<u>Ephedrine & Pseudoephedrine</u>	Two Year Bill
	Would provide that any person who obtains ephedrine, pseudoephedrine, and specified related drugs without a prescription, is guilty of an infraction or misdemeanor.	
SB 674 Negrete McLeod	<u>Healing Arts</u>	Vetoed
	Would have strengthened requirements for advertisements and disclosures by healing arts practitioners, required regulation of fertility clinics as outpatient settings, increased oversight and enforcement of the use of lasers and intense pulse light devices in cosmetic medical procedures, and increased oversight and enforcement of accredited outpatient medical settings.	

SB 700 Negrete McLeod	<u>Healing Arts: Peer Review</u>	Two Year Bill
	Would make a number of changes to the healing arts professional peer review reporting process, including establishing procedures for expunging records of peer reviews found to have been conducted in bad faith, and establishing procedures for earlier reporting to licensing boards, so that the boards may become aware of possible misconduct earlier.	
SB 762 Aanestad	<u>Professions & Vocations: Healing Arts</u>	Enacted Chapter 16
	Precludes a local government from prohibiting a healing arts professional licensed by the Department of Consumer Affairs from engaging in any act or performing any procedure that falls within the professionally recognized scope of practice.	
SB 819 Yee	<u>Professions & Vocations: Pharmacy</u>	Enacted Chapter 308
	Makes several minor, non-substantive changes to various provisions pertaining to the Board of Pharmacy.	
SB 820 Negrete McLeod	<u>Healing Arts: Peer Review</u>	Vetoed
	Would have made a number of changes to the healing arts professional peer review reporting process, including establishing procedures for expunging records of peer reviews found to have been conducted in bad faith, and establishing procedures for earlier reporting to licensing boards, so that the boards may become aware of possible misconduct earlier.	
SB 821 Business, Professions & Econ Dev	<u>Consumer Affairs: Professions & Vocations</u>	Enacted Chapter 307
	Makes several minor, non-substantive changes to various provisions pertaining to the Board of Pharmacy.	
(28) PHYSICAL THERAPY		
AB 120 Hayashi	<u>Healing Arts: Peer Review</u>	Vetoed
	Would have encouraged external peer review of healing arts licensees in specified circumstances, provided for increased sharing of information between peer review bodies, made a number of changes to the processes and procedures for hearings held regarding the proposed final decisions of peer review bodies, and become operative only if SB 820 (Negrete McLeod) had also been enacted and became operative.	
AB 583 Hayashi	<u>Health Care Practitioners: Disclosure of Education & Office Hours</u>	Two Year Bill
	Would require healing arts practitioners to include additional information on an already-required name tag or sign, require physicians to include specialty board certification on name tags or signs, and require physicians working in more than one location to post the hours they are in each office.	
AB 721	<u>Physical Therapists: Direct Access to Services</u>	Two Year Bill

Nava	Would allow an individual to initiate physical therapy treatment directly from a licensed physical therapist without a referral.	
AB 877 Emmerson	<u>Healing Arts: Scope of Practice</u> Would require the Department of Consumer Affairs to establish a scope of practice committee to review bills in the Legislature that would expand the scope of practice of a healing arts licensee and prepare written reports to the Legislature.	Two Year Bill
AB 1140 Niello	<u>Diagnostic Imaging Services</u> Would add to the definition of a third-party payer, as this definition applies to a provision that prohibits healing arts practitioners from billing a patient, client, customer, or third-party payer for the technical component of specified diagnostic imaging services.	Two Year Bill
AB 1152 Anderson	<u>Professional Corporations: Licensed Physical Therapists</u> Would add licensed physical therapists to the list of licensed health care professionals who under existing law could be shareholders, officers, directors, or professional employees of a medical corporation, podiatric medical corporation or chiropractic corporation, so long as the sum of all shares owned by the licensed persons does not exceed 49% of the total number of shares of the professional corporation.	Two Year Bill
AB 1310 Hernandez	<u>Healing Arts: Database</u> Would require certain healing arts boards within the Department of Consumer Affairs to collect specified information from their licensees and would require those boards and the Department to, as much as practicable, work with the Office of Statewide Health Planning and Development to transfer that data to the Health Care Workforce Clearinghouse.	Two Year Bill
SB 294 Negrete McLeod	<u>Healing Arts: Enforcement</u> Would make a number of reforms to the enforcement programs of the healing arts licensing boards within the Department of Consumer Affairs. Would give the boards new enforcement authorities, provide for greater oversight of the enforcement programs, and make changes to existing diversion programs, including a sunset date.	Two Year Bill
SB 674 Negrete McLeod	<u>Healing Arts</u> Would have strengthened requirements for advertisements and disclosures by healing arts practitioners, required regulation of fertility clinics as outpatient settings, increased oversight and enforcement of the use of lasers and intense pulse light devices in cosmetic medical procedures, and increased oversight and enforcement of accredited outpatient medical settings.	Vetoed
SB 700 Negrete McLeod	<u>Healing Arts: Peer Review</u> Would make a number of changes to the healing arts professional peer review reporting process, including establishing procedures for expunging records of peer reviews found to have been conducted in bad faith, and establishing procedures for earlier reporting to licensing	Two Year Bill

