California Legislature ASSEMBLY BUSINESS AND PROFESSIONS

2023 LEGISLATIVE SUMMARY



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California Legislature

Assembly Business and Professions Committee



2023 Legislative Bill Summary

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ASSEMBLY COMMITTEE ON BUSINESS AND PROFESSIONS HONORABLE MARC BERMAN, 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 the 2023 session of the California State Legislature, the Committee held a total of 11 hearings, including two joint Sunset Review hearings with the Senate Committee on Business, Professions, and Economic Development. A total of 107 bills were referred to the Committee during the 2023 legislative year.

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

- 1) Accountants, tax preparers, and notaries
- 2) Acupuncturists
- 3) Architects
- 4) Automotive repair
- 5) Barbers and cosmetologists
- 6) Building standards
- 7) Cannabis
- 8) Chiropractors
- 9) Contractors
- 10) Court reporters
- 11) Dentists, dental hygienists, and dental auxiliaries
- 12) Dietitians
- 13) Dispensing opticians
- 14) Electronic and appliance repair, home furnishings, thermal insulation, and household movers
- 15) Franchises
- 16) Funeral, cemetery, and crematory establishments
- 17) Geologists and geophysicists

- 18) Health clubs and gyms
- 19) Interior designers
- 20) Junk dealers and recyclers, pawnbrokers, repossesors, and auctioneers
- 21) Land surveyors
- 22) Landscape architects
- 23) Marriage and family therapists, licensed clinical social workers, licensed educational psychologists, and licensed professional clinical counselors
- 24) Martial artists and
- promoters
- 25) Massage therapists
- 26) Medical cannabis
- professionals and businesses
- 27) Midwives
- 28) Naturopathic doctors
- 29) Occupational therapists
- 30) Optometrists and opticians
- 31) Pharmacists and pharmacy licensees
- 32) Physical therapists

- 33) Physicians and surgeons and Osteopathic physicians and surgeons
- 34) Physician assistants
- 35) Podiatrists
- 36) Private postsecondary education
- 37) Product labeling
- 38) Professional engineers
- 39) Professional fiduciaries
- 40) Psychiatric technicians
- 41) Psychologists
- 42) Real estate brokers, salespersons, and appraisers
- 43) Registered nurses
- 44) Respiratory care practitioners
- 45) Security and investigative services
- 46) Sellers of travel and tour guides
- 47) Speech-language pathologists, hearing aid dispensers, and audiologists

CALIFORNIA LEGISLATURE

Assembly Business and Professions Committee

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Animals

AB-332 (Lee) - Rabies control data.

Requires the California Department of Public Health (CDPH) to collect specified data from public animal shelters as part of their annual rabies control activities reporting.

Note: Held on the Senate Appropriations Committee suspense file.

Status: Senate-In Committee Process - Appropriations

AB-528 (Irwin) - Regulation of cemeteries: pet burial.

Authorizes private and public cemeteries to allow the burial of pet remains with the remains of the pet's owner, as specified.

Note: Held on the Senate Appropriations Committee suspense file.

Status: Senate-In Committee Process - Appropriations

AB-595 (Essayli) - Animal shelters: 72-hour public notice: euthanasia: study.

Requires that all animal shelters provide at least 72 hours public notice before euthanizing any dog, cat, or rabbit with information that includes information about the animal and that it is subject to euthanasia, and requires the Department of Food and Agriculture (CDFA) to conduct a study on animal shelter overcrowding and the feasibility of a statewide database for animals scheduled to be euthanized.

Note: Held on the Assembly Appropriations Committee suspense file.

Status: Assembly-In Committee Process - Appropriations

AB-1399 (Friedman) - Veterinary medicine: veterinarian-client-patient relationship and veterinary telemedicine.

Expands the authority of a licensed veterinarian to establish a veterinarian-client-patient relationship and practice veterinary medicine through the use of telehealth.

Status: Chapter 475, Statutes of 2023

AB-1518 (Friedman) - Service dogs.

Requires, upon appropriation by the Legislature, the Department of Consumer Affairs to conduct a statewide educational campaign to inform businesses of the challenges faced by qualified service dog users.

Note: Held on the Assembly Appropriations Committee suspense file.

Status: Assembly-In Committee Process – Appropriations

ACR-86 (Kalra) - Animals: overpopulation: spay and neutering services.

Makes various declarations in support of an assertion that there is a pet overpopulation crisis in California; urges state and local action to address this crisis; and resolves that adequate funding for spay and neuter programs and enforcement efforts is urgently needed.

Status: Senate-In Floor Process

SB-373 (Menjivar) - Board of Behavioral Sciences, Board of Psychology, and Medical Board of California: licensees' and registrants' addresses.

Prohibits the Board of Behavioral Sciences, the Board of Psychology, and the Veterinary Medical Board from disclosing on the internet the full addresses of record of their licensees and requires these boards to establish an alternative process for providing a complete address upon receipt of a request that is related to a court proceeding against or request for records from the licensee.

Status: Senate-Vetoed

Governor's Veto Message:

To the Members of the California State Senate:

I am returning Senate Bill 373 without my signature.

This bill would prohibit the Board of Behavioral Sciences, the Board of Psychology, and the Veterinary Medical Board from disclosing on the internet the public address of record of a licensee or registrant.

I appreciate the author's goal to provide additional safety to these providers; however, this bill would serve as an impediment for patients seeking access to their medical

records, as a patient would need their provider's address to make a request. Absent access to addresses on board websites or other publicly accessible sources, patients may need to submit a public records act request to obtain the address needed to request access to their medical records. This could result in a significant delay for patients seeking to obtain their medical records.

There are already protections in existing law for providers that work from their homes and seek to maintain their privacy, including the use of a post office box that avoids the need to disclose their home address. The safety of healthcare providers is paramount, but I cannot support a measure that would restrict patient access when effective alternatives exist to protect the safety and privacy of providers.

For these reasons, I cannot sign this bill.

Sincerely, Gavin Newsom

Business and Product Regulation

AB-537 (Berman) - Short-term lodging: advertising: rates.

