



California Department of Consumer Affairs

ANNUAL REPORT

FISCAL YEAR 2004-05

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State of California

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OUR MISSION

To protect and serve consumers while ensuring a competent and fair marketplace.

OUR VALUES

As a government agency dedicated to protecting consumers and regulating a variety of professional occupations and businesses, the success of the Department of Consumer Affairs depends on:

- Serving our stakeholders with committed, knowledgeable, well-trained employees.
- Providing prompt and fair investigation and adjudication of violations of law.
- Educating consumers so they are capable of making informed decisions in a complex and changing marketplace.
- Licensing applicants to ensure job markets are easily accessible.
- Creating productive partnerships with consumers, licensees, and businesses.
- Developing automation systems that provide efficient and effective support to consumers, employees, licensees, and businesses.
- Improving consumer access to critical health and safety information and educating them on the benefits of clean air.

OUR VISION

To be the recognized leader in providing innovative services that educate and empower consumers to make informed decisions. Consumers, licensees, and businesses will have a safe, fair, and competitive marketplace.



THE DEPARTMENT OF CONSUMER AFFAIRS—MAKING THE MARKETPLACE BETTER FOR ALL CALIFORNIANS



Protecting California consumers is more than a mission statement for the Department of Consumer Affairs (DCA); it's what we do every day. I am pleased to report that the Department worked diligently during Fiscal Year 2004–05, and through a diverse array of programs and initiatives, was successful in safeguarding the marketplace while ensuring fair competition for businesses in California.

Comprising more than 40 boards, bureaus and other agencies, DCA set minimum standards for competence, education, and skills in many of California's leading industries, including healthcare, cosmetology, contracting, and automotive repair. The Department regulates more than 2.4 million professionals in more than 255 professions.

Through enforcement of California consumer-protection laws, DCA helped ensure protection of public health and safety. We investigated thousands of consumer complaints and mediated disputes between businesses and consumers. With our assistance, consumers received more than \$40 million in refunds, rework, or restitution.

The Department of Consumer Affairs helped lead the fight against identity theft, the fastest-growing consumer crime. In addition to operating the nation's only state Office of Privacy Protection, the Department teamed up with consumers, business, law enforcement, prosecutors, and other allies. The Department sponsored the *Governor's Summit on Identity Theft*

Solutions, which focused on clarifying the major obstacles to the successful prosecution of identity theft and on working toward solutions, including a follow-up summit dedicated to training key stakeholders.

With help from the Breathe Easier public education campaign, our Bureau of Automotive Repair ramped up the retirement and repair of high-polluting vehicles. Californians—especially children with respiratory illnesses like asthma—are breathing easier because we sent about 5,000 smog-producing vehicles to the recycler and assisted with clean-up repairs on 36,000 cars and light-duty trucks.

Knowing the Department cannot fulfill its consumer-protection mission alone, we reached out to consumer and community leaders throughout California. We partnered with community-based organizations and consumer groups to help reach Californians traditionally underserved by government.

DCA hosted significant consumer-interest events, including the LifeSmarts state and national championships, with a record 40 teams of teens competing in this educational test of consumer skills and knowledge.

The Department responded to more than a million inquiries through its consumer assistance phone system. Our toll-free consumer assistance hotline—(800) 952-5210—has Spanish-speaking operators available, as well as the option for assistance in 144 languages. Call-center performance is up, with average caller wait times cut in half.



Another way DCA touched millions of consumers was through the Internet. We provided scores of publications, Web resources, and online services at www.consumer.ca.gov. These included an online consumer complaint service and an online license check to confirm, with the click of a mouse, the status of professionals and businesses.

We began protecting Californians in new ways with innovative programs, such as Terrorism Awareness Training for security guards. More than 2,500 state-licensed private patrol companies and training facilities have received a training workbook and a DVD illustrating techniques for spotting possible terrorist activity. Up to 400,000 security guards will receive this training. The program, produced cooperatively with the National Guard, the Commission on Peace Officer Standards and Training, and the State Office of Homeland Security, is a model for similar programs across the nation.

Many Californians are sleeping more safely, protected from the tragic pain and loss of mattress fires because their mattresses meet California's toughest-in-the-nation standards for open-flame resistance, which were developed and are enforced by our Bureau of Home Furnishings and Thermal Insulation.

The California Department of Consumer Affairs battled the multi-billion-dollar black-market construction industry to protect California's economy. With the Contractors State License Board in the lead, we targeted unlicensed "amateur professionals" who endangered consumer and worker health, robbed the state of revenue, and cheated businesses with illegal competition and higher taxes.