boards, so that the boards may become aware of possible misconduct earlier.

SB 762
Aanestad

Professions & Vocations: Healing Arts

Enacted
Chapter 16

Precludes a local government from prohibiting a healing arts professional licensed by the Department of Consumer Affairs from engaging in any act or performing any procedure that falls within the professionally recognized scope of practice.

SB 819
Yee

Professions & Vocations: Physical Therapy

Enacted
Chapter 308

Adds the Physical Therapy Board to the list of regulatory agencies that may issue a specified citation for unlicensed persons advertising in a telephone directory.

SB 820
Negrete
McLeod

Healing Arts: Peer Review

Vetoed

Would have made a number of changes to the healing arts professional peer review reporting process, including establishing procedures for expunging records of peer reviews found to have been conducted in bad faith, and establishing procedures for earlier reporting to licensing boards, so that the boards may become aware of possible misconduct earlier.

SB 821
Business,
Professions
& Econ Dev

Consumer Affairs: Professions & Vocations

Enacted
Chapter 307

Makes several minor, non-substantive changes to various provisions pertaining to the regulatory boards and bureaus of the Department of Consumer Affairs.

(29) PHYSICIAN ASSISTANTS

AB 120
Hayashi

Healing Arts: Peer Review

Vetoed

Would have encouraged external peer review of healing arts licensees in specified circumstances, provided for increased sharing of information between peer review bodies, made a number of changes to the processes and procedures for hearings held regarding the proposed final decisions of peer review bodies, and become operative only if SB 820 (Negrete McLeod) had also been enacted and became operative.

AB 583
Hayashi

Health Care Practitioners: Disclosure of Education & Office Hours

Two Year Bill

Would require healing arts practitioners to include additional information on an already-required name tag or sign, require physicians to include specialty board certification on name tags or signs, and require physicians working in more than one location to post the hours they are in each office.

AB 877
Emmerson

Healing Arts: Scope of Practice

Two Year Bill

Would require the Department of Consumer Affairs to establish a scope of practice committee to review bills in the Legislature that would expand the scope of practice of a healing arts licensee and prepare written reports to the Legislature.

AB 1116 Carter	<u>Cosmetic Surgery</u> Requires a person to undergo a physical examination by a licensed physician, maxillofacial surgeon, nurse practitioner, or physician assistant, and receive written clearance prior to any elective cosmetic surgery procedure from a physician or maxillofacial surgeon.	Enacted Chapter 509
AB 1140 Niello	<u>Diagnostic Imaging Services</u> Would add to the definition of a third-party payer, as this definition applies to a provision that prohibits healing arts practitioners from billing a patient, client, customer, or third-party payer for the technical component of specified diagnostic imaging services.	Two Year Bill
AB 1310 Hernandez	<u>Healing Arts: Database</u> Would require certain healing arts boards within the Department of Consumer Affairs to collect specified information from their licensees and would require those boards and the Department to, as much as practicable, work with the Office of Statewide Health Planning and Development to transfer that data to the Health Care Workforce Clearinghouse.	Two Year Bill
SB 294 Negrete McLeod	<u>Healing Arts: Enforcement</u> Would make a number of reforms to the enforcement programs of the healing arts licensing boards within the Department of Consumer Affairs. Would give the boards new enforcement authorities, provide for greater oversight of the enforcement programs, and make changes to existing diversion programs, including a sunset date.	Two Year Bill
SB 674 Negrete McLeod	<u>Healing Arts</u> Would have strengthened requirements for advertisements and disclosures by healing arts practitioners, required regulation of fertility clinics as outpatient settings, increased oversight and enforcement of the use of lasers and intense pulse light devices in cosmetic medical procedures, and increased oversight and enforcement of accredited outpatient medical settings.	Vetoed
SB 700 Negrete McLeod	<u>Healing Arts: Peer Review</u> Would make a number of changes to the healing arts professional peer review reporting process, including establishing procedures for expunging records of peer reviews found to have been conducted in bad faith, and establishing procedures for earlier reporting to licensing boards, so that the boards may become aware of possible misconduct earlier.	Two Year Bill
SB 762 Aanestad	<u>Professions & Vocations: Healing Arts</u> Precludes a local government from prohibiting a healing arts professional licensed by the Department of Consumer Affairs from engaging in any act or performing any procedure that falls within the professionally recognized scope of practice.	Enacted Chapter 16
SB 819	<u>Professions & Vocations: Physician Assistants</u>	Enacted

