May 2013 Legislation Report

Agenda Item #10

AB 186  (Maienschein R)  Professions and vocations: military spouses: temporary licenses.
Introduced: 1/28/2013
Status: 4/30/2013-From committee: Do pass and re-refer to Com. on APPR. (Ayes 10. Noes 1.) (April 30). Re-referred to Com. on APPR. (April 30). Referred to Com. on APPR. (Ayes 2. Noes 0.) (May 1).
Is Urgency: N
Is Fiscal: Y
Location: 4/30/2013-A. APPR.

Summary: Current law requires a board within the Department of Consumer Affairs to expedite the licensure process for an applicant who holds a current license in another jurisdiction in the same profession or vocation and who supplies satisfactory evidence of being married to, or in a domestic partnership or other legal union with, an active duty member of the Armed Forces of the United States who is assigned to a duty station in California under official active duty military orders. This bill would require a board within the department to issue a temporary license to an applicant who qualifies for, and requests, expedited licensure pursuant to the above-described provision if he or she meets specified requirements. The bill would require the temporary license to expire 12 months after issuance, upon issuance of the expedited license, or upon denial of the application for expedited licensure by the board, whichever occurs first.

AB 213  (Logue R)  Healing arts: telehealth.
Introduced: 1/31/2013
Is Urgency: Y
Is Fiscal: Y
Location: 5/1/2013-A. APPR.

Summary: Would require the State Department of Public Health, upon the presentation of evidence by an applicant for licensure or certification, to accept education, training, and practical experience completed by an applicant in military service toward the qualifications and requirements to receive a license or certificate for specified professions and vocations if the healing arts education, training, or experience is equivalent to the standards of the department. This bill contains other existing laws.

AB 258  (Chávez R)  State agencies: veterans.
Introduced: 2/7/2013
Status: 4/29/2013-In Senate. Read first time. To Com. on RLS. for assignment.
Is Urgency: N
Is Fiscal: Y
Location: 4/29/2013-S. RLS.

Summary: Current law provides for the governance and regulation of state agencies, as defined. Current law provides certain benefits and protections for members of the Armed Forces of the United States. This bill would require, on or after July 1, 2014, every state agency that requests on any written form or written publication, or through its Internet Web site, whether a person is a veteran, to request that information in a specified manner.

AB 809  (Logue R)  Healing arts: telehealth.
Introduced: 2/21/2013
Status: 4/30/2013-Re-referred to Com. on B.,P. & C.P.
Is Urgency: Y
Is Fiscal: N
Location: 4/30/2013-A. B.,P. & C.P.

Summary: Current law requires a health care provider, as defined, prior to the delivery of health care services via telehealth, as defined, to verbally inform the patient that telehealth may be used and obtain verbal consent from the patient for this use. Current law also provides that failure to comply with this requirement constitutes unprofessional conduct. This bill would allow the verbal consent for the use of telehealth to apply in the present instance and for any subsequent use of telehealth. This bill contains other related provisions.

AB 864  (Skinner D)  Athletic trainers.
Introduced: 2/21/2013
Status: 4/30/2013-Re-referred to Com. on APPR.
Is Urgency: N
Is Fiscal: Y
Location: 4/30/2013-A. APPR.

Summary: Would enact the Athletic Training Practice Act which would provide for the licensure and regulation of athletic trainers, as defined. The bill would establish, until January 1, 2019, the Athletic Trainer Licensing Committee within the Physical Therapy Board of
California to implement these provisions, including issuing and renewing athletic training licenses and imposing disciplinary action. Commencing July 1, 2014, the bill would prohibit a person from practicing as an athletic trainer or using certain titles without a license issued by the committee, except as specified.

**AB 1000**  
(Wieckowski D) Physical therapists: direct access to services: professional corporations.  
Introduced: 2/22/2013  
Status: 4/30/2013-Do pass as amended and be re-referred to the Committee on Appropriations.  
Is Urgency: N  
Is Fiscal: Y  
Location: 4/30/2013-A. APPR.

Summary: Would specify that patients may access physical therapy treatment directly and would, in those circumstances, require a physical therapist to refer his or her patient to another specified healing arts practitioner if the physical therapist has reason to believe the patient has a condition requiring treatment or services beyond that scope of practice or if the patient is not progressing, to disclose to the patient any financial interest he or she has in treating the patient, and, with the patient's written authorization, to notify the patient's physician and surgeon, if any, that the physical therapist is treating the patient. This bill contains other related provisions and other existing laws.

**AB 1003**  
(Meienschein R) Professional corporations: healing arts practitioners.  
Introduced: 2/22/2013  
Status: 4/30/2013-In committee: Set, second hearing. Hearing canceled at the request of author.  
Is Urgency: N  
Is Fiscal: N  
Location: 4/25/2013-A, B, P, & C.P.

Summary: The Moscone-Knox Professional Corporation Act authorizes specified listed types of healing arts practitioners to be shareholders, officers, directors, or professional employees of a designated professional corporation, subject to certain limitations relating to ownership of shares. This bill would specify that those provisions do not limit the employment by a professional corporation to only those specified licensed professionals. The bill would authorize any person duly licensed under the Business and Professions Code, the Chiropractic Act, or the Osteopathic Act to be employed to render professional services by a professional corporation.

**AB 1057**  
(Medina D) Professions and vocations: licenses: military service.  
Introduced: 2/22/2013  
Status: 4/29/2013-In Senate. Read first time. To Com. on RLS. for assignment.  
Is Urgency: N  
Is Fiscal: Y  
Location: 4/29/2013-S. RLS.

Summary: Current law authorizes a licensee or registrant whose license expired while the licensee or registrant was on active duty as a member of the California National Guard or the United States Armed Forces to, upon application, reinstate his or her license without penalty and without examination, if certain requirements are satisfied, unless the licensing agency determines that the applicant has not actively engaged in the practice of his or her profession while on active duty, as specified. This bill would require each board, commencing January 1, 2015, to inquire in every application for licensure if the applicant is serving in, or has previously served in, the military.

**SB 306**  
(Price D) Healing arts: boards.  
Introduced: 2/15/2013  
Status: 4/29/2013-Do pass as amended, and re-refer to the Committee on Appropriations.  
Is Urgency: N  
Is Fiscal: Y  
Location: 4/29/2013-S. APPR.

Summary: Would require that the powers and duties of the board, as provided, be subject to review by the appropriate policy committees of the Legislature. The bill would require that the review of the board be performed as if these provisions were scheduled to be repealed on January 1, 2018. This bill contains other related provisions and other existing laws.

**SB 381**  
(Yee D) Healing arts: chiropractic practice.  
Introduced: 2/20/2013  
Status: 4/22/2013-Hearing postponed by committee.  
Is Urgency: N  
Is Fiscal: N  
Location: 2/28/2013-S. B., P. & E.D.
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Summary: Would provide that any person who relies upon a written order, ruling, approval, interpretation, or enforcement policy of a state agency or department, except the Division of Labor Standards Enforcement, shall not be liable or subject to punishment for a violation of a statute or regulation in a judicial or administrative proceeding if the person takes specified actions. This bill would provide that a person who relies on a written order, ruling, approval, interpretation, or enforcement policy of the Division of Labor Standards Enforcement and takes these specified actions shall not be liable or subject to punishment, except for restitution of unpaid wages. The bill would provide that these provisions apply to all actions and proceedings that commence on or after January 1, 2014. Additionally, the bill would state that it would not require a state agency to issue an order, ruling, approval, interpretation, or enforcement policy. This bill contains other existing laws.

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