


MEMORANDUM

DATE	September 1, 2017
TO	Board of Psychology
FROM	 Jason Glasspiegel Central Services Coordinator
SUBJECT	Agenda Item #16(b)(1)(E) – SB 572 (Stone) Healing Arts Licensees: Violations: Grace Period

Background:

This bill would prohibit healing arts boards under the Department of Consumer Affairs (DCA) from issuing a disciplinary action or otherwise penalizing a licensee who commits a violation that does not cause irreparable harm to a consumer and is remedied within 15 days.

This bill raises multiple concerns for Board staff regarding the Board's ability to hold its licensees to the current statutory and regulatory licensing and ethical standards.

At the April 21, 2017 Board meeting, the Board took an Oppose position on SB 572.

On May 3, 2017, staff was notified that the author is no longer pursuing this bill for the remainder of this year's legislative session.

Location: Senate Committee on Business, Professions and Economic Development

Status: 04/19/2017 April 24 hearing postponed by committee.

Action Requested:

No action is required at this time. Staff will watch SB 572 should the author later decide to pursue the bill.

Attachment A: SB 572 (Stone) Text

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

Article 16. Grace Period for Violations

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

- (a) The violation did not cause any irreparable harm and will not result in irreparable harm if left uncorrected for 15 days.*
- (b) The licensee corrects the violation within 15 days.*
- (c) The licensee is not currently on probation at the time of the violation.*