Yee Deletes the Physicians Assistant Committee's authority to grant interim approval to an applicant for licensure as a physician assistant and would make conforming changes. **Chapter 308**

SB 820 **Negrete** **McLeod** **Healing Arts: Peer Review** **Vetoed**

Would have made a number of changes to the healing arts professional peer review reporting process, including establishing procedures for expunging records of peer reviews found to have been conducted in bad faith, and establishing procedures for earlier reporting to licensing boards, so that the boards may become aware of possible misconduct earlier.

(30) PODIATRIC MEDICINE

AB 1071 **Emmerson** **Professions & Vocations** **Enacted** **Chapter 270**

Extends the sunset date for the Podiatric Medicine Board, under the Department of Consumer Affairs, from July 1, 2010 to January 1, 2013.

SB 819 **Yee** **Professions & Vocations: Podiatric Medicine** **Enacted** **Chapter 308**

Specifies that in order to be issued a license to practice podiatric medicine, an applicant must submit directly to the Board of Podiatric Medicine verification from the credentialing organizations, that he or she had met the licensing requirements.

(31) PRIVATE POSTSECONDARY EDUCATION

AB 48 **Portantino** **California Private Postsecondary Education Act of 2009** **Enacted** **Chapter 310**

Establishes the California Private Postsecondary Education Act of 2009, which would create the Bureau for Private Postsecondary Education within the Department of Consumer Affairs for the purpose of regulating private postsecondary educational institutions offering or providing educational services in California and establish various requirements, prohibitions, and standards for these institutions.

SB 123 **Liu** **California Career Resource Network Program** **Enacted** **Chapter 32**

Recasts the California Career Resource Network, a stand-alone state agency composed of representatives from various state agencies, including the Bureau for Private Postsecondary and Vocational Education, as the California Career Resource Network Program, within the Department of Education. Also establishes the State Agency Partners Committee to advise the Program.

SB 599 **Negrete** **McLeod** **Workforce Development** **Enacted** **Chapter 642**

- Requires the successor agency to the Bureau for Private Postsecondary and Vocational Education to transmit specified data to the California Postsecondary Education Commission.
- Allows local workforce investment boards to work directly with institutions of higher education and other training providers, including accredited private postsecondary institutions that

participate in the federal student financial aid programs, for purposes of disbursing economic recovery funds made available as part of the federal American Recovery and Reinvestment Act of 2009 to workforce development programs.

- Reestablishes the spending authority of the California Dental Corps Loan Repayment Program until July 1, 2012.