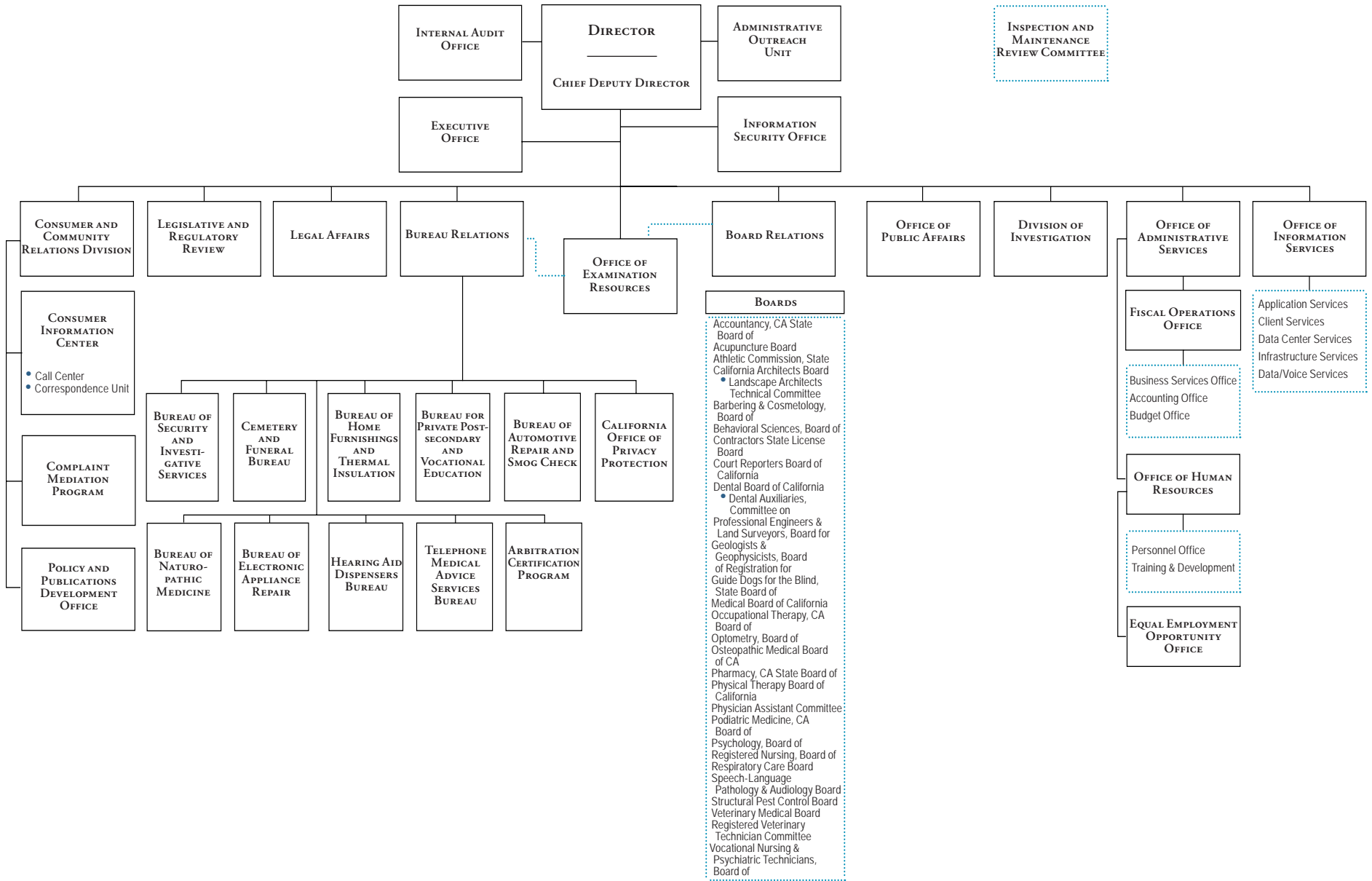
I am honored to submit to the Legislature this Report and Annual Survey of the Department's activities for Fiscal Year 2004–05.