Prohibits, beginning July 1, 2024, a place of short-term lodging, as defined, from advertising, displaying, or offering a room rate that does not include all fees or charges required to stay at the short-term lodging, except government-imposed taxes and fees.

Status: Chapter 805, Statutes of 2023

AB-783 (Ting) - Business licenses: single-user restrooms.

Requires cities, counties, and cities and counties to notify applicants for a business license or permit in writing of the requirement that single-user toilet facilities must be identified as all-gender toilet facilities.

Status: Chapter 223, Statutes of 2023

AB-878 (Pellerin) - Business filings: fictitious business names.

Authorizes a fictitious business name registrant to provide their business mailing address in lieu of their residence (home) address for purposes of filing a fictitious business name statement.

Status: Chapter 20, Statutes of 2023

AB-913 (Petrie-Norris) - Pharmacy benefit managers.

Requires pharmacy benefit managers to become licensed under the Board of Pharmacy and establishes various requirements associated with that license.

Note: This bill did not receive a hearing in this committee.

Status: Assembly-In Committee Process - Business and Professions

SB-683 (Glazer) - Hotels and short-term rentals: advertised rates: mandatory fees.

Requires, beginning July 1, 2024, a person or an internet website, application, or other similar centralized platform that advertises a hotel room rate or short-term rental rate to 1) include all mandatory fees in the advertised rental rate, and 2) include all government-imposed taxes and fees in the total price before the consumer reserves the stay.

Status: Assembly-In Floor Process

Cannabis Licensing and Regulation

AB-351 (Chen) - Cannabis: license transfers.

Authorizes the Department of Cannabis Control to transfer, assign, or reassign licenses for commercial cannabis activity.

Note: Held on the Assembly Appropriations Committee suspense file.

Status: Assembly-In Committee Process – Appropriations

AB-374 (Haney) - Cannabis: local control: cannabis consumption.

Authorizes local jurisdictions to allow cannabis retailers to prepare and serve noncannabis food and beverages, and to hold and sell tickets to live musical or other performances, in the area of the premises where consumption of cannabis and cannabis goods is authorized.

Status: Assembly-Vetoed

Governor's Veto Message:

To the Members of the California State Assembly:

I am returning Assembly Bill 374 without my signature.

This bill would allow local jurisdictions to permit certain cannabis retailers to prepare and sell food or drinks that do not contain cannabis, as well as host and sell tickets to live events at their licensed premises.

I appreciate the author's intent to provide cannabis retailers with increased business opportunities and an avenue to attract new customers. However, I am concerned this bill could undermine California's long-standing smoke-free workplace protections.

Protecting the health and safety of workers is paramount. I encourage the author to address this concern in subsequent legislation.

For this reason, I cannot sign this bill.

Sincerely, Gavin Newsom

AB-420 (Aguiar-Curry) - Cannabis: industrial hemp.

Allows for cannabis licensees to manufacture, distribute, or sell products that contain industrial hemp, as well as cannabinoids, extracts, or derivatives from industrial hemp.

Note: Held on the Senate Appropriations Committee suspense file.

Status: Senate-In Committee Process - Appropriations

AB-471 (Kalra) - Cannabis catering.

Authorizes the Department of Cannabis Control to issue a state caterer license that authorizes the licensee to serve cannabis at a private event approved by a local jurisdiction for the purpose of allowing event attendees to consume the cannabis.

Note: Held on the Assembly Appropriations Committee suspense file.

Status: Assembly-In Committee Process – Appropriations

AB-623 (Chen) - Cannabis: THC testing variances.

Requires the Department of Cannabis Control to establish regulations to adjust testing variances for edible cannabis products that include less than five milligrams of tetrahydrocannabinol (THC) in total.

Status: Chapter 267, Statutes of 2023

AB-687 (Hart) - California Cannabis Authority.

Requires the Department of Cannabis Control to grant local agencies, as defined, read access to the California Cannabis Track and Trace (CCTT) database, and requires when cannabis or cannabis products are delivered that the ZIP Code of the delivery address be included in the CCTT database.

Note: Held on the Senate Appropriations Committee suspense file.

Status: Senate-In Committee Process - Appropriations

AB-766 (Ting) - Cannabis: invoices: payment.

Requires a commercial cannabis licensee to pay for goods and services sold or transferred by another licensee no later than 15 days after the date set in the invoice, as specified.

Status: Assembly-In Committee Process – Appropriations

AB-794 (Flora) - Cannabis: advertising and marketing restrictions.

Requires all cannabis advertisements and marketing to include a licensee's name in addition to their license number.

Note: This bill was not set for a hearing in this committee.

Status: Assembly-In Committee Process - Business and Professions

AB-993 (Blanca Rubio) - Cannabis Task Force.

Expands the membership of an existing task force on state and local regulation of commercial cannabis activity to include representatives of the Civil Rights Department and the Department of Industrial Relations.

Status: Chapter 822, Statutes of 2023

AB-1021 (Wicks) - Controlled substances: rescheduling.

Provides that if any Schedule I controlled substance is federally rescheduled or exempted from the Controlled Substances Act, it will automatically become lawful for health professionals to prescribe, furnish, or dispense under California law.

Status: Chapter 274, Statutes of 2023

AB-1111 (Pellerin) - Cannabis: small producer event sales license.

Requires the Department of Cannabis Control to issue a small producer event sales license, authorizing onsite cannabis sales at state temporary events, to a licensed cultivator who meets specified requirements.

Note: Held on the Senate Appropriations Committee suspense file.

Status: Senate-In Committee Process - Appropriations

AB-1126 (Lackey) - Cannabis: citation and fine.

Specifically provides that the unlicensed use of the cannabis universal symbol is a violation of the Medicinal and Adult Use Cannabis Regulation and Safety Act (MAUCRSA) and empowers the California Department of Tax and Fee Administration (CDTFA) to seize unlicensed cannabis products bearing the universal symbol as contraband.

Status: Chapter 563, Statutes of 2023

AB-1171 (Blanca Rubio) - Cannabis: private right of action.