(32) PSYCHOLOGY

AB 120 Hayashi	<u>Healing Arts: Peer Review</u> Would have encouraged external peer review of healing arts licensees in specified circumstances, provided for increased sharing of information between peer review bodies, made a number of changes to the processes and procedures for hearings held regarding the proposed final decisions of peer review bodies, and become operative only if SB 820 (Negrete McLeod) had also been enacted and became operative.	Vetoed
AB 583 Hayashi	<u>Health Care Practitioners: Disclosure of Education & Office Hours</u> Would require healing arts practitioners to include additional information on an already-required name tag or sign, require physicians to include specialty board certification on name tags or signs, and require physicians working in more than one location to post the hours they are in each office.	Two Year Bill
AB 681 Hernandez	<u>Confidentiality of Medical Information: Psychotherapy</u> Permits a psychotherapist to disclose medical information to law enforcement without having a signed request by the person requesting the information, if the psychotherapist believes the disclosure is necessary to prevent a serious and imminent threat to the health or safety of a victim.	Enacted Chapter 464
AB 877 Emmerson	<u>Healing Arts: Scope of Practice</u> Would require the Department of Consumer Affairs to establish a scope of practice committee to review bills in the Legislature that would expand the scope of practice of a healing arts licensee and prepare written reports to the Legislature.	Two Year Bill
AB 1140 Niello	<u>Diagnostic Imaging Services</u> Would add to the definition of a third-party payer, as this definition applies to a provision that prohibits healing arts practitioners from billing a patient, client, customer, or third-party payer for the technical component of specified diagnostic imaging services.	Two Year Bill
AB 1310 Hernandez	<u>Healing Arts: Database</u> Would require certain healing arts boards within the Department of Consumer Affairs to collect specified information from their licensees and would require those boards and the Department to, as much as practicable, work with the Office of Statewide Health Planning and Development to transfer that data to the Health Care Workforce Clearinghouse.	Two Year Bill

SB 294 Negrete McLeod	<u>Healing Arts: Enforcement</u>	Two Year Bill
	Would make a number of reforms to the enforcement programs of the healing arts licensing boards within the Department of Consumer Affairs. Would give the boards new enforcement authorities, provide for greater oversight of the enforcement programs, and make changes to existing diversion programs, including a sunset date.	
SB 674 Negrete McLeod	<u>Healing Arts</u>	Vetoed
	Would have strengthened requirements for advertisements and disclosures by healing arts practitioners, required regulation of fertility clinics as outpatient settings, increased oversight and enforcement of the use of lasers and intense pulse light devices in cosmetic medical procedures, and increased oversight and enforcement of accredited outpatient medical settings.	
SB 700 Negrete McLeod	<u>Healing Arts: Peer Review</u>	Two Year Bill
	Would make a number of changes to the healing arts professional peer review reporting process, including establishing procedures for expunging records of peer reviews found to have been conducted in bad faith, and establishing procedures for earlier reporting to licensing boards, so that the boards may become aware of possible misconduct earlier.	
SB 762 Aanestad	<u>Professions & Vocations: Healing Arts</u>	Enacted Chapter 16
	Precludes a local government from prohibiting a healing arts professional licensed by the Department of Consumer Affairs from engaging in any act or performing any procedure that falls within the professionally recognized scope of practice.	
SB 820 Negrete McLeod	<u>Healing Arts: Peer Review</u>	Vetoed
	Would have made a number of changes to the healing arts professional peer review reporting process, including establishing procedures for expunging records of peer reviews found to have been conducted in bad faith, and establishing procedures for earlier reporting to licensing boards, so that the boards may become aware of possible misconduct earlier.	
(33) REGISTERED NURSING		
AB 120 Hayashi	<u>Healing Arts: Peer Review</u>	Vetoed
	Would have encouraged external peer review of healing arts licensees in specified circumstances, provided for increased sharing of information between peer review bodies, made a number of changes to the processes and procedures for hearings held regarding the proposed final decisions of peer review bodies, and become operative only if SB 820 (Negrete McLeod) had also been enacted and became operative.	
AB 583 Hayashi	<u>Health Care Practitioners: Disclosure of Education & Office Hours</u>	Two Year Bill

Would require healing arts practitioners to include additional information on an already-required name tag or sign, require physicians to include specialty board certification on name tags or signs, and require physicians working in more than one location to post the hours they are in each office.