Charlene Zettel

Director, California Department of Consumer Affairs



DCA ORGANIZATIONAL CHART



OFFICE OF ADMINISTRATIVE SERVICES

The Office of Administrative Services (OAS) is responsible for providing administrative services to all bureaus, divisions, boards, committees, and one commission within the Department of Consumer Affairs (DCA). Administrative services include accounting services, which provide year-end financial reporting, cashiering of revenue collected, payment of all invoices, CALSTARS, and revenue/accounts receivables. Budget services include expenditure and revenue monitoring, fiscal analysis of legislation and proposed regulations, and preparation of the Governor's Budget. Business services include facilities and space planning, contracts, purchasing, Small Business/Disabled Veterans Business Enterprise Program, mail distribution, records management, Copy Center, and subpoena workload. The Office of Human Resources (OHR) services include payroll and benefit administration, classification and pay, transactions, health and safety, and exam administration. In addition, the OAS is the primary contact with the various control agencies and ensures that the Department adheres to appropriate guidelines, rules, regulations, and laws.

Major Accomplishments for Fiscal Year 2004–05:

- Tested and implemented four automated projects including the Office Revolving Fund replenishment process, Electronic Cash Remittance process, automated posting of Department of General Services direct transfers, and electronic transmittal of year-end financial statements to the State Controller's Office (SCO), plus continued increases in processing of iLicensing (online) revenue.
- Achieved \$4.6 million in operational savings by shifting from the State Compensation Insurance Fund premium policy to a more cost-effective self-funded worker's compensation program, and entering into a new lease to relocate DCA Headquarters and downtown offices to the Natomas area.

- Created a Progressive Discipline Handbook and mandatory in-depth training and instruction on the subject of Progressive Discipline. OHR is in the process of conducting mandatory training to comply with the Director's Performance Evaluation training directive for all supervisors and managers. The training explores the preventive and corrective steps of the progressive discipline process. Classes will continue throughout Fiscal Year 2005–06 with 190 supervisors being trained to date.

Advances in automation allowed OAS to submit year-end financial statements three weeks earlier, and streamlined the SCO review and compilation process to prepare the State of California Comprehensive Annual Financial Report. In addition, the automation provided for greater accuracy, reduced paperwork, and manual processing, thereby creating more efficient processing while reducing storage costs. Additionally, the iLicensing continues to provide licensees with a convenient way to pay their license fees using a credit card.

OFFICE OF INFORMATION SERVICES

The Office of Information Services (OIS) is responsible for directing and managing Information Technology (IT) at DCA. The OIS researches and implements best practices, recruits and retains computer professionals, and manages and standardizes the DCA's use of technology.

Major Accomplishments for Fiscal Year 2004–05:

- Expanded the Applicant Tracking System (ATS), which automates the license application process, to include the Cemetery and Funeral Bureau, the Speech-Language Pathology and Audiology Board, the Acupuncture Board, and the Physical Therapy Board. The OIS will be adding additional boards and bureaus to the ATS as part of DCA's Strategic Plan.



- OIS improved the public's Web-site access by providing One-Stop Search. This feature, which encompasses all of DCA's boards and bureaus, allows the public to access information, forms, and applications at a single site.

CALIFORNIA OFFICE OF PRIVACY PROTECTION

The California Office of Privacy Protection (COPP) protects consumer privacy by developing fair information practices. COPP assists consumers with identity theft and other privacy-related issues. It also coordinates with law enforcement on identity theft and high-tech crime activities and makes best practice recommendations to organizations.

Major Accomplishments for Fiscal Year 2004–05:

- Provided information on identity theft prevention and good privacy practices at more than 55 community, business, and professional events. More than 20 of these informational events were for consumer audiences, including 11 legislator town halls. Thirty-three events were for business audiences, including local chambers of commerce and seminars for high-tech crime investigators, information security officers, and banks.
- Developed and issued a third set of best-practice recommendations: *Recommended Practices on California Information—Sharing Disclosures and Privacy Policy Statements*. The document was developed for businesses and is available on the COPP Web site.
- Coordinated a program of speakers and wrote a report for Governor Schwarzenegger's *Locking Up the Evil Twin: A Summit on Identity Theft Solutions*, sponsored by State and Consumer Services Agency and the Department of Consumer Affairs, and hosted by the California District Attorneys Association. The Summit brought together leaders in business,

government, consumer organizations, and law enforcement. It focused on identifying the barriers to successful prosecution of identity theft cases and proposals for overcoming them.

- Provided information and assistance to 5,600 consumers, businesses, and government agencies.

