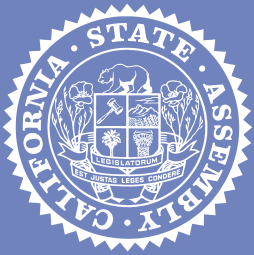


California Legislature

ASSEMBLY BUSINESS AND PROFESSIONS

2021 LEGISLATIVE SUMMARY



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California Legislature

Assembly Business and Professions Committee



2021

Legislative Bill Summary

Evan Low
Chair

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ASSEMBLY COMMITTEE ON BUSINESS AND PROFESSIONS
HONORABLE EVAN LOW, CHAIR
HONORABLE HEATH FLORA, VICE CHAIR

The jurisdiction of the Assembly Committee on Business and Professions includes: 1) the regulation of healing arts and non-healing arts professions; 2) licensing and enforcement issues for all boards and bureaus within the Department of Consumer Affairs (DCA); 3) creation and elimination of boards, bureaus, and commissions under the DCA (i.e., sunrise and sunset review); 4) occupational licensing; 5) vocational education; 6) certain aspects of the Department of General Services; 7) charitable solicitations; 8) veterinarians and licensing issues; and 9) product labeling (except agricultural and medical product labeling).

Over the course of 2021, the Committee held a total of 17 hearings, including eight joint Sunset Review hearings with the Senate Committee on Business, Professions, and Economic Development and other committees. A total of 111 bills were referred to the Committee during the 2021 legislative year.

Numerous businesses and professions throughout California are regulated under the Business and Professions Code, the Government Code, Civil Code, and the Health and Safety Code and fall within the Committee's jurisdiction, including:

- | | | |
|---|---|--|
| 1) Accountants, tax preparers, and notaries | 18) Health clubs and gyms | 33) Physicians and surgeons and Osteopathic physicians and surgeons |
| 2) Acupuncturists | 19) Interior designers | 34) Physician assistants |
| 3) Architects | 20) Junk dealers and recyclers, pawnbrokers, reposseors, and auctioneers | 35) Podiatrists |
| 4) Automotive repair | 21) Land surveyors | 36) Private postsecondary education |
| 5) Barbers and cosmetologists | 22) Landscape architects | 37) Product labeling |
| 6) Building standards | 23) Marriage and family therapists, licensed clinical social workers, licensed educational psychologists, and licensed professional clinical counselors | 38) Professional engineers |
| 7) Cannabis | 24) Martial artists and promoters | 39) Professional fiduciaries |
| 8) Chiropractors | 25) Massage therapists | 40) Psychiatric technicians |
| 9) Contractors | 26) Medical cannabis professionals and businesses | 41) Psychologists |
| 10) Court reporters | 27) Midwives | 42) Real estate brokers, salespersons, and appraisers |
| 11) Dentists, dental hygienists, and dental auxiliaries | 28) Naturopathic doctors | 43) Registered nurses |
| 12) Dietitians | 29) Occupational therapists | 44) Respiratory care practitioners |
| 13) Dispensing opticians | 30) Optometrists and opticians | 45) Security and investigative services |
| 14) Electronic and appliance repair, home furnishings, thermal insulation, and household movers | 31) Pharmacists and pharmacy licensees | 46) Sellers of travel and tour guides |
| 15) Franchises | 32) Physical therapists | 47) Speech-language pathologists, hearing aid dispensers, and audiologists |
| 16) Funeral, cemetery, and crematory establishments | | |
| 17) Geologists and geophysicists | | |

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Business and Product Regulation

AB-468 (Friedman) - Emotional support dogs.

This bill would require a person or business that sells or provides an emotional support dog to provide notice specifying that the dog does not have the special training required to be a guide, signal or service dog. This bill would also require a person or business that sells or provides a certificate, tag, vest, leash or harness for an emotional support dog to provide notice to the buyer that the material does not entitle an emotional support dog to the rights and privileges afforded to a guide, signal or service dog. Finally, this bill would prohibit a licensed healthcare practitioner from providing documentation about an individual's need for an emotional support animal without meeting specified requirements.

Status: Chapter 168, Statutes of 2021

AB-676 (Holden) - Franchises.

Makes various changes to the California Franchise Relations Act.

Note: this bill is pending a hearing in this Committee.

Status: Assembly-In Committee Process - Business and Professions

AB-847 (Quirk) - Electrically conductive balloons.

Regulates the sale of celebratory foil balloons in the State of California and allows the manufacture and sale of celebratory foil balloons if those balloons do not cause faults when they contact overhead electric power lines.

Note: this bill is pending on the Assembly Floor.

Status: Assembly-In Floor Process

AB-899 (Cunningham) - Contractors: unlicensed work: inflation adjustment.

Existing law authorizes a person who is not licensed as a contractor to advertise for construction work only if the aggregate contract price for labor, material, and all other items on a project or undertaking is less than \$500. This bill would require the Contractors State License Board to annually adjust the \$500 amount to reflect the rate of inflation, as measured by the Consumer Price Index or other method of measuring the rate of inflation.

Status: Assembly-In Committee Process - Business and Professions

AB-1030 (Chen) - Professional Land Surveyors' Act and Professional Engineers Act.

This bill would make changes to the Professional Engineers Act and the Professional Land Surveyors' Act to include, with regard to the practice of identifying the location, alignment, or elevation for any of the fixed works embraced within the practice of civil engineering, laying out the reference points or lines through the use of mathematical or physical measurements. The bill would also expand the practice of land surveying and civil engineering to include determining the benthic surface below water bodies and the measuring for volumetric calculations of earthwork.

Status: Assembly-In Committee Process - Business and Professions

AB-1084 (Low) - Gender neutral retail departments.

Requires a retail department store with 500 or more employees that sells childcare items or toys to maintain a gender neutral section or area.

Status: Chapter 750, Statutes of 2021

Cannabis Licensing and Regulation

AB-273 (Irwin) - Cannabis: advertisements: highways.

