



State of California
Edmund G. Brown Jr., Governor

Agenda Item 12
July 29, 2016

Update and Possible Action on Regulations

Purpose of the item

The Board will receive a status update on pending regulatory proposals.

Action(s) requested

No action requested at this time.

Background

The Board currently has ten regulatory proposals in various stages of completion.

Recommendation(s)

No recommendations at this time.

Next Step

N/A

Attachment(s)

1. BCE regulation tracking sheet
2. BCE regulation summary sheet

BCE List of Prioritized Proposed Regulatory Changes

Group A – Legislatively Mandated

Status

1	Application for Licensure (CCR Section 321)	Regulation adopted by the Board. Package has been submitted to DCA for final review.
2	Consumer Protection Enforcement Initiative	Board approved rulemaking process 5/19/16.
3	Uniform Standards for Substance Abusing Licensees	Rulemaking not yet started

Group B

Status

1	Delegation of Authority to the Assistant Executive Officer	Approved Rulemaking Process 5/19/16
2	Revisions to BCE Disciplinary Guidelines	Approved Rulemaking Process 7/30/15
3	Mandatory Cardiopulmonary Resuscitation (CPR) Certification for all licensees	Approved Rulemaking Process 7/30/15
4	Comprehensive Revisions/Updates to CCR Article 4 (Sections 330 – 331.16) – Approved Schools & Qualifications of Applicants (Curriculum Requirements)	Rulemaking not yet started

Group C

Status

1	Chiropractic Records Retention/Disposition of Patient Records Upon Closure of Practice or Death/Incapacity of Licensee	Approved Rule Making Process 4/16/15
2	Continuing Education Requirements (CE Provider and Course Approval)	Rulemaking not yet started
3	Amend or Repeal CCR Section 354 - Successful Examination (Obsolete provision)	Rulemaking not yet started

Status options:

- Proposed Regulatory Change
- Approved Rulemaking Process
- Initiated Rulemaking Process
- Regulation adopted by Board
- Regulation pending DCA Approval
- Regulation pending OAL Approval
- Approved /Denied by OAL
- Effective Date

BCE List of Prioritized Proposed Regulatory Changes

<u>Proposed Regulation</u>	<u>Proposed Change(s)</u>
Application for Licensure (CCR Section 321)	The BCE will amend the application for licensure to comply with new legislation which will assist agencies in identifying past or present members of the military and their spouses in order to expedite the licensure process for these individuals. Additionally, the regulation would amend the CE regulations for consistency with the provisions of BPC section 114.3 to waive renewal fees, continuing education requirements, and other requirements for active duty members of the U.S. military. Also, the regulation proposes to allow the Board to award up to 16 hours of CE credit to licensees who participate in the review and revision of the California Law and Professional Practices Examination.
Consumer Protection Enforcement Initiative	The proposed changes would add or amend 11 sections within the California Code of Regulations that would establish stricter reporting and disclosure requirements by licensees and applicants and increase the board's enforcement authority and access to critical information for use in investigations.
Uniform Standards for Substance Abusing Licensees	The BCE will need to review and possibly amended the SB 1441 Uniform Standards for Substance Abusing Licensees. Ultimately, the Uniform Standards will be incorporated by reference into the Board's Disciplinary Guidelines.
Delegation of Authority to the Assistant Executive Officer	The proposed regulation would delegate to the Board's Assistant Executive Officer the authority to approve settlement agreements for revocation, surrender, and interim suspension of a license, or allow the Executive Officer to delegate this function to another designee.
Revisions to BCE Disciplinary Guidelines	The BCE's Disciplinary Guidelines are being revised to streamline the enforcement process and provide greater protection to consumers.
Mandatory Cardiopulmonary Resuscitation (CPR) Certification for all licensees	The regulation will add a new section CCR 371.1 which would require as a condition of licensure and license renewal all licensees maintain current CPR certification or basic life support from specified entities approved by the Board. Also, a licensee may earn 2 hours of CE for completion of CPR/BLS course. The regulation would also make technical and clarifying amendments for consistency and clarity.
Comprehensive Revisions/Updates to CCR Article 4 (Sections 330 – 331.16) – Approved Schools & Qualifications of Applicants (Curriculum Requirements)	
Chiropractic Records Retention/Disposition of Patient Records Upon Closure of Practice or Death/Incapacity of Licensee (Amendment to CCR Sections 312.2 and 318)	
CE Requirements (CE Provider and Course Approval)	
Amend or Repeal CCR Section 354 - Successful Examination (Obsolete provision)	