CONSUMER AND COMMUNITY RELATIONS DIVISION

The Division encompasses several functions and is often the Department's first point of contact for many consumers. Efforts to reach out to consumers include presentations to consumers, consumer groups and other interested parties, as well as presenting information at various community events. The CCRD comprises the Arbitration Certification Program, the Complaint Mediation Program, the Consumer Information Center (Correspondence Unit and Call Center), and the Policy and Publications Development Office. During Fiscal Year 2004–05, the Division assumed responsibility for reviewing and/or editing, designing, and managing the inventory of DCA publications.

ARBITRATION CERTIFICATION PROGRAM

The Arbitration Certification Program (ACP) was established in 1987 to certify and monitor arbitration programs offered by participating new vehicle manufacturers in California. The Program works closely with these manufacturers to verify that arbitrations are conducted in a fair and expeditious manner and are in compliance with state and federal regulations. California's Lemon Law protects buyers and lessees of vehicles that have serious warranty defects that cannot be repaired by the manufacturer or dealer.



Major Accomplishments for Fiscal Year 2004–05:

- Updated the publication “Lemon Aid for Consumers” to help prepare consumers for arbitration hearings by providing information about the Program and California laws and regulations.
- Certified two additional manufacturers’ arbitration processes.
- Twenty-one vehicle and motor home manufacturers now offering certified arbitration programs in California returned more than \$21 million to consumers through refunds and replacements. These programs were consistently publicized in public outreach efforts to make more California consumers aware of their rights under the state’s Lemon Law.

COMPLAINT MEDIATION PROGRAM

The Complaint Mediation Program (CMP) provides complaint mediation to consumers who have experienced difficulties when purchasing products or services from industries regulated by six bureaus within the DCA. The six bureaus are the Bureau of Automotive Repair (BAR), the Cemetery and Funeral Bureau (CFB), the Bureau of Electronic and Appliance Repair (BEAR), Hearing Aid Dispensers Bureau (HADDB), Bureau of Home Furnishings and Thermal Insulation (BHFTI), and the Bureau of Security and Investigative Services (BSIS). Mediation is often a valuable alternative to costly litigation that can overwhelm the California court system. The CMP has a statewide presence with four offices located in the major metropolitan areas.

Major Accomplishments for Fiscal Year 2004–05:

- Received and reviewed more than 15,000 consumer complaints and referred approximately 7,500 of them to DCA agencies for investigation of serious allegations such as fraud, oversell, bait and switch, false advertising, and gross negligence. The remaining complaints were assigned to CMP staff.

- Mediated 8,000 consumer complaints resulting in refunds and adjustments to consumers of more than \$1.8 million. The CMP resolved 50 percent of all mediated complaints within an average of 35 days.
- Participated in 42 statewide outreach events informed the public of its consumer rights, raised awareness of marketplace problems, and provided information to assist the public in making more informed decisions.

CONSUMER INFORMATION CENTER

The Consumer Information Center (CIC) is often the first point of contact for approximately 1 million consumers and licensees in California each year. The Center comprises the Call Center and Correspondence Unit. Representatives at CIC’s toll-free telephone line provide assistance with marketplace problems, refer the public to appropriate government agencies, distribute complaint forms, verify licenses for Department-regulated professions, and distribute consumer publications. The CIC employs four Spanish-speaking phone agents and has the ability to provide assistance in 144 languages. The Correspondence Unit is the Department of Consumer Affairs’ centralized resource that assists the Executive Office with complex or sensitive consumer questions, complaints, and other written correspondence. In addition, the Unit responds to consumer inquiries from the Governor’s Office, the State and Consumer Services Agency, and other State and federal agencies and legislative offices.

Major Accomplishments for Fiscal Year 2004–05:

- Reduced average wait time for callers to less than 4 minutes, or more than 5 minutes less than Fiscal Year 2003–04’s wait time.
- Hosted the national LifeSmarts competition for high school students, and coordinated the state competition. The state and national LifeSmarts competitions are a valuable tool for teaching important



consumer and life skills to tomorrow's consumers. Hundreds of high school teams around the country competed to represent their state at the national competition.

- Created a database of community-based organizations to improve DCA's outreach efforts. The new database has helped dramatically expand DCA's message efforts to traditionally underserved populations such as seniors, underrepresented persons, and recent immigrants.
- Answered more than 22,000 written inquiries during Fiscal Year 2004–05, or an average of more than 400 per week. The unit also employs a bilingual employee who responds to correspondence written in Spanish.
- Successfully converted the Director's correspondence tracking system from an Access database into DCA's main database, CAS/Teale.
- Established a "team concept" which continuously monitors each employee's workload to ensure a prompt response to consumer inquiries.
- Continued to maintain an average response time of one business day for consumer e-mails.