Places numerous restrictions on the content of outdoor advertising by cannabis businesses and requires a licensing authority to suspend the license of any licensee who violates those restrictions for one year.

Note: this bill failed passage in this Committee and was granted reconsideration.

Status: Assembly-In Committee Process - Business and Professions

AB-287 (Quirk) - Civil actions: statute of limitations.

Extends the statute of limitations for an action for civil penalties to be brought against unlicensed cannabis activity from one year to three years.

Status: Chapter 264, Statutes of 2021

AB-290 (Quirk) - Cannabis testing.

Specifies that for this purpose “final form” means the unpackaged product as it will be consumed and would specify that the cannabis or cannabis product does not have to be delivered to the licensed testing laboratory in the final retail packaging to be considered in its final form.

Note: this bill is pending a hearing in this Committee.

Status: Assembly-In Committee Process - Business and Professions

AB-384 (Kalra) - Cannabis and cannabis products: animals: veterinary medicine.

This bill would authorize a veterinarian to recommend the use of cannabis for use on an animal for potential therapeutic effect of health supplementation purposes, and would require the Veterinary Medical Board to adopt and publish guidelines by January 1, 2023 for veterinarians to follow when recommending cannabis to animal patients. This bill would amend the definition of a “cannabis product” and “edible cannabis product” under the Medicinal and Adult-Use Cannabis Regulation and Safety Act to include cannabis products intended for use on, or consumption by, an animal.

Status: Assembly-In Committee Process - Appropriations

AB-527 (Wood) - Controlled substances.

Provides that if any cannabinoids are federally rescheduled or otherwise made a legally prescribable controlled substance, they shall also be legal to prescribe under state law, and reconciles conflicts between state and federal controlled substance schedules.

Status: Chapter 618, Statutes of 2021

AB-725 (Ward) - Cannabis tax: penalty.

Removes the monetary penalty imposed on a licensee who fails to pay the excise or cultivation tax enacted by Adult Use of Marijuana Act.

Note: this bill is pending a hearing in the Assembly Committee on Revenue and Taxation.

Status: Assembly-In Committee Process - Revenue and Taxation

AB-1014 (McCarty) - Cannabis: retailers: delivery: vehicles.

Requires the Bureau of Cannabis Control (BCC) to update its regulations governing cannabis delivery to create a new tiered system wherein minimum security and transportation safety requirements are relative to the maximum value of cannabis goods, based on the type of vehicle used, and increases the amount of cannabis a delivery driver may carry at once from a maximum value of \$5,000 to a maximum value of \$25,000 for certain vehicles.

Note: this bill is pending a hearing in the Assembly Committee on Appropriations.

Status: Assembly-In Committee Process - Appropriations

AB-1034 (Bloom) - Cannabis: retail preparation, sale, or consumption of noncannabis food and beverage products.

Authorizes a local jurisdiction to allow for the preparation or sale of noncannabis food or beverage products by a licensed cannabis retailer or microbusiness in an area where the consumption of cannabis is allowed.

Note: this bill is pending a hearing in the Senate Committee on Business, Professions, and Economic Development.

Status: Senate-In Committee Process - Business, Professions and Economic Development

AB-1138 (Blanca Rubio) - Unlawful cannabis activity: enforcement.

Subjects any person who aids and abets unlicensed commercial cannabis activity to civil penalties of up to \$30,000 per day.

Status: Chapter 530, Statutes of 2021

AB-1222 (Chen) - Cannabis packaging: beverages.

Allows cannabis beverages to be packaged in clear or colored glass containers.

Status: Chapter 532, Statutes of 2021

AB-1302 (Quirk) - Commercial cannabis billboards: placement restrictions.

Allows cannabis licensees to advertise or market on a billboard along a highway that is farther than a 15-mile radius from the California border.

Note: this bill was vetoed.

Status: Assembly-Vetoed

Governor Veto Message:

To the Members of the California State Assembly:

I am returning Assembly Bill 1302 without my signature.

AB 1302 would allow billboard-based cannabis advertising almost anywhere along any Interstate Highway or State Highway - except for within a 15-mile radius of the California border.

When the voters passed Proposition 64, they enacted robust protections shielding youth from exposure to cannabis and cannabis advertising. Among other things, voters completely prohibited billboard-based cannabis advertising on all Interstate Highways, and on all State Highways that cross the California border. Allowing advertising on these high-traffic thoroughfares could expose young passengers to cannabis advertising.

AB 1302 would weaken the protections passed in Proposition 64. California can refine and advance its regulation of cannabis while also remaining faithful to the will of the voters, and I will continue to work with the author to strike this balance. For these reasons, I am returning AB 1302 without my signature.

Sincerely,

Gavin Newsom

AB-1305 (Lackey) - The Medicinal and Adult-Use Cannabis Regulation and Safety Act: exemption for DEA-approved commercial cannabis activity.

Exempts activity performed pursuant to a registration with the federal Drug Enforcement Administration (DEA) from licensure and regulation under the Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA).

Status: Chapter 157, Statutes of 2021

AB-1435 (Carrillo) - Noncannabis cannabinoids.

Imposes testing and labeling requirements on products that are, or contain, one or more psychoactive or nonpsychoactive cannabinoids that are derived from a plant that is not cannabis, referred to as noncannabis cannabinoids or NCCs.

Note: this bill is pending a hearing in the Assembly Committee on Revenue and Taxation.

Status: Assembly-In Committee Process - Revenue and Taxation

SB-544 (Laird) - Cannabis testing.

Requires the Department of Cannabis Control (Department) to establish, by January 1, 2023, one or more standardized cannabinoids test methods to be used by all testing laboratories and authorizes the Department to establish testing standards through a reference laboratory.

Status: Chapter 547, Statutes of 2021

SB-603 (Bradford) - Cannabis license deferral and waiver fee program: tax credit.

Requires cannabis-licensing agencies to develop a needs-based fee waiver and deferral program and establishes a state and local cannabis fee tax credit for fees paid by local equity applicants and licensees.

