

Item: 2021 Legislation of Interest

Item Summary: Following is an update on bills for which the Board previously adopted positions. Also included is AB 1237 for which the Executive Committee approved an "Oppose Unless Amended" position following the June 30, 2021 meeting to be ratified by the Board.

AB 29 (Cooper) - Board Position: Watch

Title: State bodies: meetings

Status: This bill was held in the Assembly Appropriations Committee.

This bill would require that any meeting notice issued include all writings or materials provided for the noticed meeting to a member of the state body by the staff of a state agency, board, or commission, or another member of the state body that are in connection with a matter subject to discussion or consideration at the meeting. The bill would require those writings or materials to be made available on the state body's internet website, and to any person who requests the writings or materials in writing, on the same day as the dissemination of the writings and materials to members of the state body or at least 72 hours in advance of the meeting, whichever is earlier. The bill would prohibit a state body from discussing those writings or materials, or from taking action on an item to which those writings or materials pertain, at a meeting of the state body unless the state body has complied with these provisions.

AB 54 (Kiley) - Board Position: Watch

Title: COVID-19 emergency order violation: license revocation

Status: This bill failed passage in committee.

This bill would prohibit the Department of Consumer Affairs, a board within the Department of Consumer Affairs, and the Department of Alcoholic Beverage Control from revoking a license for failure to comply with any COVID-19 emergency orders unless the board or department can prove that lack of compliance resulted in transmission of COVID-19.

AB 107 (Salas) - Board Position: Watch

Title: Licensure: veterans and military spouses

Status: Enrolled and presented to the Governor on 9/10/21.

This bill would require most boards and bureaus within the Department of Consumer Affairs (DCA) to issue temporary licenses to military spouses meeting specified criteria beginning July 1, 2023. Temporary licenses would be required to be issued within 30 days of receiving an application if the results of a criminal background check do not show grounds for denial. DCA would also be required to submit an annual report to the Legislature on licensure of military members, veterans, and spouses.

AB 562 (Low) - Board Position: Watch

Title: Frontline COVID-19 Provider Mental Health Resiliency Act of 2021; health care providers; mental health services

Status: Placed on suspense file 8/16/21. May become a 2-year bill.

This bill would require the Department of Consumer Affairs, in coordination with the relevant healing arts boards, to provide mental health services to licensed health care providers who have provided care to COVID-19 patients. Relevant healing arts boards would have to notify their licensees and solicit applications for access to the program.

AB 619 (Calderon) - Board Position: Support

Title: Lung health

Status: Signed by the Governor 9/30/21 (Chapter 412, Statutes of 2021).

This bill requires the Department of Public Health (CDPH) to develop a plan with recommendations and guidelines for counties to use in case of a significant air quality event caused by wildfires or other sources. Requires a county, in advance of its next emergency plan update, to create a task force to use their air quality plan developed by CDPH to develop a county-specific plan that addresses the recommendations and guidelines developed by CDPH.

AB 646 (Low) - Board Position: Watch

Title: DCA: boards: expunged convictions

Status: This is a 2-year bill and dead for 2021.

This bill would require a board within the department that has posted on its internet website that a person's license was revoked because the person was convicted of a crime, within 90 days of receiving an expungement order for the underlying offense from the person, if the person reapplies for licensure or is relicensed, to post notification of the expungement order and the date thereof on the board's internet website. The bill would require the board, on receiving an expungement order, if the person is not currently licensed and does not reapply for licensure, to remove within the same period the initial posting on its internet website that the person's license was revoked and information previously posted regarding arrests, charges, and convictions. The bill would require a person in either case to pay a \$50 fee to the board, unless another amount is determined by the board to be necessary to cover the cost of administering the bill's provisions.

AB 927 (Medina) - Board Position: Support

Title: Public postsecondary education: community colleges: statewide baccalaureate degree pilot program

Status: Enrolled and presented to the Governor on 9/13/21.

This bill would extend the operation of the statewide baccalaureate degree pilot program indefinitely. The bill would remove the requirements that the program consist of a maximum of 15 community college district programs and for a student to commence a program by the end of the 2022–23 academic year. The bill would require a community college district seeking approval to offer a baccalaureate degree program to provide evidence of unmet workforce needs to the Chancellor of the California Community Colleges, as provided. The bill would require, as part of the application and review process, the chancellor to ensure that a community college

district is provided with 2 timelines in which to apply for a baccalaureate degree program and receive a response, as specified, that only 15 baccalaureate degree programs are approved during each application period allowing for a total of 30 baccalaureate degree programs per academic year, and that a minimum of 30 working days is taken to validate the submitted information and assess the workforce value of the proposed baccalaureate degree program, as specified. The bill would require the chancellor to consult with and seek feedback from the Chancellor of the California State University and the President of the University of California on proposed baccalaureate degree programs, as specified. The bill would require a community college district to continue to offer an associate degree program in the same academic subject for which a baccalaureate degree program has been approved, unless the community college district has received approval from the chancellor to eliminate the associate degree program, as specified.

AB 1105 (Rodriguez) - Board Position: Watch

Title: Hospital workers: COVID-19 testing

Status: Placed on Suspense File on 7/15/21. May become a 2-year bill.

This bill would require the employer to supply personal protective equipment to an employee, regardless of whether or not the employee has received a vaccination for COVID-19.

This bill would also require a public or private employer of workers in a general acute care hospital to develop and implement a program to offer weekly COVID-19 screening testing for health care personnel, as defined. The bill would require the program to meet certain requirements, including requiring the employer to conduct the COVID-19 screening testing by administering to participating health care personnel a specified COVID-19 test with results obtained within 48 hours, offering all health care personnel the opportunity to participate in the screening testing program, and offering health care personnel who have signs or symptoms consistent with COVID-19 the opportunity to be tested for COVID-19 immediately. The bill would require an employer to develop and implement health care personnel screening testing guidelines that include policies and procedures that address the use of COVID-19 test results, as specified. The bill would require an employer to develop a COVID-19 mitigation and testing plan containing the requirements described above and to make the plan available to the department and health care personnel and their representatives upon request. The bill would also require an employer to test all patients for COVID-19 prior to admission to the hospital and to monitor all patients during their hospital stay for the development of COVID-19 symptoms. The bill would, if an employer provides emergency services and direct patient care services in a general acute care hospital controlled by another employer, impose the requirements of this section only on the employer who controls the general acute care hospital and would require that employer to meet those requirements in that hospital. The bill would impose these requirements only until January 1, 2025.

AB 1273 (Rodriguez) - **Board Position to be Ratified: Oppose Unless Amended**

Title: Interagency Advisory Committee on Apprenticeship: the Director of Consumer Affairs and the State Public Health Officer: earn and learn training.

Status: Signed by the Governor 10/4/21 (Chapter 477, Statutes of 2021).

This bill directly conflicts with respiratory care practitioner education requirements as established within Business and Professions Code section 3740. Among other provisions, the bill prohibits the Department of Consumer Affairs and its programs from preventing applicants for licensure from earning credits or experience through an "earn and learn" program.

SB 102 (Melendez) - Board Position: Watch

Title: COVID-19 emergency order violation: license revocation

Status: This bill failed passage in committee.

This bill would prohibit the Department of Consumer Affairs (DCA), a board within the DCA that does not regulate healing arts licensees, and the Department of Alcoholic Beverage Control from revoking a license or imposing a fine or penalty for failure to comply with any COVID-19 emergency orders unless the board or department can prove that lack of compliance resulted in transmission of COVID-19.