


MEMORANDUM

DATE	April 23, 2018
TO	Board of Psychology
FROM	 Jason Glasspiegel Central Services Coordinator
SUBJECT	Agenda Item #21(c) – Review of Bills with Watch Status Approved by the Board

Background:

The enclosed matrix lists the legislative bills the Board of Psychology has been following, and references the status and location of the bills to date. These bills are ones that were given a “watch position” last year, and have since turned into 2-Year bills. Information on bills in the matrix can be found at: <http://leginfo.legislature.ca.gov>.

Action Requested:

This is for informational purposes only. No action is required.

Only Watch Bills For Board Meeting Packet

[AB 93](#)

(Medina D) Healing arts: marriage and family therapists: clinical social workers: professional clinical counselors: required experience and supervision.

Introduced: 1/9/2017

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Existing law provides for the licensure and regulation of marriage and family therapists, clinical social workers, and professional clinical counselors by the Board of Behavioral Sciences, which is within the Department of Consumer Affairs. Existing law requires trainees, interns, and applicants for licensure in those professions to comply with specified educational and experience requirements, including, but not limited to, hours of supervised experience, and sets forth terms, conditions, and limitations for those hours of experience, including required supervision, as specified. Existing law also requires individuals seeking licensure in those professions to register with the board in order to gain experience hours. Under existing law, a violation of any of the requirements of the licensing acts for marriage and family therapists, clinical social workers, and professional clinical counselors is punishable as a misdemeanor. This bill would revise and recast those supervised experience requirements, as specified. The bill would place new requirements on supervisors of trainees, associates, and applicants for licensure and place new requirements on trainees, associates, and applicants for licensure who are under supervision, as specified. The bill would make conforming changes. By placing new requirements on trainees, associates, applicants for licensure, and their supervisors, a violation of which would be a crime, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

Position

Watch

[AB 148](#)

(Mathis R) California Physician Corps Program: practice setting.

Introduced: 1/10/2017

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Existing law establishes the Steven M. Thompson Physician Corps Loan Repayment Program (program) in the California Physician Corps Program within the Health Professions Education Foundation, which provides financial incentives, including repayment of educational loans, to a physician and surgeon who practices in a medically underserved area, as defined. Existing law establishes the Medically Underserved Account for Physicians, a continuously appropriated account, within the Health Professions Education Fund, to primarily provide funding for the ongoing operations of the program. Existing law requires the foundation and the Office of Statewide Health Planning and Development to develop guidelines using specified criteria for selection and placement of applicants. This bill would instead require, for purposes of this definition, only until January 1, 2020, and only for program participants who enroll in the program on or after January 1, 2018, and before January 1, 2020, that the clinic or the physician owned and operated medical practice setting have at least 30% of patients, if the area is a rural area, as defined, or at least 50% of patients, if the area is not a rural area, who are from the above-described populations. By expanding the authorization for the use of moneys in the Medically Underserved Account for Physicians, this bill would make an appropriation. This bill contains other related provisions and other existing laws.

Position

Watch

[AB 349](#)

(McCarty D) Civil service: preference: special immigrant visa holder.

Introduced: 2/8/2017

Desk	Policy	Fiscal	Floor	Desk	2 year	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Existing provisions of the State Civil Service Act require that, whenever any veteran, widow or widower of a veteran, or spouse of a 100% disabled veteran achieves a passing score on an entrance examination, he or she be ranked in the top rank of the resulting civil service eligibility list. This bill would require a person who assisted the United States military and was issued a specified special immigrant visa and who achieves a passing score on an entrance examination to be ranked in the top of the resulting eligibility list unless a veteran, widow, or widower of a veteran, or the spouse of a 100% disabled veteran is in the top rank pursuant to the provisions described above, in which case, the special immigrant visa holder shall be ranked in the next highest rank.

Position

Watch

[AB 451](#)

(Arambula D) Health facilities: emergency services and care.