Note: this bill is pending a hearing in the Assembly Committee on Revenue and Taxation.

Status: Assembly-In Committee Process - Revenue and Taxation

Health Licensing and Regulation

AB-107 (Salas) - Licensure: veterans and military spouses.

Expands to all Department of Consumer Affairs (DCA) licensing boards the requirement that specified boards issue temporary licenses to the spouses of active-duty members of the United States Armed Forces, as specified, requires the DCA and the Department of Real Estate to compile information on military, veteran, and spouse licensure into an annual report for the Legislature, and for the DCA to post the information on its website.

Status: Chapter 693, Statutes of 2021

AB-225 (Gray) - Department of Consumer Affairs: boards: veterans: military spouses: licenses.

Requires certain boards and bureaus within the Department of Consumer Affairs (DCA) to issue temporary licenses to veterans and active duty members of the Armed Forces who meet specified criteria.

Status: Senate-Pending Referral

AB-269 (Patterson) - Nursing: licensure: renewal fees: reduced fee.

Authorizes the Board of Registered Nursing (BRN) to reduce the license renewal fee for registered nurses (RNs), but no less than one-half, if they meet specified retirement conditions and only provide services for free or for nominal charges.

Note: this bill was held in the Assembly Committee on Appropriations.

Status: Assembly-In Committee Process - Appropriations

AB-356 (Chen) - Fluoroscopy: temporary permit.

Authorizes the California Department of Public Health (CDPH) to issue to a physician and surgeon or a doctor of podiatric medicine a one-time, temporary permit authorizing them to operate or supervise the operation of fluoroscopic x-ray equipment if they meet certain requirements.

Status: Chapter 459, Statutes of 2021

AB-359 (Cooper) - Physicians and surgeons: licensure: examination.

Authorizes applicants who took more than four tries to pass Step 3 of the United States Medical Licensing Examination (USMLE) but have a license in another state to qualify for a California physician's and surgeon's license and loosens restrictions on continuing medical education to allow for courses that include practice and office management, coding, reimbursement, and education methodology.

Status: Chapter 612, Statutes of 2021

AB-392 (Nazarian) - Clinical laboratories: total protein test: authorization.

Authorizes licensed plasma collection centers that utilize personnel, including unlicensed personnel, to perform a total protein test using a digital refractometer under a temporary authorization that is set to repeal on January 1, 2023, to do so under standardized procedures that are approved by the facility, rather than standardized procedures that are both approved and developed by the facility.

Note: this bill is pending in the Senate.

Status: Senate-In Floor Process

AB-407 (Salas) - Optometry: scope of practice.

Expands and revises the scopes of practice for qualified optometrists and optometric assistants to diagnose and treat specified disorders and dysfunctions of the visual system and authorizes optometric assistants to perform preliminary subjective refraction procedures under specified conditions.

Status: Chapter 652, Statutes of 2021

AB-410 (Fong) - Licensed registered nurses and licensed vocational nurses: Nurse Licensure Compact.

Enacts the Nurse Licensure Compact, under which the Board of Registered Nursing and the Board of Vocational Nursing and Psychiatric Technicians would be authorized to issue a multistate license that would authorize the holder to practice as a registered nurse or a licensed vocational nurse, as applicable, in all party states under a multistate licensure privilege, as specified.

Note: this bill is pending a hearing in this Committee.

Status: Assembly-In Committee Process - Business and Professions

AB-435 (Mullin) - Hearing aids: locked programming software: notice.

This bill would require hearing aid dispensers and licensed dispensing audiologists to provide a written notice to consumers who purchase hearing aids that use proprietary or locked programming software. The notice would state that such hearing aids can only be serviced or programmed at specific facilities or locations, and shall be signed by the purchaser before sale.

Status: Chapter 266, Statutes of 2021

AB-443 (Carrillo) - Physicians and surgeons: fellowship programs: special faculty permits.

This bill would authorize physicians who are not citizens to participate in a fellowship program in a federally qualified health center (FQHC) if they speak a language matching the FQHC's population and are under physician supervision at all times. This bill would also expand the definition of "academically eminent" for purposes of the Medical Board of California's special faculty permit, which authorizes licensed physicians from another country to practice in California within a medical school and academic medical center, to include an immigrant international medical graduate participating in a fellowship program in a rural or underserved community.

Status: Senate-In Committee Process - Business, Professions and Economic Development

AB-462 (Carrillo) - Licensed Professional Clinical Counselor Act.

This bill would eliminate the requirement for Associate Professional Clinical Counselors to obtain 150 hours of clinical experience in a hospital or community mental health

setting to gain full licensure, and eliminates the requirement for Licensed Professional Clinical Counselors to complete additional education and clinical experience related to marriage and family therapy in order to treat couples or families.

Status: Chapter 440, Statutes of 2021

AB-526 (Wood) - Dentists and podiatrists: clinical laboratories and vaccines.

Authorizes both dentists and doctors of podiatric medicine to independently prescribe and administer influenza and COVID-19 vaccines and provides additional authority for dentists to administer rapid point-of-care tests for COVID-19.

Status: Chapter 653, Statutes of 2021

AB-562 (Low) - Mental health services for health care providers: Frontline COVID-19 Provider Mental Health Resiliency Act of 2021.

Requires the Department of Consumer Affairs (DCA) to establish a mental health resiliency program, until January 1, 2025, in consultation with relevant health arts boards, and contract with vendors of mental health services, as defined, to provide mental health services to eligible licensees.

Note: this bill was made a 2-year bill in the Senate Committee on Appropriations.

Status: Senate-In Committee Process - Appropriations

AB-690 (Arambula) - Marriage and family therapists: clinical social workers: professional clinical counselors.

This bill would clarify the types of settings where registrants and trainees may practice and gain required supervised experience hours toward licensure as marriage and family therapists, clinical social workers, and professional clinical counselors. This bill would define private practices and professional corporations as nonexempt settings, as specified.

Status: Chapter 747, Statutes of 2021

AB-691 (Chau) - Optometry: SARS-CoV-2 vaccinations: SARS-CoV-2 clinical laboratory tests or examinations.