AB 877 Emmerson	<u>Healing Arts: Scope of Practice</u>	Two Year Bill
	Would require the Department of Consumer Affairs to establish a scope of practice committee to review bills in the Legislature that would expand the scope of practice of a healing arts licensee and prepare written reports to the Legislature.	
AB 1071 Emmerson	<u>Professions & Vocations: Board of Registered Nursing</u>	Enacted Chapter 270
	Extends the sunset date for the Board of Registered Nursing from July 1, 2010 to January 1, 2013.	
AB 1116 Carter	<u>Cosmetic Surgery</u>	Enacted Chapter 509
	Requires a person to undergo a physical examination by a licensed physician, maxillofacial surgeon, nurse practitioner, or physician assistant, and receive written clearance prior to any elective cosmetic surgery procedure from a physician or maxillofacial surgeon.	
AB 1140 Niello	<u>Diagnostic Imaging Services</u>	Two Year Bill
	Would add to the definition of a third-party payer, as this definition applies to a provision that prohibits healing arts practitioners from billing a patient, client, customer, or third-party payer for the technical component of specified diagnostic imaging services.	
AB 1310 Hernandez	<u>Healing Arts: Database</u>	Two Year Bill
	Would require certain healing arts boards within the Department of Consumer Affairs to collect specified information from their licensees and would require those boards and the Department to, as much as practicable, work with the Office of Statewide Health Planning and Development to transfer that data to the Health Care Workforce Clearinghouse.	
SB 294 Negrete McLeod	<u>Healing Arts: Enforcement</u>	Two Year Bill
	Would make a number of reforms to the enforcement programs of the healing arts licensing boards within the Department of Consumer Affairs. Would give the boards new enforcement authorities, provide for greater oversight of the enforcement programs, and make changes to existing diversion programs, including a sunset date. Would also make changes specific to the Board of Registered Nursing.	
SB 674 Negrete McLeod	<u>Healing Arts</u>	Vetoed
	Would have strengthened requirements for advertisements and disclosures by healing arts practitioners, required regulation of fertility clinics as outpatient settings, increased oversight and enforcement of the use of lasers and intense pulse light devices in cosmetic medical procedures, and increased oversight and enforcement of accredited outpatient medical settings.	

SB 700 **Healing Arts: Peer Review** **Two Year Bill**
Negrete
McLeod
Would make a number of changes to the healing arts professional peer review reporting process, including establishing procedures for expunging records of peer reviews found to have been conducted in bad faith, and establishing procedures for earlier reporting to licensing boards, so that the boards may become aware of possible misconduct earlier.

SB 762 **Professions & Vocations: Healing Arts** **Enacted**
Aanestad **Chapter 16**
Precludes a local government from prohibiting a healing arts professional licensed by the Department of Consumer Affairs from engaging in any act or performing any procedure that falls within the professionally recognized scope of practice.

SB 819 **Professions & Vocations: Registered Nursing** **Enacted**
Yee **Chapter 308**
Makes the time period for which registered nurse licensure applicants may petition the Board of Registered Nursing for a change in their discipline status consistent with the petitioning time period for both applicants and licensees.

SB 820 **Healing Arts: Peer Review** **Vetoed**
Negrete
McLeod
Would have made a number of changes to the healing arts professional peer review reporting process, including establishing procedures for expunging records of peer reviews found to have been conducted in bad faith, and establishing procedures for earlier reporting to licensing boards, so that the boards may become aware of possible misconduct earlier.

(34) RESPIRATORY CARE

AB 120 **Healing Arts: Peer Review** **Vetoed**
Hayashi
Would have encouraged external peer review of healing arts licensees in specified circumstances, provided for increased sharing of information between peer review bodies, made a number of changes to the processes and procedures for hearings held regarding the proposed final decisions of peer review bodies, and become operative only if SB 820 (Negrete McLeod) had also been enacted and became operative.

AB 583 **Health Care Practitioners: Disclosure of Education & Office Hours** **Two Year Bill**
Hayashi
Would require healing arts practitioners to include additional information on an already-required name tag or sign, require physicians to include specialty board certification on name tags or signs, and require physicians working in more than one location to post the hours they are in each office.

AB 877 **Healing Arts: Scope of Practice** **Two Year Bill**
Emmerson

Would require the Department of Consumer Affairs to establish a scope of practice committee to review bills in the Legislature that would expand the scope of practice of a healing arts licensee and prepare written reports to the Legislature.

AB 1071
Emmerson

Professions & Vocations: Respiratory Care Board

Enacted
Chapter 270

Extends the sunset date for the Respiratory Care Board from July 1, 2010 to January 1, 2013.

AB 1140
Niello

Diagnostic Imaging Services

Two Year Bill

Would add to the definition of a third-party payer, as this definition applies to a provision that prohibits healing arts practitioners from billing a patient, client, customer, or third-party payer for the technical component of specified diagnostic imaging services.

AB 1310
Hernandez

Healing Arts: Database

Two Year Bill

Would require certain healing arts boards within the Department of Consumer Affairs to collect specified information from their licensees and would require those boards and the Department to, as much as practicable, work with the Office of Statewide Health Planning and Development to transfer that data to the Health Care Workforce Clearinghouse.