Introduced: 2/13/2017

Desk	Policy	Fiscal	Floor	Desk	Policy	2 year	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: (1)Existing law requires a health facility that maintains and operates an emergency department to provide emergency services and care to any person requesting the services or care for any condition in which the person is in danger of loss of life, or serious injury or illness, as specified. If a licensed health facility does not maintain an emergency department, its employees are nevertheless required to exercise reasonable care to determine whether an emergency exists and to direct the person seeking emergency care to a nearby facility that can render the needed services, as specified. Existing law makes a violation of these provisions a crime.This bill would specify that a psychiatric unit within a general acute care hospital, a psychiatric health facility, or an acute psychiatric hospital, excluding certain state hospitals, regardless of whether it operates an emergency department, is required to provide emergency services and care to a person with a psychiatric emergency medical condition who has been accepted by the facility, as specified, if the facility has appropriate facilities and qualified personnel. The bill would make conforming changes to related provisions. The bill would also prohibit a general acute care hospital or an acute psychiatric hospital, as a condition to accepting a transfer of a patient from another health facility, from requiring that the patient be in custody as a result of a mental health disorder causing him or her to be a danger to others or himself or herself, or is gravely disabled. By expanding these duties, this bill would expand the scope of a crime, thereby imposing a state-mandated local program.This bill contains other related provisions and other existing laws.

Position
Watch

[AB 456](#)

(Thurmond D) Healing arts: associate clinical social workers.

Introduced: 2/13/2017

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Existing law provides for the licensure and regulation of clinical social workers by the Board of Behavioral Sciences, which is within the Department of Consumer Affairs. Existing law requires an applicant for licensure to comply with specified educational and experience requirements. Existing law requires a person who wishes to be credited with experience toward licensure to register with the board as an associate clinical social worker prior to obtaining that experience.This bill would revise and recast these provisions. The bill would instead require each applicant to have an active registration with the board as an associate clinical social worker in order to gain hours of supervised experience, except that the bill would authorize pre-registered postdegree hours of experience to be credited toward licensure in certain circumstances. The bill would allow for this crediting of hours toward licensure if the applicant applies for the associate registration, the board receives the application within 90 days of the granting of the qualifying master's or doctoral degree, and the board subsequently grants the associate registration. The bill would also require, for applicants completing graduate study on or after January 1, 2020, that their experience be obtained at a workplace that requires completed live scan fingerprinting, and that the applicant provide the board with a copy of a completed live scan form, as specified.This bill contains other related provisions and other existing laws.

Position
Watch

[AB 700](#)

(Jones-Sawyer D) Public health: alcoholism or drug abuse recovery: substance use disorder counseling.

Introduced: 2/15/2017

Desk	Policy	Fiscal	Floor	Desk	2 year	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Existing law provides for the licensure of adult alcoholism or drug abuse recovery or treatment facilities by the State Department of Health Care Services. Existing law provides the department the sole authority to determine the qualifications of personnel working within alcoholism or drug abuse recovery and treatment programs. Existing law requires an individual providing counseling services working within a program to be registered with, or certified by, a certifying organization approved by the department to register and certify counselors.This bill would establish a career ladder for substance use disorder counseling, as defined, to be maintained and updated by the State Department of Health Care Services. The bill would establish classifications for substance use disorder (SUD) counselor certification or registration, as specified, to be implemented by the certifying organizations, as defined. The bill would require any person who engages in the practice of SUD counseling to be certified by, or registered with, a certifying organization, unless specifically exempted. The bill would establish additional standards for registrants and interns, as defined, and impose additional requirements on SUD counselors. The bill would provide authority to the department to discipline a certificate holder or registrant as specified. The bill would authorize the department to implement these provisions by regulation. The bill would make conforming changes to related

provisions.

Position
Watch

AB 767 (Quirk-Silva D) Master Business License Act.

Introduced: 2/15/2017

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Existing law authorizes various state agencies to issue permits and licenses in accordance with specified requirements to conduct business within this state. Existing law establishes the Governor’s Office of Business and Economic Development to serve the Governor as the lead entity for economic strategy and the marketing of California on issues relating to business development, private sector investment, and economic growth. Existing law creates within the Governor’s Office of Business and Economic Development the Office of Small Business Advocate to advocate for the causes of small businesses and to provide small businesses with the information they need to survive in the marketplace. This bill would create within the Governor’s Office of Business and Economic Development, or its successor, a business license center to develop and administer an online master business license system to simplify the process of engaging in business in this state. The bill would set forth the duties and responsibilities of the business license center. The bill would require each state regulatory agency to cooperate and provide reasonable assistance to the office to implement these provisions, except as specified. This bill contains other related provisions.