Authorizes a person licensed under the Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA) to bring an action in superior court against a person engaging in commercial cannabis activity without a license, as specified.

Status: Chapter 467, Statutes of 2023

AB-1207 (Irwin) - Cannabis: labeling and advertising.

Places restrictions on the advertising, marketing, packaging, and labeling of cannabis and cannabis products.

Status: Assembly-Vetoed

Governor's Veto Message:

To the Members of the California State Assembly:

I am returning Assembly Bill 1207 without my signature.

This bill defines the term "attractive to children" under the Medicinal and Adult-Use Cannabis Regulation and Safety Act (Proposition 64), and expressly prohibits the manufacture, distribution, and sale of cannabis or cannabis-related products that are attractive to children.

When the voters passed Proposition 64, they enacted robust protections shielding youth from exposure to cannabis and cannabis-related products. Among other things, voters prohibited cannabis licensees from using packaging, labeling, marketing, and advertising that is attractive to children. To further this intent, the Department of Cannabis Control promulgated regulations establishing extensive labeling and advertising requirements to ensure commercial cannabis products are not marketed to children.

While I deeply appreciate and agree with the author's intent, I am concerned that the definition of "attractive to children" used in this bill is overly broad. By prohibiting entire categories of images, this bill would sweep in commonplace designs, and I am not convinced that these additional limits will meaningfully protect children beyond what is required under existing law.

California must continue to refine and advance its regulation of cannabis to protect the health and safety of children. As such, I am directing the Department of Cannabis Control to strengthen and expand existing youth-related cannabis protections - including measures to enhance enforcement of those protections.

For these reasons, I cannot sign this bill.

Sincerely, Gavin Newsom

AB-1448 (Wallis) - Cannabis: enforcement by local jurisdictions.

Redirects specified portions of civil penalties collected for unlicensed commercial cannabis activity from the General Fund to the treasurers of localities that brought the action for the penalties.

Status: Chapter 843, Statutes of 2023

AB-1565 (Jones-Sawyer) - California Cannabis Tax Fund: local equity program grants.

Beginning July 1, 2028, requires the Department of Cannabis Control (DCC) to use a disbursement of \$15 million from the California Cannabis Tax Fund to assist local equity applicants and licensees gaining entry into, and to successfully operate in, the state's regulated cannabis marketplace.

Note: Held on the Senate Appropriations Committee suspense file.

Status: Senate-In Committee Process – Appropriations

AB-1601 (Alvarez) - Cannabis: enforcement by local jurisdictions.

Provides that concealment of illegal business activities is grounds for disciplinary action against a cannabis licensee.

Note: This bill was not set for a hearing in this committee.

Status: Assembly-In Committee Process - Business and Professions

AB-1610 (Jones-Sawyer) - Cannabis: Department of Cannabis Control.

Subjects cannabis testing laboratories to blind proficiency testing and annual audits to ensure consistency of results across laboratories, and requires the Department of Cannabis Control to 1) establish standards for laboratory testing and audits and quality assurance standards for retail products, and 2) keep a record of recall orders on its website.

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

AB-1616 (Lackey) - California Cannabis Tax Fund: Board of State and Community Corrections grants.

Authorizes the Board of State and Community Corrections to award grants from the California Cannabis Tax Fund to local governments that were previously ineligible and requires the Board to prioritize grants to local governments whose programs seek to combat the illicit cannabis market.

Status: Senate-In Committee Process - Public Safety

AB-1619 (Dixon) - Pharmacists: drug disclosures: cannabis or cannabidiol interactions.

Requires a pharmacist who dispenses a prescription drug to a patient for use that has major or moderate interactions with edible or inhaled cannabis or cannabidiol products to affix an auxiliary label to the prescription container with that information.

Note: This bill did not receive a hearing in this committee.

Status: Assembly-In Committee Process - Business and Professions

SB-51 (Bradford) - Cannabis provisional licenses: local equity applicants.

Authorizes the Department of Cannabis Control to continue to issue and renew provisional licenses to local equity applicants engaged in cannabis retailer activities until 2031.

Status: Chapter 593, Statutes of 2023

Governor's Signing Message:

To the Members of the California State Senate:

I am signing Senate Bill 51, which allows, until January 1, 2031, the Department of Cannabis Control to issue provisional licenses for up to five years to a local equity applicant for retailer activities. After the voters enacted the Medicinal and Adult-Use Cannabis Regulation and Safety Act (Proposition 64), provisional cannabis licenses were created as a temporary bridge to allow pre-Proposition 64 operators to transition into a newly-regulated cannabis market.

Though the state has made significant progress since the passage of Proposition 64, local opposition, rigid bureaucracy, and federal prohibition continue to pose challenges to the industry and barriers to entry. Equity applicants, who bore the brunt of California's failed history of cannabis prohibition, are disproportionately impacted by a lack of access to capital and technical support, steep licensing fees, lengthy land-use approvals, environmental requirements, and more.

While I support the author's effort to bring temporary relief to equity applicants, this bill does not address the fundamental issues that continue to increase costs and

uncertainty for those seeking to participate in the legal market. To the contrary, another extension may remove pressure to confront local permitting challenges and slow efforts to facilitate the transition of provisional licenses to annual licensure.

I look forward to working with the Legislature to consider long-term solutions to streamline licensing requirements and move us beyond short-term fixes. These measures must balance the need for accountability and reform without further impeding applicants already burdened by restrictive local licensing processes.

Sincerely, Gavin Newsom

SB-285 (Allen) - Cannabis: retail preparation, sale, and consumption of noncannabis food and beverage products.

Authorizes a local jurisdiction to allow for the preparation or sale of non-cannabis food or beverage products by a licensed cannabis retailer or microbusiness in an area where the consumption of cannabis is allowed, if certain conditions are met, and to allow for the sale of prepackaged, non-cannabis-infused, nonalcoholic food and beverages by a licensed retailer.