Expands the authority of a qualified optometrist to administer immunizations to include the administration of the COVID-19 vaccine, and authorizes an optometrist to engage in specified COVID-19 testing.

Status: Chapter 654, Statutes of 2021

AB-723 (Low) - Marriage and family therapy: scope of practice.

This bill would have updated the Business and Professions Code to clarify that the scope of practice for marriage and family therapists includes the application of psychotherapeutic and family systems and theories, principles, and methods in the delivery of services to individuals, couples, or groups in order to assess evaluate, and treat relational issues, emotional disorders, behavioral problems, mental illness, alcohol and substance use, and to modify intrapersonal and interpersonal behaviors. This bill was subsequently amended out of the jurisdiction of the Assembly Committee on Business and Professions.

Status: Assembly-In Committee Process - Appropriations

AB-733 (Chiu) - Dental hygienists: registered dental hygienist in alternative practice: scope of practice.

Authorizes a registered dental hygienist in alternative practice to perform specified duties and functions authorized to be performed by a registered dental hygienist as an independent contractor for a physician and surgeon or medical practice on an individual who is under 18 years of age or pregnant, enrolled in the Medi-Cal program, and has not utilized Medi-Cal dental program benefits in the past 12 months.

Note: this bill is pending a hearing in this committee.

Status: Assembly-In Committee Process - Business and Professions

AB-810 (Flora) - Healing arts: reports: claims against licensees.

Increases the minimum fine for a violation of specified reporting provisions for healing arts licensees from \$50 to \$100.

Note: this bill is pending a hearing in this Committee.

Status: Assembly-In Committee Process - Business and Professions

AB-852 (Wood) - Nurse practitioners: scope of practice: practice without standardized procedures.

Adds the new category of nurse practitioners (NPs) who are authorized to practice independently starting January 1, 2023, to provisions of law that include physician and surgeons and other relevant health care licensees, corrects a drafting error related to the conditions when an independent NP must refer to a physician and surgeon, adds the new independent NPs to pharmacy definitions for prescribers, and makes other technical and clarifying changes.

Note: this bill is pending a hearing in the Senate Committee on Business, Professions and Economic Development.

Status: Senate-In Committee Process - Business, Professions and Economic Development

AB-864 (Low) - Controlled substances: CURES database.

States the intent of the Legislature to enact legislation to transfer maintenance and operation of CURES from the Department of Justice to the State Department of Public Health no later than January 1, 2023.

Note: this bill is pending a hearing in this committee.

Status: Assembly-In Committee Process - Business and Professions

AB-918 (Quirk-Silva) - Acupuncture: licensure: examination.

Changes the required examination for acupuncture license applicants to one or more examinations administered by the National Certification Commission for Acupuncture

and Oriental Medicine, as determined by the board based on the skills, standards, and knowledge required for licensure pursuant to the act.

Note: this bill is pending a hearing in this Committee.

Status: Assembly-In Committee Process - Business and Professions

AB-1015 (Blanca Rubio) - Board of Registered Nursing: workforce planning: nursing programs: clinical placements.

Requires the Board of Registered Nursing to incorporate regional forecasts into its biennial analyses of the nursing workforce, develop a plan to address regional areas of shortage identified by its nursing workforce forecast, as specified, and annually collect, analyze, and report information related to the number of clinical placement slots that are available and the location of those clinical placement slots within the state.

Status: Chapter 591, Statutes of 2021

AB-1064 (Fong) - Pharmacy practice: vaccines: independent initiation and administration.

Expands the authority of a pharmacist to initiate and administer immunizations to include any vaccine approved or authorized by the United States Food and Drug Administration (FDA) for persons 3 years of age and older.

Status: Chapter 655, Statutes of 2021

AB-1102 (Low) - Telephone medical advice services.

Clarifies that a telephone medical advice service is required to ensure that all health care professionals who provide telephone medical advice services from an out-of-state location are operating consistent with the laws governing the professionals' respective state licenses and clarifies that a telephone medical advice service is required to comply with directions and requests for information made by the respective in-state healing arts licensing boards.

Note: this bill is pending in the Senate.

Status: Senate-In Floor Process

AB-1120 (Irwin) - Clinical laboratories: blood withdrawal.

Authorizes a certified phlebotomy technician to collect blood by means other than venipuncture or skin puncture under specified conditions, including that the blood collection is performed under the general supervision of a physician and surgeon and the blood collection is performed using a device or devices approved by the United States Food and Drug Administration.

Note: this bill is pending a hearing in this Committee.

Status: Assembly-In Committee Process - Business and Professions

AB-1236 (Ting) - Healing arts: licensees: data collection.

This bill would require all healing arts boards under the jurisdiction of the Department of Consumer Affairs to collect demographic information from its licensees and registrants, as specified. This bill would require such boards to post de-identified, aggregate information on the data collected on their websites, and to transmit the data to the Office of Statewide Health Planning and Development beginning July 1, 2022.

Status: Assembly-In Floor Process

AB-1278 (Nazarian) - Physicians and surgeons: payments: disclosure: notice.

Requires a physician and surgeon who receives a payment or transfer of value from a drug or device company on or after January 1, 2014 to disclose it in writing to their patient or patient's representative prior to the intended use or prescription of that drug or device, and requires all physicians and surgeons to post a notice informing patients of the federal Centers for Medicare and Medicaid Services (CMS) Open Payments database.

Note: this bill was held on the Senate Committee on Appropriations suspense file.

Status: Senate-In Committee Process - Appropriations

AB-1282 (Bloom) - Veterinary medicine: blood banks for animals.

This bill would authorize veterinarians to operate community blood banks for animals, which source blood from animals volunteered by their owners. This bill would establish conditions for the phase-out of captive closed-colony canine blood banks, which source blood from dogs kept, housed, or maintained at a facility for the purpose of collecting

their blood. This bill would permit the importation of animal blood from out-of-state banks that comply with California standards. Finally, this bill would provide implementation requirements for the Veterinary Medical Board (VMB) and the California Department of Food and Agriculture (CDFA), as specified.