Position
Watch

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

Introduced: 2/16/2017

Desk	Policy	Fiscal	Floor	Desk	Policy	2 year	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Existing law provides for the licensure and regulation of various professions and vocations by boards within the Department of Consumer Affairs. Existing law establishes the Bagley-Keene Open Meeting Act, which requires state boards, commissions, and similar state-created multimember bodies to give public notice of meetings and conduct their meetings in public unless authorized to meet in closed session. This bill, the California Opportunity Act of 2017, would require the Department of Consumer Affairs to create a task force, as specified, to study and write a report of its findings and recommendations regarding the licensing of foreign-trained professionals with the goal of integrating foreign-trained professionals into the state’s workforce, as specified. The bill would authorize the task force to hold hearings and invite testimony from experts and the public to gather information. The bill would require the task force to submit the report to the Legislature no later than January 1, 2019, as specified. This bill contains other related provisions.

Position
Watch

AB 1116 (Grayson D) Peer Support and Crisis Referral Services Act.

Introduced: 2/17/2017

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Under existing law, the California Emergency Services Act, the Governor is authorized to proclaim a state of emergency, as defined, under specified circumstances. The California Emergency Services Act also authorizes the governing body of a city, county, city and county, or an official designated by ordinance adopted by that governing body, to proclaim a local emergency, as defined. This bill would create the Peer Support and Crisis Referral Services Act. The bill would, for purposes of the act, define a “peer support team” as a local critical incident response team composed of individuals from emergency services professions, emergency medical services, hospital staff, clergy, and educators who have completed a peer support training course developed by the Office of Emergency Services, the California Firefighter Joint Apprenticeship Committee, or the Commission on Correctional Peace Officer Standards and Training, as specified. The bill would provide that a communication made by emergency service personnel to a peer support team member while the emergency service personnel receives peer support services, as defined, is confidential and shall not be disclosed in a civil or administrative proceeding, except as specified. The bill would also provide that, except for an action for medical malpractice, a peer support team or a peer support team member providing peer support services is not liable for damages, as specified, relating to the team’s or team member’s act, error, or omission in performing peer support services, unless the act, error, or omission constitutes gross negligence or intentional misconduct. The bill would provide that a communication made by emergency service personnel to a crisis hotline or crisis referral service, as defined, is confidential and shall not be disclosed in a civil or administrative proceeding, except as specified. This bill contains other related provisions and other existing laws.

Position
Watch

AB 1136 (Eggman D) Health facilities: residential mental or substance use disorder treatment.
Introduced: 2/17/2017

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Under existing law, the State Department of Public Health licenses and regulates health facilities, defined to include, among others, acute psychiatric hospitals. A violation of these provisions is a crime. This bill would require the State Department of Public Health to develop and submit a proposal to solicit a grant under the federal 21st Century Cures Act to develop a real-time, Internet-based database to collect, aggregate, and display information about beds in inpatient psychiatric facilities, crisis stabilization units, residential community mental health facilities, and licensed residential substance use disorder treatment facilities. The bill would require a database created using grant funds received as a result of the submission of that proposal to have the capacity to collect data and enable a specified search to identify beds that are appropriate for the treatment of individuals and to include specified information, including, among other things, the contact information for the facility's designated employee and information on beds. The bill would require the department to confer with stakeholders to inform the development of the proposal and to submit an evaluation to the federal Health and Human Services Secretary and to the Legislature. This bill contains other existing laws.

Position
Watch

SB 142 (Beall D) Criminal offenders: mental health.
Introduced: 1/13/2017

Desk	Policy	Fiscal	Floor	Desk	2 year	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: (1) Existing law generally requires, if a person is convicted of a felony and is eligible for probation, before judgment is pronounced, the court to immediately refer the matter to a probation officer to investigate and report to the court upon the circumstances surrounding the crime and the prior history and record of the person. Existing law also authorizes, when a defendant has been granted probation, the court to impose conditions of probation, including, among others, that the probationer go to work and earn money for the support of his or her dependents or to pay any fine imposed or reparation condition. This bill would authorize a defendant to provide documentation to the court that he or she is currently, or was at any prior time, eligible for public mental health services due to a serious mental illness or eligible for Social Security Disability Insurance due to a diagnosed mental illness. The bill would prohibit a finding that the defendant has a mental disorder, any progress report concerning his or her treatment, or any other record related to a mental disorder from being used in any other civil or administrative proceeding without the defendant's consent. The bill would also require the court to consider the defendant's mental health history when determining sentencing and whether referral to the county behavioral health system for treatment in the community, including residential treatment, is appropriate in lieu of incarceration. This bill contains other related provisions and other existing laws.