SB 294
Negrete
McLeod

Healing Arts: Enforcement

Two Year Bill

Would make a number of reforms to the enforcement programs of the healing arts licensing boards within the Department of Consumer Affairs. Would give the boards new enforcement authorities, provide for greater oversight of the enforcement programs, and make changes to existing diversion programs, including a sunset date.

SB 674
Negrete
McLeod

Healing Arts

Vetoed

Would have strengthened requirements for advertisements and disclosures by healing arts practitioners, required regulation of fertility clinics as outpatient settings, increased oversight and enforcement of the use of lasers and intense pulse light devices in cosmetic medical procedures, and increased oversight and enforcement of accredited outpatient medical settings.

SB 700
Negrete
McLeod

Healing Arts: Peer Review

Two Year Bill

Would make a number of changes to the healing arts professional peer review reporting process, including establishing procedures for expunging records of peer reviews found to have been conducted in bad faith, and establishing procedures for earlier reporting to licensing boards, so that the boards may become aware of possible misconduct earlier.

SB 762
Aanestad

Professions & Vocations: Healing Arts

Enacted
Chapter 16

Precludes a local government from prohibiting a healing arts professional licensed by the Department of Consumer Affairs from engaging in any act or performing any procedure that falls within the professionally recognized scope of practice.

(36) SPEECH-LANGUAGE PATHOLOGY & AUDIOLOGY

AB 120 Hayashi	<u>Healing Arts: Peer Review</u> Would have encouraged external peer review of healing arts licensees in specified circumstances, provided for increased sharing of information between peer review bodies, made a number of changes to the processes and procedures for hearings held regarding the proposed final decisions of peer review bodies, and become operative only if SB 820 (Negrete McLeod) had also been enacted and became operative.	Vetoed
AB 583 Hayashi	<u>Health Care Practitioners: Disclosure of Education & Office Hours</u> Would require healing arts practitioners to include additional information on an already-required name tag or sign, require physicians to include specialty board certification on name tags or signs, and require physicians working in more than one location to post the hours they are in each office.	Two Year Bill
AB 877 Emmerson	<u>Healing Arts: Scope of Practice</u> Would require the Department of Consumer Affairs to establish a scope of practice committee to review bills in the Legislature that would expand the scope of practice of a healing arts licensee and prepare written reports to the Legislature.	Two Year Bill
AB 1140 Niello	<u>Diagnostic Imaging Services</u> Would add to the definition of a third-party payer, as this definition applies to a provision that prohibits healing arts practitioners from billing a patient, client, customer, or third-party payer for the technical component of specified diagnostic imaging services.	Two Year Bill
AB 1310 Hernandez	<u>Healing Arts: Database</u> Would require certain healing arts boards within the Department of Consumer Affairs to collect specified information from their licensees and would require those boards and the Department to, as much as practicable, work with the Office of Statewide Health Planning and Development to transfer that data to the Health Care Workforce Clearinghouse.	Two Year Bill
AB 1535 Jones	<u>Speech-Language Pathology & Audiology & Hearing Aid Dispensers</u> Eliminates the Hearing Aid Dispensers Bureau consolidating its functions into the Speech-Language Pathology and Audiology Board and renames the merged entities as the "Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board." Also revises the definition of the practice of audiology to include the selling of hearing aids and specifies certain requirements for the sale of hearing aids applicable to audiologists.	Enacted Chapter 309
SB 294	<u>Healing Arts: Enforcement</u>	Two Year Bill

Negrete McLeod	Would make a number of reforms to the enforcement programs of the healing arts licensing boards within the Department of Consumer Affairs. Would give the boards new enforcement authorities, provide for greater oversight of the enforcement programs, and make changes to existing diversion programs, including a sunset date.	
SB 674 Negrete McLeod	<u>Healing Arts</u> Would have strengthened requirements for advertisements and disclosures by healing arts practitioners, required regulation of fertility clinics as outpatient settings, increased oversight and enforcement of the use of lasers and intense pulse light devices in cosmetic medical procedures, and increased oversight and enforcement of accredited outpatient medical settings.	Vetoed
SB 700 Negrete McLeod	<u>Healing Arts: Peer Review</u> Would make a number of changes to the healing arts professional peer review reporting process, including establishing procedures for expunging records of peer reviews found to have been conducted in bad faith, and establishing procedures for earlier reporting to licensing boards, so that the boards may become aware of possible misconduct earlier.	Two Year Bill
SB 762 Aanestad	<u>Professions & Vocations: Healing Arts</u> Precludes a local government from prohibiting a healing arts professional licensed by the Department of Consumer Affairs from engaging in any act or performing any procedure that falls within the professionally recognized scope of practice.	Enacted Chapter 16
SB 820 Negrete McLeod	<u>Healing Arts: Peer Review</u> Would have made a number of changes to the healing arts professional peer review reporting process, including establishing procedures for expunging records of peer reviews found to have been conducted in bad faith, and establishing procedures for earlier reporting to licensing boards, so that the boards may become aware of possible misconduct earlier.	Vetoed
SB 821 Business, Professions & Econ Dev	<u>Consumer Affairs: Professions & Vocations</u> Makes several minor, non-substantive changes to various provisions pertaining to the Speech-Language Pathology and Audiology Board.	Enacted Chapter 307
(37) STRUCTURAL PEST CONTROL		
ABX4 20 Strickland, Audra	<u>Consumer Affairs: Regulatory Boards: Operations: Reorganization</u> Consolidates the Structural Pest Control Board with the Department of Pesticide Regulation.	Enacted Chapter 18