Status: Assembly-In Committee Process - Governmental Organization

SB-508 (Laird) - Cannabis: licenses: California Environmental Quality Act. Establishes conditions under which the Department of Cannabis Control is not required to serve as a responsible agency under the California Environmental Quality Act (CEQA).

Status: Assembly-In Committee Process - Appropriations

SB-540 (Laird) - Cannabis and cannabis products: health warnings.

Requires the Department of Cannabis Control to regularly reevaluate its regulations and determine whether additional warning labels are necessary to reflect evolving science regarding the risks of cannabis use, and requires the DCC to consult with the Department of Public Health to create a brochure that includes steps for safer use of cannabis.

Status: Chapter 491, Statutes of 2023

SB-622 (Allen) - Cannabis regulation: plant identification program: unique identifier.

Deletes the requirement that each cannabis plant be affixed with a unique identifier at its base and instead requires a unique identifier to be recorded in a manner to be determined by the Department of Cannabis Control.

Status: Chapter 496, Statutes of 2023

SB-833 (McGuire) - Cannabis licensing: cultivation licenses: changing license type: inactive status.

Requires the Department of Cannabis Control, no later than March 1, 2024, to begin allowing cultivators to select a smaller license type or place their license in inactive status, as specified.

Status: Chapter 886, Statutes of 2023

Health Licensing and Regulation

AB-232 (Aguiar-Curry) - Temporary practice allowances.

Authorizes an individual who holds a license in another state as a marriage and family therapist, a clinical social worker, or a professional clinical counselor to provide services for which they hold a license for a period not to exceed 30 days without a California license if specified conditions are met.

Status: Chapter 640, Statutes of 2023

AB-269 (Berman) - Public health: COVID-19 testing and dispensing sites.

Codifies two waivers granted by the Governor during the declared COVID-19 State of Emergency through an urgency measure to take effect prior to that declaration's anticipated termination on February 28, 2023.

Status: Chapter 1, Statutes of 2023

AB-282 (Aguiar-Curry) - Psychologists: licensure.

Authorizes an applicant for licensure as a psychologist to take all examinations required for licensure when they have completed academic coursework required for a doctoral degree, as specified.

Status: Chapter 425, Statutes of 2023

AB-470 (Valencia) - Continuing medical education: physicians and surgeons.

Updates continuing medical education standards to further promote cultural and linguistic competency and enhance the quality of physician-patient communication.

Status: Chapter 330, Statutes of 2023

AB-477 (Waldron) - Legislative review of state boards.

Requires the Joint Sunset Review Committee to make its reports available to the public online.

Note: This bill was not set for a hearing in this committee.

Status: Assembly-In Committee Process - Business and Professions

AB-481 (Wendy Carrillo) - Dentistry: dental assistants.

Makes various changes to the education, scope of practice, and regulation of dental auxiliaries, including dental assistants, orthodontic assistants, registered dental assistants, and registered dental assistants in extended functions, as specified.

Note: Held on the Senate Appropriations Committee suspense file.

Status: Senate-In Committee Process - Appropriations

AB-602 (Pellerin) - California State Board of Pharmacy: emergency refills: report.

Requires the Board of Pharmacy to submit a report to the Legislature relating to refills of prescriptions without the prescriber's authorization and complaints that pharmacists have failed to refill prescriptions under these circumstances, and requires the BOP to take reasonable steps to ensure that all licensed pharmacists in the state are fully aware of their authority to refill a prescription.

Note: This bill was subsequently amended into an entirely different proposal within another committee's jurisdiction.

Status: Senate-In Committee Process - Rules

AB-633 (Jim Patterson) - Nursing: licensure: retired licenses.

Creates a retired license category for a registered nurse, administered by the Board of Registered Nursing, and permits an RN with a retired license to provide nursing services to the public free of charge in any public health program created by federal, state or local law or administered by a federal, state, county or local governmental entity if a licensed RN provides adequate supervision, as specified.

Status: Chapter 449, Statutes of 2023

AB-663 (Haney) - Pharmacy: mobile units.

Allows for certain controlled substances approved for the treatment of opioid use disorder to be carried and dispensed at county-operated mobile pharmacy units and authorizes the operation of multiple mobile units within one jurisdiction.

Status: Chapter 539, Statutes of 2023

AB-765 (Wood) - Physicians and surgeons.

Prohibits any person who is not a licensed physician and surgeon from using various medical specialty titles, except as provided, or otherwise implying that they are a physician and surgeon.

Note: Held on the Assembly Appropriations Committee's suspense file.

Status: Assembly-In Committee Process - Appropriations

AB-782 (McKinnor) - Pharmacies: compounding.

Exempts the addition of flavoring agents to a drug from the state's requirement that such actions comply with pharmacy compounding standards under the United States Pharmacopeia-National Formulary (USP).

Status: Assembly-Vetoed

Governor's Veto Message:

To the Members of the California State Assembly:

I am returning Assembly Bill 782 without my signature.

This bill would exclude reconstitution of a drug pursuant to a manufacturer's directions, tablet splitting or crushing, capsule opening, or the addition of a flavoring agent from the Pharmacy Law's definition of compounding.

While I appreciate the author's intention to maintain the current availability of flavored medication, this bill would create standards for California that do not meet the United States Pharmacopeia-National Formulary's guidelines regarding compounding that have been put in place to minimize patients' risk of harm.

This bill also contradicts AB 973, which I signed in 2019, which required both sterile and non-sterile compounding in California to be consistent with the United States Pharmacopeia guidelines, which ensured clear compounding standards and provided greater consumer safety. This bill would make exceptions to federal guidelines, which would pose a risk to consumers.

For these reasons, I cannot sign this bill.

Sincerely, Gavin Newsom

AB-796 (Weber) - Athletic trainers.

Establishes, until January 1, 2028, the Athletic Training Practice Act and the Athletic Trainer Licensing Committee under the Medical Board of California for the licensure and regulation of athletic trainers.

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

AB-814 (Lowenthal) - Veterinary medicine: animal physical rehabilitation.