POLICY AND PUBLICATIONS DEVELOPMENT (PPD) OFFICE

In May 2005, the publishing responsibility that was under the Communications Education Division (CED) was transferred to the newly established Policy and Publications Development (PPD) Office. At the same time, the responsibility for policy development moved from the Office of Administrative Services to the PPD Office. The PPD Office has been charged with editing and developing publications and managing distribution and inventory.

Major Accomplishments for Fiscal Year 2004–05:

- Convened a meeting of the Publications Committee and organized the consolidation of a department-wide DCA publications list. In addition,

the Committee made recommendations for the development of a new DCA Publications Policy.

- Formed the DCA Newsletter Committee, which planned the first issue of *The Consumer Connection*, a new DCA online magazine for the public that contains useful information about consumer concerns and suggestions on how consumers can help protect themselves from fraud and scams. A listing of liaisons with the bureaus, programs, divisions, offices, and boards for potential newsletter articles was created for *The Consumer Connection*. The PPD Office developed articles and a format for its first publication to be released in the Fall/Winter.

DIVISION OF INVESTIGATION

The Division of Investigation (DOI) was established in 1961 to provide centralized investigative and law enforcement services for some regulatory boards and bureaus within DCA. Within DOI is the Special Operations Unit (SOU) which performs internal affairs and threat and workplace violence assessments for the Department. The SOU also performs protective and stand-by service, which includes serving adverse actions. Additionally, the SOU is responsible for conducting sworn and non-sworn background investigations, administering the Department's Criminal Offender Record Information, and administering the Infraction Citation Clearance Program.

Major Accomplishments for Fiscal Year 2004–05:

- Client agencies referred 1,288 cases to the Division for investigation, and 1,274 were completed. The completed investigation reports served as the basis for discipline against licensees. DOI referred 95 reports to local district attorneys' offices for criminal filings. During Fiscal Year 2004–05, the SOU completed 75 investigations.



- In March 2005, a new Chief and Deputy Chief were sworn into office. They personally visited and met the staff in each of the seven field offices, as well as staff from nearly every board and bureau within DCA.
- Reviewed cases on a quarterly basis, which helped ensure that investigations were satisfactorily progressing.
- Drafted a complete revision of the DOI policy and procedures manual.
- Worked toward automating case-tracking and case-billing systems that will result in more efficiency and accuracy.
- Condensed three command areas throughout the state into two command areas with four supervising investigators reporting to each area commander.
- Initiated plans to open a field office in Fresno and relocate the Hayward office.
- Provided training and education to all DCA employees to ensure they adopted a proactive role in reporting and resolving potential discrimination complaints. EEO also conducted equal employment training for 1,536 rank-and-file employees and sexual harassment prevention training for 146 supervisors and managers.
- Through the Disability Advisory Council (DAC), prepared monthly health-related articles for *Did You Know?*, DCA's internal newsletter. The DAC also contributed to the Wellness Fair and National Disability Awareness Month.
- Oversaw and coordinated the completion of the Department's Self-Evaluation to determine if changes in policies, programs, services or activities, and practices are required to meet the Americans with Disabilities Act (ADA) mandates.
- Conducted 25 EEO investigations and presented recommendations to the Executive Office on how to best resolve complaints of discrimination.

EQUAL EMPLOYMENT OPPORTUNITY OFFICE

The Equal Employment Opportunity Office (EEO) serves all Department of Consumer Affairs (DCA) employees and applicants by promoting equal employment opportunity. The Office also promotes affirmative action for persons with disabilities. Further, EEO is charged with preventing and eliminating discriminatory practices through training, education, and outreach. The EEO staff works closely with other agencies and associations to increase outreach efforts both for those agencies and DCA.

Major Accomplishments for Fiscal Year 2004–05:

- Completed the Biennial Statewide Language Survey, the Bilingual Services Program's Implementation Plan, the Upward Mobility Plan, the Workforce Analysis and Underutilization Report, and the Goals and Timetables for Persons with Disabilities Report. EEO shared these with the State Personnel Board.

OFFICE OF EXAMINATION RESOURCES

The Office of Examination Resources (OER) provides examination-related services to the DCA's regulatory boards and bureaus. OER's services ensure that licensure examination programs are fair, valid, and legal. Specific services provided include performing occupational analyses, conducting exam item development, evaluating performance of examinations, and consulting on matters pertaining to the measurement of minimum competency standards for licensure.