(38) SUNSET REVIEW

AB 1070 Hill	<u>Healing Arts</u> Makes a number of changes relating to the operations of the Medical Board, the reporting of medical malpractice actions to the Board, and the provision of medical records to the Board by physicians and health care facilities during investigations, and extends the sunset date of the Board's vertical enforcement program from July 1, 2010 to January 1, 2013.	Enacted Chapter 505
AB 1071 Emmerson	<u>Professions & Vocations</u> Extends the sunset date for the Medical Board, Podiatric Medicine Board, Board of Registered Nurses, Optometry Board, Respiratory Care Board, Pharmacy Board, and the Naturopathic Medical Committee to January 1, 2013.	Enacted Chapter 270
AB 1391 Eng	<u>Acupuncture Board</u> Would extend the sunset date of the Acupuncture Board to January 1, 2017.	Two Year Bill
ABX4 20 Strickland, Audra	<u>Consumer Affairs: Regulatory Boards: Operations: Reorganization</u> Establishes a sunset date on the Inspection and Maintenance Review Committee.	Enacted Chapter 18
SB 294 Negrete McLeod	<u>Healing Arts: Enforcement</u> Would make a number of reforms to the enforcement programs of the healing arts licensing boards within the Department of Consumer Affairs. Would give the boards new enforcement authorities, provide for greater oversight of the enforcement programs, and make changes to existing diversion programs, including a sunset date.	Two Year Bill
SB 522 Runner	<u>State Agencies: Accounts: Reports</u> Would delete a sunset date for a statutory provision requiring the State Board of Equalization, Franchise Tax Board, State Lands Commission, Department of General Services, Department of Motor Vehicles, Department of Real Estate, and Department of Corporations to submit to the Director of Finance the status of their liquidated and delinquent accounts as of the end of the previous fiscal year and efforts made by the agency to collect those accounts.	Two Year Bill
SB 638 Negrete McLeod	<u>Regulatory Boards: Operations</u> Would delete the requirement that a board become a bureau under the Department of Consumer Affairs if it sunsets, and instead provide for the removal of a board's members, and appointment of a successor board.	Two Year Bill
SB 726	<u>Rural Hospitals: Employment of Physicians & Surgeons</u>	Two Year Bill

Ashburn

Would extend the sunset date for an existing pilot project that provides a limited exemption from the prohibition against the corporate practice of medicine from January 1, 2011 to January 1, 2018, and make limited expansions to the pilot project.

(39) TELEPHONE MEDICAL ADVICE SERVICES

No bills introduced in the 2009 legislative session.

(40) VETERINARY MEDICINE

**AB 107
Galgiani**

Veterinarians & Registered Veterinary Technicians

**Enacted
Chapter 80**

Provides reciprocity for out-of-state veterinarians; authorizes the Veterinary Medical Board to cite, fine, and take punitive action on registered veterinary technicians (RVTs) who violate the Veterinary Medicine Practice Act; and beginning January 1, 2011, requires an applicant for registration as an RVT to pass both a national licensing examination and an examination specific to the animal health care tasks limited to California veterinary technicians, as approved by the Board.

**AB 490
Smyth**

Pet Stores

**Enacted
Chapter 446**

Modifies the guidelines by which a pet store operator or employee may euthanize rodents and rabbits intended as food for other animals and revises the definition of a pet store to exclude the selling, or offering for sale, animals to an agricultural operation for purposes that are directly related to the raising of livestock or poultry on a farm or a ranch.