Authorizes a licensed physical therapist (PT), who meets requirements determined by the Veterinary Medical Board (VMB), to provide animal physical rehabilitation (APR) to an animal patient if certain requirements are met, including that the APR is performed on premises registered with the VMB and that the PT works under the supervision of a licensed veterinarian who has an established veterinarian-client-patient relationship with the animal, among other requirements.

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

AB-826 (Chen) - Podiatric medicine: continuing education.

Deletes the requirement that licensed doctors of podiatric medicine, at each license renewal, satisfy one of the eight continuing competence requirements listed under the Medical Practice Act.

Status: Chapter 122, Statutes of 2023

AB-883 (Mathis) - Business licenses: United States Department of Defense SkillBridge program.

Expands the requirement that licensing boards under the Department of Consumer Affairs (DCA) must expedite the licensing application from military veterans to include applications from active duty members of a regular component of the United States Armed Forces who are enrolled in the United States Department of Defense SkillBridge program.

Status: Chapter 348, Statutes of 2023

AB-913 (Petrie-Norris) - Pharmacy benefit managers.

Requires pharmacy benefit managers to become licensed under the Board of Pharmacy and establishes various requirements associated with that license.

Note: This bill did not receive a hearing in this committee.

Status: Assembly-In Committee Process - Business and Professions

AB-936 (Wood) - Dentistry: exemptions.

Expands an exemption that allows a final-year dental student to provide volunteer dental services without a license to instead allow any dental student who has started clinical training.

Status: Chapter 550, Statutes of 2023

AB-996 (Low) - Department of Consumer Affairs: continuing education: conflict-of-interest policy.

Requires each board under the Department of Consumer Affairs that approves continuing education providers or courses to have a conflict-of-interest policy that discourages the qualification of courses that promote a product or enterprise in which the provider has a financial interest, and requires those conflicts to be disclosed before each course.

Status: Senate-In Floor Process

AB-1021 (Wicks) - Controlled substances: rescheduling.

Provides that if any Schedule I controlled substance is federally rescheduled or exempted from the Controlled Substances Act, it will automatically become lawful for health professionals to prescribe, furnish, or dispense under California law.

Status: Chapter 274, Statutes of 2023

AB-1055 (Bains) - Alcohol drug counselors.

Establishes a licensing and regulatory program for alcohol drug counselors under the Allied Behavioral Health Board within the Department of Consumer Affairs.

Note: This bill did not receive a hearing in this committee.

Status: Assembly-In Committee Process - Business and Professions

AB-1070 (Low) - Physician assistants: physician supervision: exceptions.

Authorizes a physician and surgeon to supervise more than four physician assistants (PAs) if the PAs are only performing home health evaluations.

Status: Chapter 827, Statutes of 2023

AB-1130 (Berman) - Substance use disorder.

Updates various provisions of code to replace use of the term "addict" with the term "person with substance use disorder."

Status: Chapter 21, Statutes of 2023

AB-1257 (Berman) - Dentistry: Dental Hygiene Board of California: Dental hygienists: Examinations and licensure.

Extends the sunset date for the Dental Hygiene Board of California until January 1, 2028, and makes additional technical changes, statutory improvements, and policy reforms in response to issues raised during the DHBC's sunset review oversight process.

Status: Chapter 677, Statutes of 2023

AB-1264 (Berman) - Acupuncture.

Extends the sunset date for the California Acupuncture Board (CAB) until January 1, 2028, authorizes acupuncturists to supervise acupuncture assistants, as specified, and makes other changes.

Status: Chapter 682, Statutes of 2023

AB-1286 (Haney) - Pharmacy.

Authorizes a pharmacist-in-charge to make staffing decisions in a pharmacy; requires the pharmacist-in-charge or pharmacist on duty to notify store management of any conditions that present an immediate risk of death, illness, or irreparable harm, requires store management to take immediate and reasonable steps to address and resolve those conditions, and authorizes the California State Board of Pharmacy (BOP) to close a pharmacy if the conditions aren't resolved; requires a chain community pharmacy to be staffed with at least one clerk or pharmacy technician fully dedicated to performing pharmacy-related services, except as provided; authorizes pharmacy technicians with specified training to perform additional tasks under supervision, including administering influenza and COVID-19 vaccines and epinephrine and performing specimen collection for laboratory tests; requires community pharmacies to report medication errors; and requires consulting pharmacists to complete a Surgical Clinic Self-Assessment Form every other year, among other provisions.

Status: Chapter 470, Statutes of 2023

AB-1292 (Flora) - Nursing: distance education nursing program students.

Authorizes an unlicensed nursing student who is enrolled in an out-of-state distance education nursing program to provide nursing services that are incidental to the course of study, as specified.

Note: Held on the Assembly Appropriations Committee suspense file.

Status: Assembly-In Committee Process - Appropriations

AB-1341 (Berman) - Public health: COVID-19: testing and dispensing sites: oral therapeutics.

Authorizes pharmacists to continue furnishing COVID-19 oral therapeutics to patients who test positive for SARS-CoV-2, without a prior prescription, until January 1, 2025.

Status: Chapter 276, Statutes of 2023

AB-1369 (Bauer-Kahan) - Out-of-state physicians and surgeons: telehealth: license exemption.

Authorizes an eligible out-of-state physician and surgeon to practice medicine in California without a California license if the practice is limited to delivering health care via telehealth to an eligible patient who has an immediately life-threatening disease or condition.

Status: Chapter 837, Statutes of 2023

AB-1395 (Garcia) - Licensed Physicians and Dentists from Mexico Pilot Program: requirements.

Requires the Medical Board of California to issue a license to applicants for participation in the Licensed Physicians and Dentists from Mexico Pilot Program who do not currently possess federal documentation but otherwise meet the pilot program's requirements.

Status: Chapter 205, Statutes of 2023

AB-1396 (Garcia) - Licensed Physicians and Dentists from Mexico Pilot Program: requirements.

Requires the Medical Board of California (MBC) to issue a license to applicants for participation in the Licensed Physicians and Dentists from Mexico Pilot Program who do not currently possess federal documentation but otherwise meet the pilot program's requirements, and authorizes the MBC to extend a pilot program participant's license under certain conditions.