Status: Chapter 752, Statutes of 2021

AB-1328 (Irwin) - Clinical laboratory technology and pharmacists.

Authorizes licensed pharmacists to perform all Clinical Laboratory Improvement Amendments of 1988 (CLIA) waived clinical laboratory tests or examinations, as specified.

Note: this bill was held in the Senate Committee on Appropriations.

Status: Senate-In Committee Process - Appropriations

AB-1343 (Cooper) - Controlled substances: CURES database.

Exempts from the requirement that a health care practitioner consult the CURES database prior to prescribing certain controlled substances a health care practitioner who is employed by a substance use disorder treatment clinic or program who is treating patients who are enrolled in substance abuse disorder treatment with regularly prescribed or furnished controlled substances, if there have been consultations in the CURES database within the previous six months.

Note: this bill is pending a hearing in this committee.

Status: Assembly-In Committee Process - Business and Professions

AB-1407 (Burke) - Nurses: implicit bias courses.

Requires a nursing program or school to include one hour of direct participation in implicit bias training; requires a registered nurse (RN) to complete one hour of implicit bias continuing education (CE) within the first two years of licensure; and requires a hospital to implement an evidence-based implicit bias program as part of any new graduate training program that trains new RNs.

Status: Chapter 445, Statutes of 2021

AB-1430 (Arambula) - Pharmacy: dispensing: controlled substances.

Requires a pharmacist who dispenses Schedule II or Schedule IIN controlled substances to dispense the drug in a lockable vial paid for by the drug's manufacturer, include the code for the lockable vial in any patient notes, and provide the patient with an educational pamphlet on the potential for abuse and diversion of controlled substances.

Note: this bill was held on the Assembly Committee on Appropriations suspense file.

Status: Assembly-In Committee Process - Appropriations

AB-1494 (Fong) - Blood banks: collection.

Codifies an existing California Department of Public Health (CDPH) regulation allowing blood to be collected at a blood bank with a registered nurse (RN) in charge instead of a physician or surgeon and authorizes, for purposes of mobile blood bank units, the RN in charge to be physically present on the premises or available by video teleconference.

Note: this bill is double referred and previously passed the Assembly Committee on Health. It is also pending a hearing in the Assembly Committee on Appropriations.

Status: Assembly-In Committee Process - Appropriations

AB-1532 (Committee on Business and Professions) - Nursing.

Extends the Board of Registered Nursing (BRN) and COVID-19 flexibilities by one year; authorizes non-citizen California residents to serve as members of the BRN; and requires the BRN to post the availability of its temporary licenses on the front page of its website.

Status: Chapter 628, Statutes of 2021

AB-1533 (Committee on Business and Professions) - Pharmacy.

Extends the sunset date for the California State Board of Pharmacy (Board) until January 1, 2026 and makes additional technical changes, statutory improvements, and policy reforms in response to issues raised during the Board's sunset review oversight process.

Status: Chapter 629, Statutes of 2021

AB-1534 (Committee on Business and Professions) - California State Board of Optometry: optometry: opticianry.

Extends the sunset date for the California State Board of Optometry (CBO) until January 1, 2026 and makes additional technical changes, statutory improvements, and policy reforms in response to issues raised during the Board's sunset review oversight process.

Status: Chapter 630, Statutes of 2021

AB-1535 (Committee on Business and Professions) - Veterinary Medical Board: application and examination: discipline and citation.

This bill would enact various changes to the regulation of veterinarians, Registered Veterinary Technicians, Veterinary Assistant Controlled Substances Permit holders, veterinary schools, and veterinary premises, stemming from the joint sunset review oversight of the Veterinary Medical Board by the Assembly Committee on Business and Professions and the Senate Committee on Business, Professions, and Economic Development.

Status: Chapter 631, Statutes of 2021

AB-1536 (Committee on Business and Professions) - Board of Vocational Nursing and Psychiatric Technicians of the State of California: vocational nursing and psychiatric technicians.

Makes changes to the Board of Vocational Nursing and Psychiatric Technicians (BVNPT) stemming from the BVNPT's sunset review including: extending the BVNPT by three years, delegating the authority to issue default decisions and stipulated surrenders of licenses to its executive officer, requiring the BVNPT follow a timeline for approving schools, establishes fees for schools seeking approval, and makes other non-substantive and technical changes.

Status: Chapter 632, Statutes of 2021

AB-1537 (Low) - The California Massage Therapy Council.

Extends the sunset date for the California Massage Therapy Council (CAMTC) until January 1, 2023 and states that it is the intent of the Legislature that there be

subsequent consideration of legislation to create a new state board and a new category of licensed professional through the sunrise review process.

Status: Chapter 179, Statutes of 2021

AB-1552 (Eduardo Garcia) - Dentistry: foreign dental schools: applications.

Extends the deadline for foreign dental schools previously approved by the Dental Board of California (DBC) to become approved by the Commission on Dental Accreditation of the American Dental Association (CODA) from January 1, 2024 until January 1, 2030.

Note: this bill failed passage in this committee.

Status: Assembly-Died - Business and Professions

SB-48 (Limón) - Medi-Cal: annual cognitive health assessment.

This bill would have required certain healthcare providers to complete continuing education on the special care needs of patients with dementia. This bill was subsequently amended out of the jurisdiction of the Assembly Committee on Business and Professions.

Status: Chapter 484, Statutes of 2021

SB-306 (Pan) - Sexually transmitted disease: testing.

This bill would permit pharmacists to dispense a drug, without the name of an individual for whom the drug is intended, when prescribed for the sexual partner of someone who has been diagnosed with a sexually transmitted disease (STD). This bill would also prohibit health care providers who prescribe, dispense, or furnish such a drug from being subject to, civil, criminal, or administrative penalties, as specified. Finally, this bill would require public and commercial health coverage of home STD test kits and would add rapid STD tests to existing law which permits HIV counselors to perform rapid HIV and hepatitis C tests.