Position
Watch

SB 215 (Beall D) Diversion: mental disorders.
Introduced: 2/1/2017

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Existing law authorizes a court, with the consent of the defendant and a waiver of the defendant's speedy trial right, to postpone prosecution of a misdemeanor and place the defendant in a pretrial diversion program if the defendant is suffering from sexual trauma, a traumatic brain injury, post-traumatic stress disorder, substance abuse, or mental health problems as a result of his or her military service. Existing law authorizes the defendant to be referred to services for treatment and requires the responsible agencies to report to the court and the prosecution not less than every 6 months. This bill would authorize a court, with the consent of the defendant and a waiver of the defendant's speedy trial right, to postpone prosecution of a misdemeanor or a felony punishable in a county jail, and place the defendant in a pretrial diversion program for up to 2 years if the court is satisfied the defendant suffers from a mental disorder, that the defendant's mental disorder played a significant role in the commission of the charged offense, and that the defendant would benefit from mental health treatment. For specified offenses, the bill would condition granting diversion on the consent of the prosecution. Specified driving-under-the-influence offenses would not be eligible for diversion under these provisions. The bill would require the defense to arrange, to the satisfaction of the court, for a program of mental health treatment utilizing existing inpatient or outpatient mental health resources. The bill would require the divertee's mental health provider to provide reports on the defendant's progress to the court, the defense, and the prosecution not less than every month if the

offense is a felony, and every 3 months if the offense is a misdemeanor, as specified. By increasing the duties of local prosecutors and public defenders, this bill would impose a state-mandated local program. The bill would require, upon successful completion of the diversion program, that the charges be dismissed and the records of the arrest be restricted, as specified, and that the arrest be deemed never to have occurred, except as provided. The bill would state findings and declarations by the Legislature regarding the need for the diversion program. This bill contains other related provisions and other existing laws.

Position

Watch

[SB 399](#) (Portantino D) Health care coverage: pervasive developmental disorder or autism.

Introduced: 2/15/2017

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Existing law, the Lanterman Developmental Disabilities Services Act, requires the State Department of Developmental Services to contract with regional centers to provide services and supports to individuals with developmental disabilities and their families. Existing law defines developmental disability for these purposes, to include, among other things, autism. This bill, among other things, would expand the definition of "qualified autism service professional" to include behavioral service providers who meet specified educational, professional, and work experience qualifications. The bill, with regard to the definition of "qualified autism service paraprofessional," would also authorize the substitution of specified education, work experience, and training qualifications, or the substitution of specified credentialing or certification, for the requirement to meet the criteria set forth in regulations adopted by the State Department of Social Services, as described above. The bill would also require providers to pass a background check, as specified, in order to meet the definition of a qualified autism service professional or a qualified autism service paraprofessional. This bill contains other related provisions and other existing laws.

Position

Watch

[SB 715](#) (Newman D) Department of Consumer Affairs: regulatory boards: removal of board members.

Introduced: 2/17/2017

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Existing law provides for the licensure and regulation of various professions and vocations by boards within the Department of Consumer Affairs. Existing law authorizes the Governor to remove from office any member of any board within the department appointed by him or her, on specific grounds, including continued neglect of duties required by law. This bill would specifically include the failure to attend meetings of the board as one example of continued neglect of duties required by law that the Governor can use as a reason to remove a member from a board.

Position

Watch

[SB 762](#) (Hernandez D) Healing arts licensee: license activation fee: waiver.

Introduced: 2/17/2017

Desk	Policy	Fiscal	Floor	Desk	2 year	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Existing law requires a healing arts board, as defined, to issue, upon application and payment of the normal renewal fee, an inactive license or certificate to a current holder of an active license or certificate whose license or certificate is not suspended, revoked, or otherwise punitively restricted by the board. Existing law requires the holder of an inactive license or certificate to, among other things, pay the renewal fee in order to restore his or her license or certificate to an active status. Existing law requires the renewal fee to be waived for a physician and surgeon who certifies to the Medical Board of California that license restoration is for the sole purpose of providing voluntary, unpaid service to a public agency, not-for-profit agency, institution, or corporation that provides medical services to indigent patients in medically underserved or critical-need population areas of the state. This bill would require the renewal fee to be waived for any healing arts licensee who certifies to his or her respective board that license restoration is for the sole purpose of providing voluntary, unpaid service to a public agency, not-for-profit agency, institution, or corporation that provides medical services to indigent patients in medically underserved or critical-need population areas of the state.

Position

Watch

Total Measures: 15
Total Tracking Forms: 15