Status: Assembly-In Committee Process - Appropriations

AB-1399 (Friedman) - Veterinary medicine: veterinarian-client-patient relationship and veterinary telemedicine.

Expands the authority of a licensed veterinarian to establish a veterinarian-client-patient relationship and practice veterinary medicine through the use of telehealth.

Status: Chapter 475, Statutes of 2023

AB-1552 (Reyes) - Healing arts: foreign dental schools.

Repeals provisions of law transferring the authority for approving foreign dental schools from the Dental Board of California to the Commission on Dental Accreditation of the American Dental Association.

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

Status: Assembly-In Committee Process - Business and Professions

AB-1557 (Flora) - Pharmacy: electronic prescriptions.

Authorizes a pharmacist located and licensed in the state to, on behalf of a licensed hospital, from a location outside of the hospital, verify medication chart orders for appropriateness, as specified, and makes other technical changes.

Status: Chapter 141, Statutes of 2023

AB-1564 (Low) - Master of Divinity: physician and surgeon: title.

Clarifies that a person who has earned a Master of Divinity may not display titles highlighting the title "MD" or "M.D." in a way that makes it unclear that the title is an "MDiv" or "M.D.i.v."

Status: Assembly-In Committee Process - Appropriations

AB-1570 (Low) - Optometry: certification to perform advanced procedures.

Expands the scope of practice for optometrists certified to use therapeutic pharmaceutical agents to perform specified advanced procedures after graduating from an accredited school of optometry and meeting additional education and hands-on training requirements, including instruction involving both simulated eyes and live human patients.

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

Status: Assembly-In Committee Process - Business and Professions

AB-1619 (Dixon) - Pharmacists: drug disclosures: cannabis or cannabidiol interactions.

Requires a pharmacist who dispenses a prescription drug to a patient for use that has major or moderate interactions with edible or inhaled cannabis or cannabidiol products to affix an auxiliary label to the prescription container with that information.

Note: This bill did not receive a hearing in this committee.

Status: Assembly-In Committee Process - Business and Professions

AB-1646 (Stephanie Nguyen) - Physicians and surgeons: postgraduate training: guest rotations.

Authorizes out-of-state medical residents who are participating in guest rotations in approved postgraduate training programs in California or at training sites affiliated with Accreditation Council for Graduate Medical Education (ACGME)-accredited programs to practice medicine for up to 90 days and receive compensation without obtaining a postgraduate training license.

Status: Chapter 257, Statutes of 2023

AB-1707 (Pacheco) - Health professionals and facilities: adverse actions based on another state's law.

Protects licensed health care professionals, clinics, and health facilities from being denied a license or subjected to discipline on the basis of a civil judgment, criminal conviction, or disciplinary action imposed by another state based solely on the application of a law that interferes with a person's right to receive sensitive services that would be lawful in California.

Status: Chapter 258, Statutes of 2023

AB-1731 (Santiago) - CURES database: buprenorphine.

Exempts a health care practitioner who prescribes, orders, administers, or furnishes buprenorphine in the emergency department of a hospital from the duty to consult the state's prescription drug monitoring program database.

Status: Chapter 144, Statutes of 2023

AB-1741 (Waldron) - Healing arts: clinical laboratories: personnel.

Lowers the level of supervision required for unlicensed laboratory personnel to perform specified activities and expands the scope of practice of the personnel in a licensed clinical laboratory.

Status: Assembly-Vetoed

Governor's Veto Message:

To the Members of the California State Assembly:

I am returning Assembly Bill 1741 without my signature.

This bill would revise training requirements for unlicensed laboratory personnel, change the scope of work authorized, and clarify the level of supervision required.

While I appreciate the author's intent to address the licensed workforce shortage in labs and improve testing capacity, this bill contains a provision that could enable unlicensed laboratory personnel to perform tasks that exceed their level of training, posing a danger to the health and safety of Californians. As a result, this bill could conflict with the Clinical Laboratory Improvement Act, a federal law that prohibits individuals who do not meet the specified education and training requirements from performing any aspect of the analytical phase of testing.

I encourage the author and stakeholders to work with the Department of Public Health on a solution that ensures that personnel performing specified testing have the skills necessary to reliably receive accurate results.

For these reasons, I cannot sign this bill.

Sincerely, Gavin Newsom

AB-1751 (Gipson) - Opioid prescriptions: information: nonpharmacological treatments for pain.

Extends existing requirement that applies only to minors to all patients that require a prescriber, before directly dispensing or issuing the first prescription for a controlled substance containing an opioid in a single course of treatment, to discuss specified information.

Status: Assembly-In Committee Process - Health

SB-339 (Wiener) - HIV preexposure prophylaxis and postexposure prophylaxis.

Authorizes a pharmacist to initiate and furnish up to a 90-day course of HIV preexposure prophylaxis (PrEP), or beyond a 90-day course, if certain conditions are met.

Status: Assembly-In Floor Process

SB-372 (Menjivar) - Department of Consumer Affairs: licensee and registrant records: name and gender changes.

Requires a board under the Department of Consumer Affairs to replace references to a licensee's former name or gender on their license and on any website upon request when the licensee's name has been changed due to a court-ordered change in gender or under circumstances that resulted in participation in state's address confidentiality program.

Status: Chapter 225, Statutes of 2023

SB-373 (Menjivar) - Board of Behavioral Sciences, Board of Psychology, and Medical Board of California: licensees' and registrants' addresses.

Prohibits the Board of Behavioral Sciences, the Board of Psychology, and the Veterinary Medical Board from disclosing on the internet the full addresses of record of their licensees and requires these boards to establish an alternative process for providing a complete address upon receipt of a request that is related to a court proceeding against or request for records from the licensee.

Status: Senate-Vetoed

Governor's Veto Message:

To the Members of the California State Senate:

I am returning Senate Bill 373 without my signature.

This bill would prohibit the Board of Behavioral Sciences, the Board of Psychology, and the Veterinary Medical Board from disclosing on the internet the public address of record of a licensee or registrant.