Status: Chapter 486, Statutes of 2021

SB-310 (Rubio) - Unused medications: cancer medication recycling.

Establishes a registration program for the collection and distribution of specified unused cancer medications under the Cancer Medication Recycling Act.

Status: Chapter 541, Statutes of 2021

SB-362 (Newman) - Community pharmacies: quotas.

Prohibits a community pharmacy from establishing quotas to numerically measure or evaluate a pharmacist or pharmacy technician's performance of duties requiring a license.

Status: Chapter 334, Statutes of 2021

SB-401 (Pan) - Psychology: unprofessional conduct: disciplinary action: sexual acts.

This bill would revise and recast the circumstances under which specified sexual acts constitute unprofessional conduct under the Board of Psychology.

Status: Assembly-In Committee Process - Rules

SB-409 (Caballero) - Pharmacy practice: testing.

Expands the types of clinical laboratory tests that a licensed pharmacist may perform to include clinical laboratory tests are classified as waived under the federal Clinical Laboratory Improvement Amendments of 1988 (CLIA) and that are used to detect or screen for specified conditions, establishes additional requirements for testing performed by pharmacists and the pharmacies using the pharmacists, and authorizes a pharmacist-in-charge to serve as the laboratory director.

Status: Chapter 604, Statutes of 2021

SB-509 (Wilk) - Optometry: COVID-19 pandemic: temporary licenses.

Requires the California State Board of Optometry (Board) to issue a temporary license to practice optometry to applicants who are unable to meet certain examination requirements due to the state of emergency declared in response to the COVID-19 pandemic.

Status: Chapter 219, Statutes of 2021

SB-524 (Skinner) - Health care coverage: patient steering.

Prohibits a health plan or a health insurer from engaging in specified activities that limit enrollees' or insureds' access to pharmacies that are part of the plan's or insurer's network, except when special handling or clinical requirements are necessary, and permits the use of financial incentives at network pharmacies.

Status: Senate-In Floor Process

Governor Veto Message:

To the Members of the California State Senate:

I am returning Senate Bill 524 without my signature.

This bill would prohibit patient steering to certain pharmacies by health plans, health insurers, and their agents, as specified.

While offering consumers a choice in pharmacies within their health plan or insurer networks is a worthwhile goal, the bill lacks clarity in key areas which may render it subject to misinterpretation or a lack of enforceability. It is unclear what business relationships between health plans, insurers, and their agents are intended to be affected because the bill does not define "agent" or "corporate affiliate." Furthermore, it is unclear what it means to "limit an enrollees' (or insureds') access" to certain pharmacy providers.

It is necessary to define these terms and concepts so appropriate oversight and enforcement may occur, particularly in light of the complexity of the contracting arrangements and benefit designs at issue. Finally, it is important to ensure that efforts to address these concerns do not have the unintended consequence of interfering with the ability of health plans and insurers to coordinate care and contain pharmaceutical costs for California's consumers.

Sincerely,

Gavin Newsom

SB-534 (Jones) - Dental hygienists.

This bill would make various technical revisions and changes to the licensing and enforcement operations of the Dental Hygiene Board of California (Board). This bill would establish an expiration timeframe for out-of-state Registered Dental Hygienists special permits. This bill would provide disciplinary and enforcement authority to the Board over mobile dental hygiene clinics and portable dental hygiene equipment, and enact various changes to the Board's educational program approval, as specified.

Status: Chapter 491, Statutes of 2021

SB-607 (Min) - Professions and vocations.

Makes statutory updates, technical corrections, and noncontroversial changes to various provisions of law relating to boards and bureaus under the Department of Consumer Affairs.

Status: Chapter 367, Statutes of 2021

SB-801 (Archuleta) - Healing arts: Board of Behavioral Sciences: Board of Psychology: licensees.

This bill would make various changes to the regulation of licensed and registered professionals under the jurisdiction of the Board of Psychology and the Board of Behavioral Sciences, which includes psychologists, registered psychologists, psychological assistants, licensed clinical social workers, licensed marriage and family therapists, licensed educational psychologists, licensed professional clinical counselors, associate clinical social workers registrants, associate marriage and family therapists registrants, and associate professional clinical counselors registrants, stemming from the joint sunset review oversight of the BOP and the BBS.

Status: Chapter 647, Statutes of 2021

SB-806 (Roth) - Healing arts.

Extends the sunset dates for the Medical Board of California (MBC), the Osteopathic Medical Board of California (OMBC), the Podiatric Medical Board of California (PMBC), and the Physician Assistant Board (PAB), and makes additional technical changes, statutory improvements, and policy reforms in response to issues raised during the sunset review process.

Status: Chapter 649, Statutes of 2021

SB-826 (Committee on Business, Professions and Economic Development) - Business and professions.

Makes numerous technical and clarifying provisions related to programs within the Department of Consumer Affairs (DCA).

Status: Chapter 188, Statutes of 2021

Non-Health Licensing and Regulation

AB-44 (Petrie-Norris) - Real estate licensees.

Authorizes a Realtor who has changed their surname to continue to use their former surname for business marketing associated with their real estate license.

Note: this bill is pending a hearing in this Committee.

Status: Assembly-In Committee Process - Business and Professions

AB-54 (Kiley) - COVID-19 emergency order violation: license revocation.

Prohibits the Department of Consumer Affairs (DCA), any non-healing arts board under the DCA, and the Department of Alcoholic Beverage Control (ABC) 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.

Note: this bill failed passage in this Committee.

Status: Assembly-Failed Passage in Committee - Business and Professions

AB-107 (Salas) - Licensure: veterans and military spouses.

Expands to all Department of Consumer Affairs (DCA) licensing boards the requirement that specified boards issue temporary licenses to the spouses of active-duty members of the United States Armed Forces, as specified, requires the DCA and the Department of Real Estate to compile information on military, veteran, and spouse licensure into an annual report for the Legislature, and for the DCA to post the information on its website.