(41) VOCATIONAL NURSING & PSYCHIATRIC TECHNICIANS

**AB 120
Hayashi**

Healing Arts: Peer Review

Vetoed

Would have encouraged external peer review of healing arts licensees in specified circumstances, provided for increased sharing of information between peer review bodies, made a number of changes to the processes and procedures for hearings held regarding the proposed final decisions of peer review bodies, and become operative only if SB 820 (Negrete McLeod) had also been enacted and became operative.

**AB 583
Hayashi**

Health Care Practitioners: Disclosure of Education & Office Hours

Two Year Bill

Would require healing arts practitioners to include additional information on an already-required name tag or sign, require physicians to include specialty board certification on name tags or signs, and require physicians working in more than one location to post the hours they are in each office.

**AB 877
Emmerson**

Healing Arts: Scope of Practice

Two Year Bill

Would require the Department of Consumer Affairs to establish a scope of practice committee to review bills in the Legislature that would expand the scope of practice of a healing arts licensee and prepare written

reports to the Legislature.

AB 1140 Niello	<u>Diagnostic Imaging Services</u>	Two Year Bill
	Would add to the definition of a third-party payer, as this definition applies to a provision that prohibits healing arts practitioners from billing a patient, client, customer, or third-party payer for the technical component of specified diagnostic imaging services.	
AB 1310 Hernandez	<u>Healing Arts: Database</u>	Two Year Bill
	Would require certain healing arts boards within the Department of Consumer Affairs to collect specified information from their licensees and would require those boards and the Department to, as much as practicable, work with the Office of Statewide Health Planning and Development to transfer that data to the Health Care Workforce Clearinghouse.	
AB 1416 Galgiani	<u>Vocational Nursing & Psychiatric Technicians: School Accreditation</u>	Two Year Bill
	As Introduced, would authorize the Board of Vocational Nursing and Psychiatric Technicians (BVNPT) to conduct inspections of vocational nursing schools and psychiatric technician schools through the review of documents, instead of through a physical site visit, as determined by the BVNPT. The bill was later gutted and amended to deal with a subject that does not fall under the purview of the Department of Consumer Affairs.	
SB 294 Negrete McLeod	<u>Healing Arts: Enforcement</u>	Two Year Bill
	Would make a number of reforms to the enforcement programs of the healing arts licensing boards within the Department of Consumer Affairs. Would give the boards new enforcement authorities, provide for greater oversight of the enforcement programs, and make changes to existing diversion programs, including a sunset date.	
SB 674 Negrete McLeod	<u>Healing Arts</u>	Vetoed
	Would have strengthened requirements for advertisements and disclosures by healing arts practitioners, required regulation of fertility clinics as outpatient settings, increased oversight and enforcement of the use of lasers and intense pulse light devices in cosmetic medical procedures, and increased oversight and enforcement of accredited outpatient medical settings.	
SB 700 Negrete McLeod	<u>Healing Arts: Peer Review</u>	Two Year Bill
	Would make a number of changes to the healing arts professional peer review reporting process, including establishing procedures for expunging records of peer reviews found to have been conducted in bad faith, and establishing procedures for earlier reporting to licensing boards, so that the boards may become aware of possible misconduct earlier.	
SB 762	<u>Professions & Vocations: Healing Arts</u>	Enacted

Aanestad	Precludes a local government from prohibiting a healing arts professional licensed by the Department of Consumer Affairs from engaging in any act or performing any procedure that falls within the professionally recognized scope of practice.	Chapter 16
SB 820 Negrete McLeod	<p data-bbox="358 268 721 296"><u>Healing Arts: Peer Review</u></p> <p data-bbox="358 327 1295 520">Would have made a number of changes to the healing arts professional peer review reporting process, including establishing procedures for expunging records of peer reviews found to have been conducted in bad faith, and establishing procedures for earlier reporting to licensing boards, so that the boards may become aware of possible misconduct earlier.</p>	Vetoed
SB 821 Business, Professions & Econ Dev	<p data-bbox="358 562 964 590"><u>Consumer Affairs: Professions & Vocations</u></p> <p data-bbox="358 621 1295 684">Establishes a four-month filing deadline and subsequent expiration dates for interim permits and removes references to “approved” programs.</p>	Enacted Chapter 307

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