I appreciate the author's goal to provide additional safety to these providers; however, this bill would serve as an impediment for patients seeking access to their medical records, as a patient would need their provider's address to make a request. Absent access to addresses on board websites or other publicly accessible sources, patients may need to submit a public records act request to obtain the address needed to request access to their medical records. This could result in a significant delay for patients seeking to obtain their medical records.

There are already protections in existing law for providers that work from their homes and seek to maintain their privacy, including the use of a post office box that avoids the need to disclose their home address. The safety of healthcare providers is paramount, but I cannot support a measure that would restrict patient access when effective alternatives exist to protect the safety and privacy of providers.

For these reasons, I cannot sign this bill.

Sincerely, Gavin Newsom

SB-385 (Atkins) - Physician Assistant Practice Act: abortion by aspiration: training.

Expands the training options for physician assistants seeking to perform abortions by aspiration techniques.

Status: Chapter 178, Statutes of 2023

SB-612 (Ochoa Bogh) - Speech-language pathologists.

Clarifies that a licensed speech-language pathologist can perform a flexible fiber optic transnasal endoscopic (FEES) procedure if the licensee has on file a written verification from one certified otolaryngologist that was issued before January 1, 2023, and has met specified training requirements.

Status: Chapter 620, Statutes of 2023

SB-667 (Dodd) - Healing arts: pregnancy and childbirth.

Makes various clarifications and changes to the practice and supervision of certified nurse-midwives.

Status: Chapter 497, Statutes of 2023

SB-669 (Cortese) - Veterinarians: veterinarian-client-patient relationship.

Authorizes a registered veterinary technician to establish a veterinarian-client-patient relationship under the direct supervision of a veterinarian for purposes of administering preventive or prophylactic vaccines or medications to control or eradicate internal or external parasites, as specified.

Status: Chapter 882, Statutes of 2023

SB-802 (Roth) - Licensing boards: disqualification from licensure: criminal conviction.

Requires a licensing board that denies an application for licensure based solely or in part on the applicant's conviction history to notify the applicant in writing within 30 days.

Status: Assembly-In Committee Process - Business and Professions

SB-815 (Roth) - Healing arts.

Extends the sunset date for the Medical Board of California until January 1, 2028 and makes additional technical changes, statutory improvements, and policy reforms in response to issues raised during the MBC's sunset review oversight process.

Status: Chapter 294, Statutes of 2023

SB-818 (Roth) - Department of Consumer Affairs: terms of office: fingerprinting.

Makes technical and conforming changes to provisions of law relating to board terms of office and applicant fingerprinting.

Note: This bill did not receive a hearing in this committee.

Status: Assembly-In Committee Process - Business and Professions

SB-887 (Committee on Business, Professions and Economic Development) - Consumer affairs.

Makes various technical corrections, clarifying amendments, and nonsubstantive changes to provisions of law governing boards, bureaus, and programs under the Department of Consumer Affairs as well as the Department of Real Estate.

Status: Chapter 510, Statutes of 2023

Non-Health Licensing and Regulation

AB-225 (Grayson) - Real property: environmental hazards booklet.

Requires, as existing resources permit, or as private resources are made available, the Homeowners' Guild to Environmental Hazards to be updated and include new sections on wildfire, climate change, and sea level rise, as specified.

Status: Chapter 420, Statutes of 2023

AB-336 (Cervantes) - Contractors: workers' compensation insurance.

Requires active licensees to, beginning July 1, 2024, certify on their license renewal form the three workers' compensation classification codes for which the highest estimated payroll is reported on their workers' compensation insurance policy, as specified.

Status: Chapter 323, Statutes of 2023

AB-342 (Valencia) - Architects and real estate appraisers: applicants and licensees: demographic information.

Authorizes the California Architects Board and the Bureau of Real Estate Appraisers to request that a licensee identify their race, ethnicity, sexual orientation, gender, or gender identity when an initial license is issued or at the time of license renewal.

Status: Chapter 200, Statutes of 2023

AB-477 (Waldron) - Legislative review of state boards.

Requires the Joint Sunset Review Committee to make its reports available to the public online.

Note: This bill was not set for a hearing in this committee.

Status: Assembly-In Committee Process - Business and Professions

AB-883 (Mathis) - Business licenses: United States Department of Defense SkillBridge program.

Expands the requirement that licensing boards under the Department of Consumer Affairs (DCA) must expedite the licensing application from military veterans to include applications from active duty members of a regular component of the United States Armed Forces who are enrolled in the United States Department of Defense SkillBridge program.

Status: Chapter 348, Statutes of 2023

AB-996 (Low) - Department of Consumer Affairs: continuing education: conflict-of-interest policy.

Requires each board under the Department of Consumer Affairs that approves continuing education providers or courses to have a conflict-of-interest policy that discourages the qualification of courses that promote a product or enterprise in which the provider has a financial interest, and requires those conflicts to be disclosed before each course.

Status: Senate-In Floor Process

AB-1136 (Haney) - State Athletic Commission: mixed martial arts: pension fund.

Requires the California State Athletic Commission to establish a retirement benefit fund for licensed martial artists who engage in mixed martial arts (MMA) contests in California and requires the Commission to establish the method by which the benefit will be financed.

Status: Chapter 466, Statutes of 2023

AB-1204 (Holden) - Contractors: contracts: restrictions.

Prohibits a specialty contractor from entering into a contract for the performance of work on a single project or undertaking with more than one subcontractor in the same license classification as the specialty contractor offering the contract, unless specified conditions are met.

Status: Chapter 568, Statutes of 2023

AB-1244 (Holden) - Private security services and private investigators: qualified managers.

Requires, beginning January 1, 2025, a qualified manager (QM) of certain Bureau of Security and Investigative Services regulated entities to hold a current and valid QM certificate; establishes requirements for renewing a QM certificate; establishes fees related to a QM certificate; and outlines specified QM-certificate display requirements.

Status: Chapter 571, Statutes of 2023

AB-1262 (Berman) - Professional fiduciaries.