Status: Chapter 693, Statutes of 2021

AB-224 (Daly) - Department of Consumer Affairs: Bureau of Household Goods and Services: household movers.

Exempts motor carriers that may transport used household goods but do not load or unload the containers from the Household Movers Act and exempts brokers that utilize exempted motor carriers if they do not otherwise advertise, solicit, offer, or arrange for the full service moving of used household goods by motor carrier for compensation.

Note: this bill was held in the Senate Committee on Appropriations.

Status: Senate-In Committee Process - Appropriations

AB-225 (Gray) - Department of Consumer Affairs: boards: veterans: military spouses: licenses.

Requires certain boards and bureaus within the Department of Consumer Affairs (DCA) to issue temporary licenses to veterans and active duty members of the Armed Forces who meet specified criteria.

Status: Senate-Pending Referral

AB-229 (Holden) - Use of force instruction: private security guards: alarm company responders.

This bill would require, beginning January 1, 2023, that various licensees regulated by the Bureau of Security and Investigative Services complete a course of training in the exercise of the appropriate use of force in order to be issued a license or a firearms permit. Specifies that in addition to existing reporting requirements, private patrol operators must report within seven business days any incidents involving physical altercation with a member of the public requiring any type of first aid or other medical attention, and any physical use of force or violence on any person while on duty. This bill would also prohibit a person required to be registered as a security guard from carrying or using a firearm or baton unless the security guard is an employee of a private patrol operator, the state, or a political subdivision of the state.

Status: Chapter 697, Statutes of 2021

AB-293 (Kalra) - Preneed funeral arrangements: unclaimed property.

This bill would establish a process for abandoned or unclaimed preneed funeral arrangements to escheat to the state under the Unclaimed Property Law, beginning January 1, 2023.

Status: Chapter 514, Statutes of 2021

AB-294 (Santiago) - Vehicle Tow and Storage Act.

Establishes the Vehicle Towing and Storage Board in the Department of Consumer Affairs and would empower the board to, among other things, regulate and resolve disputes involving vehicle towing businesses.

Note: this bill is pending a hearing in the Assembly Committee on Transportation.

Status: Assembly-In Committee Process - Transportation

AB-298 (Irwin) - Accountancy: California Board of Accountancy.

Makes changes to the California Accountancy Act, which governs the California Board of Accountancy (CBA), regarding the Certified Public Accountant (CPA) Exam process, CBA board meetings, privacy of CBA email addresses and ethics education requirements.

Status: Chapter 300, Statutes of 2021

AB-465 (Nazarian) - Professional fiduciaries: prelicensing and renewal or restoration: education.

Requires, beginning January 1, 2023, prelicense education courses for licensed professional fiduciaries to include at least 1 hour of cultural competency training and, as part of the approved continuing education courses for licensees, at least two hours of in ethics, two hours of instruction in cultural competency, or two hours of instruction in both ethics and cultural competency every year.

Status: Chapter 167, Statutes of 2021

AB-471 (Low) - Bureau of Automotive Repair: administration: citations: safety inspections.

This bill would authorize the Bureau of Automotive Repair to establish an informal citation conference for automotive repair dealers, beginning July 1, 2023, and would authorize the Bureau to establish a program to permit remedial training in lieu of posting minor violations online until July 1, 2026. This bill would also require the Bureau to collect additional information on licensing applications. Finally, this bill would revise and recast the provisions of the brake and lamp inspection act into a new Vehicle Safety Systems Inspection program, as determined by the Bureau.

Status: Chapter 372, Statutes of 2021

AB-492 (Patterson) - Cosmetology students: externships.

Allows cosmetology externships to be paid, allows cosmetology students to begin working as externs after completing 25 percent of their required clock hours, increases the number of hours per week an extern may receive clock hour credit toward graduation, and increases the percentage of total clock hours that may be obtained through externships.

Note: this bill is pending a hearing in the Senate Committee on Business, Professions, and Economic Development.

Status: Senate-In Committee Process - Business, Professions and Economic Development

AB-496 (Chen) - Cremation of veterans with the United States flag.

This bill would authorize a crematory to cremate a single American flag along with the remains of a person who was a member of a branch of the United States military.

Status: Chapter 118, Statutes of 2021

AB-501 (Cristina Garcia) - Reduction of human remains and the disposition of reduced human remains.

This bill would define "reduction" as the process of transforming a human body into soil using the natural decomposition process, accelerated with the addition of organic materials. This bill would establish a new regulatory process for a Licensed Reductions Facility under the jurisdiction of the Cemetery and Funeral Bureau for the disposition of human remains, including the reduction of human remains. Finally, this bill would

mandate the Cemetery and Funeral Bureau, and the California Department of Public Health to implement specified regulations by July 1, 2023.

Status: Senate-In Committee Process - Appropriations

AB-651 (Gipson) - Endowment care cemeteries: examination, investigation, and discipline.

This bill would increase the minimum dollar amounts that must be deposited into a cemetery endowment care trust fund, and require the Cemetery and Funeral Bureau to conduct a study of cemetery endowment care funds by January 1, 2029. This bill would also authorize a county, under specified conditions, to assume maintenance responsibility of an abandoned cemetery.

Status: Chapter 442, Statutes of 2021

AB-702 (Santiago) - Cat and dog breeding: permits.

This bill would require local jurisdictions, animal control agencies, or the entities responsible for enforcing animal-related laws, to establish permit programs regulating the breeding of cats and dogs, as specified. This bill would prohibit individuals from establishing or maintaining any cat or dog kennel for breeding purposes, keeping any cat or dog for breeding purposes, or breed any cat or dog that is owned, harbored, or kept, without first applying and receiving a breeder permit. This bill would require all cat or dog breeders to abide by specified standards, and direct animal control agencies to enforce the provisions of this bill.

Status: Assembly-In Committee Process - Business and Professions

AB-830 (Flora) - Business: Department of Consumer Affairs: Alarm Company Act: Real Estate Law.