Extends the sunset date for the Professional Fiduciaries Bureau until January 1, 2028 and makes additional technical changes, statutory improvements, and policy reforms in response to issues raised during the Bureau's sunset review oversight process.

Status: Chapter 680, Statutes of 2023

AB-1263 (Berman) - Vehicles: Bureau of Automotive Repair: smog check program.

Subjects the Bureau of Automotive Repair to legislative review as if it were to sunset on January 1, 2028, and makes additional technical changes, statutory improvements, and policy reforms in response to issues raised during the Bureau's sunset review oversight process.

Status: Chapter 681, Statutes of 2023

AB-1328 (Gipson) - Cosmetology Licensure Compact.

Enacts the Cosmetology Licensure Compact to facilitate California's participation in a multistate licensing program whereby cosmetologists can receive reciprocity to practice in other states that have adopted the Compact and vice versa.

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

AB-1383 (Ortega) - Contractors: discipline: noncompliance with child support obligations.

Requires the Contractors State License Board to adopt regulations by January 1, 2025, to suspend or withhold the issuance of a license if an applicant or the qualifying individual, responsible managing officer, or responsible managing employee for the license is not in compliance with a child support order, and requires licensees to notify the Board within 120 days of any court ordered earnings assignment for child support.

Note: This bill did not receive a hearing in this committee.

Status: Assembly-In Committee Process - Business and Professions

AB-1560 (Flora) - Crematories: change in ownership.

Provides a new regulatory process to transfer ownership of a licensed crematory to a new owner, as specified, and sets the fee to assign a crematory license at \$750.

Status: Chapter 206, Statutes of 2023

AB-1703 (Wendy Carrillo) - State Athletic Commission: boxing.

Increases the cap on the 5% fee on admissions that the California State Athletic Commission may collect from a combative sports promotion from \$100,000 to \$200,000.

Status: Chapter 591, Statutes of 2023

SB-372 (Menjivar) - Department of Consumer Affairs: licensee and registrant records: name and gender changes.

Requires a board under the Department of Consumer Affairs to replace references to a licensee's former name or gender on their license and on any website upon request when the licensee's name has been changed due to a court-ordered change in gender or under circumstances that resulted in participation in state's address confidentiality program.

Status: Chapter 225, Statutes of 2023

SB-384 (Bradford) - Barbering and cosmetology.

Requires the State Board of Barbering and Cosmetology to establish a remedial education program, in lieu of a first offense of a health and safety violation.

Status: Chapter 603, Statutes of 2023

SB-601 (McGuire) - Professions and vocations: contractors: home improvement contracts: prohibited business practices: limitation of actions.

Requires the courts to impose the maximum fine when a contractor violates home improvement contract requirements in a declared disaster area and extends the statute of limitations to prosecute misdemeanors related to the unlawful use of a professional license.

Status: Chapter 403, Statutes of 2023

SB-630 (Dodd) - Contractors State License Board: regulation of contractors.

Authorizes the Contractors State License Board to require applicants, registrants, and licensees to provide a valid email address and to automatically revoke a license for failure to fully comply with the terms and conditions of probation.

Status: Chapter 153, Statutes of 2023

SB-802 (Roth) - Licensing boards: disqualification from licensure: criminal conviction.

Requires a licensing board that denies an application for licensure based solely or in part on the applicant's conviction history to notify the applicant in writing within 30 days.

Status: Assembly-In Committee Process - Business and Professions

SB-812 (Roth) - Tax preparers.

Extends the sunset date for the California Tax Education Council by four years to January 1, 2028.

Status: Chapter 185, Statutes of 2023

SB-813 (Roth) - Structural Pest Control Board.

Extends the sunset date for the Structural Pest Control Board by four years to January 1, 2028.

Status: Chapter 507, Statutes of 2023

SB-814 (Roth) - Household goods and services.

Extends the sunset date for the Bureau of Household Goods and Services to January 1, 2028, establishes the Household Goods and Services Fund, and makes additional technical changes, statutory improvements, and policy reforms in response to issues raised during Bureau's sunset review oversight process.

Status: Chapter 508, Statutes of 2023

SB-817 (Roth) - Barbering and cosmetology: application, examination, and licensing fees.

Recasts provisions of law authorizing the State Board of Barbering and Cosmetology (BBC) to charge a hairstylist license application and examination fee to require that the fee be the actual cost to the BBC, not to exceed \$50.

Status: Assembly-In Committee Process – Appropriations

SB-818 (Roth) - Department of Consumer Affairs: terms of office: fingerprinting.

Makes technical and conforming changes to provisions of law relating to board terms of office and applicant fingerprinting.

Note: This bill did not receive a hearing in this committee.

Status: Assembly-In Committee Process - Business and Professions

SB-887 (Committee on Business, Professions and Economic Development) - Consumer affairs.

Makes various technical corrections, clarifying amendments, and nonsubstantive changes to provisions of law governing boards, bureaus, and programs under the Department of Consumer Affairs as well as the Department of Real Estate.

Status: Chapter 510, Statutes of 2023

Other

AB-38 (Lee) - Light pollution control.

Requires, beginning January 1, 2024, a state agency to ensure newly installed outdoor lighting fixtures on state-owned, -leased, or -managed structures meet specified requirements with the goal of minimizing energy use and light pollution and preserving the natural night environment.

Note: Held on the Senate Appropriations Committee suspense file.

Status: Senate-In Committee Process – Appropriations

SB-816 (Roth) - Professions and vocations.

Raises several types of licensing fees imposed by the Board of Psychology, Board of Pharmacy, Board of Accountancy, and the Landscape Architects Technical Committee; makes clarifying changes pertaining to the Board of Vocational Nursing and Psychiatric Technicians (BVNPT) and Veterinary Medical Board (VMB); extends the requirement for a junk dealer seeking a weighmaster license to furnish additional information and pay an additional annual fee; and makes numerous technical changes, statutory improvements, and policy reforms raised during the California Council for Interior Design Certification's (CCIDC) sunset review in 2022.

Status: Chapter 723, Statutes of 2023