Makes various technical changes and noncontroversial reforms to laws governing professions regulated by boards and bureaus under the Department of Consumer Affairs (DCA).

Status: Chapter 376, Statutes of 2021

AB-868 (Eduardo Garcia) - State of emergency: funeral expense assistance.

This bill would create the "Emergency Funeral Expenses Fund" and would require the California Department of Social Services to provide funeral expenses to a person who applies for funeral expense assistance for eligible funeral home contract costs incurred for a decedent who died due to COVID-19 or as a result of an emergency that is the basis of a state of emergency declared by the Governor.

Status: Senate-In Committee Process - Human Services

AB-913 (Smith) - Collateral recovery.

This bill would clarify and update definitions used in the Collateral Recovery Act to conform to current practices and align with other provisions of law.

Status: Chapter 416, Statutes of 2021

AB-948 (Holden) - Real estate licensees: Bureau of Real Estate Appraisers: disclosures: demographic information: reporting: continuing education.

Makes various reforms to safeguard against discrimination during the appraisal process. Requires the collection of information in order to provide data in regards to demographics and other relevant evidence to analyze the appraiser's practices.

Status: Chapter 352, Statutes of 2021

AB-1010 (Berman) - Architects: continuing education.

Requires licensed architects, as a condition of license renewal, to complete five hours of continuing education training on zero net carbon design, presented by those with knowledge and expertise in these design requirements and requires the California Architects Board to adopt regulations to establish qualifications for courses and course providers by July 1, 2024.

Status: Chapter 176, Statutes of 2021

AB-1026 (Smith) - Business licenses: veterans.

This bill would require a regulatory board under the Department of Consumer Affairs to grant a 50-percent fee reduction for an initial license to an applicant who provides satisfactory evidence that the applicant has served as an active duty member of the

United States Armed Forces of the California National Guard and was honorably discharged.

Status: Assembly-In Committee Process - Appropriations

AB-1129 (Frazier) - Home Inspectors License Law.

Create a separate licensing program within the Contractors State License Board (CSLB) for Home Inspectors.

Note: this bill is pending a hearing in this committee.

Status: Assembly-In Committee Process - Business and Professions

AB-1194 (Low) - Conservatorship.

Amends the Guardianship-Conservatorship Law to provide additional protections and rights for conservatees and require better coordination between the courts and the Professional Fiduciaries Bureau.

Status: Chapter 417, Statutes of 2021

AB-1386 (Cunningham) - License fees: military partners and spouses.

This bill would prohibit a licensing board under the Department of Consumer Affairs from charging an initial or original license fee to an applicant who holds a current similar license in another state and is the spouse of an active duty member of the Armed Forces that is stationed in California.

Status: Assembly-In Committee Process - Appropriations

SB-241 (Umberg) - Civil actions.

Creates a regulatory framework for out-of-state firms to provide shorthand reporting services within California by registering with the Court Reporters Board of California (CRB), makes changes to provisions of law relating to trials and hearing processes, and authorizes, until July 1, 2023, a party to appear remotely and the court to conduct conferences, hearings, proceedings, and trials in civil cases, in whole or in part, through the use of remote technology.

Status: Chapter 214, Statutes of 2021

SB-263 (Rubio) - Real estate applicants and licensees: education requirements: fair housing and implicit bias training.

Requires the Department of Real Estate (DRE) to revise the real estate practice course to include a component on implicit bias and revises the legal aspects of real estate course for that applicant to include a component on state and federal fair housing laws; requires a licensee, as part of the licensee's necessary 45 hours of continuing education, to successfully complete a two-hour course in implicit bias training.

Status: Chapter 361, Statutes of 2021

SB-484 (Archuleta) - Home inspections: sewer lateral repairs.

Exempts a licensed plumbing contractor, upon meeting certain conditions, from provisions relating to a home inspection, which prohibits repairs to a structure on which the inspector or the inspector's company has prepared a home inspection.

Status: Chapter 545, Statutes of 2021

SB-607 (Min) - Professions and vocations.

Makes statutory updates, technical corrections, and noncontroversial changes to various provisions of law relating to boards and bureaus under the Department of Consumer Affairs.

Status: Chapter 367, Statutes of 2021

SB-757 (Limón) - Solar energy system improvements: consumer protection.

This bill would add the installation of solar energy systems to the definition of "home improvement" and would add new regulations to the laws pertaining to home improvement sales persons related to solar energy systems.

Status: Chapter 249, Statutes of 2021

SB-800 (Archuleta) - Real estate: licenses.

Makes various changes to the Real Estate Law intended to improve oversight of real estate and real estate appraiser professionals stemming from the joint sunset review

oversight of the Department of Real Estate (DRE) and Bureau of Real Estate Appraisers (BREA).

Status: Chapter 431, Statutes of 2021

SB-802 (Roth) - Private postsecondary education: California Private Postsecondary Education Act of 2009.

Extends the sunset date for the Bureau for Private Postsecondary Education (BPPE) until January 1, 2023 and makes additional technical changes, statutory improvements, and policy reforms in response to issues raised during the BPPE's sunset review oversight process.

Status: Chapter 552, Statutes of 2021

SB-803 (Roth) - Barbering and cosmetology.

Makes technical changes, statutory improvements, and policy reforms to the Barbering and Cosmetology Act in response to issues raised during the Legislature's sunset review of the State Board of Barbering and Cosmetology (BBC), including changes to prelicensure education and examination requirements for barbers and cosmetologists.

Status: Chapter 648, Statutes of 2021

SB-826 (Committee on Business, Professions and Economic Development) - Business and professions.

Makes numerous technical and clarifying provisions related to programs within the Department of Consumer Affairs (DCA).

Status: Chapter 188, Statutes of 2021

Other

AB-121 (Holden) - Public animal shelters: adoptions: military service members.

This bill would prohibit a public animal shelter from charging an adoption fee for a dog or cat if the person adopting the animal is an active duty military service member who presents to the shelter a current military identification.

Status: Assembly-In Committee Process - Business and Professions