Major Accomplishments for Fiscal Year 2004–05:

- Completed an occupational analysis that updated the description of scope of practice for the dental profession.



- Finished the series of occupational analyses for the Board of Barbering and Cosmetology.
- Ninety-eight percent of computer test license candidates were satisfied with OER's exam process.

LEGAL DIVISION

The Legal Division provides legal services to the Department's Executive staff, bureaus, programs, boards and commission. The Legal Division is comprised of two interrelated units—the Legal Office and the Legal Services Unit.

The Legal Office serves as in-house counsel for the Director, and the Department's constituent agencies. Its attorneys regularly attend and provide legal advice at meetings and hearings held by the Department's constituent agencies. It provides legal analysis and opinions on laws, issues, and proposed legislation relevant to the Department and its constituent agencies, including the regulatory licensing laws of the Business and Professions Code, conflict of interest laws, the rulemaking process, administrative adjudications. It also provides advice on government contracts, employer-employee matters such as equal employment opportunity issues and employee disciplinary matters, the Open Meetings Act, the Public Records Act, the Information Practices Act. It serves as litigation liaison for the Department with the Office of the Attorney General.

The Legal Services Unit counsels the Director in carrying out the consumer mandates of the Consumer Affairs Act [Business and Professions Code 302 et seq.] It provides assistance on consumer law issues to other units in the department, including the California Office of Privacy Protection. The unit provides legal and program advice to the Small Claims Advisers' Program and has a role in ensuring compliance under the Dispute Resolution Program. It created and maintains a large number of consumer handbooks and guides, including the *Consumer Law Sourcebook*, *California Tenants Handbook*, *Using Small Claims Court* booklet, and over 30 legal guides.

Major Accomplishment for Fiscal Year 2004–05:

- Updated and Published the *Consumer Law Sourcebook—Small Claims Court Laws and Procedures*.

LEGISLATIVE AND REGULATORY REVIEW DIVISION

The Division of Legislative and Regulatory Review (Division) serves as a resource on Departmental legislative matters and represents the Department's legislative positions. The Division works closely with board and bureau staff and advocates public policy affecting consumers. The Division regularly advises the Director on all proposed DCA regulations impacting public health, safety and welfare.

Major Accomplishments for Fiscal year 2004–05:

- Monitored and analyzed more than 300 legislative bills during Fiscal Year 2004–05.
- Participated in shaping legislation on air pollution/smog check, Internet privacy (“phishing”), identity theft, immigration consultants, common interest developments, consumer warranties, discount buying organizations, gift certificates, video game ratings, electronic surveillance technology, mobile telephone service providers, and health studio contracts, among others.
- Reviewed 71 proposed regulation packages and produced 121 analyses involving Acupuncture, Landscape Architecture, the State Athletic Commission, Automotive Repair, Behavioral Sciences, Contractors, Dentists, Engineers and Land Surveyors, Geologists and Geophysicists, Guide Dogs for the Blind, Home Furnishings and Thermal Insulation, Naturopathic Medicine, Occupational Therapy, Optometry, Osteopathic Medicine, Pharmacy, Physical Therapy, Physicians and Surgeons, Podiatric Medicine, Psychology, Registered



Nursing, Respiratory Care, Speech Language Pathology and Audiology, Structural Pest Control, Veterinary Medicine and Vocational Nursing and Psychiatric Technicians.

OFFICE OF PUBLIC AFFAIRS

The Office of Public Affairs (OPA) was formerly known as the Communications and Education Division (CED). In May 2005, CED was reorganized when publications responsibilities were transferred to the new Policy and Publications Development (PPD) Office. The reorganization allowed OPA to focus on media relations and outreach support activities. OPA is responsible for responding to media inquiries; creating and executing marketing plans for the Department's various initiatives; and developing consumer education and media campaigns.

Major Accomplishments for Fiscal Year 2004–05:

- Organized a weeklong media outreach effort on identity theft to highlight National Consumer Protection Week in early February 2005. The theme “Identity Theft: When Fact Becomes Fiction” provided an opportunity to promote California Office of Privacy Protection’s resources statewide, with press conferences in San Diego, Los Angeles, and San Francisco. Media events featured Department Director Charlene Zettel and other consumer advocates. Media used information from a new “Top 10 Tips for Identity Theft Prevention” consumer guide.
- Provided media relations and Web site content development services for a variety of public education campaigns and events. OPA provided media relations support for such events as “Locking Up the Evil Twin: A Summit on Identity Theft Solutions,” “Dangerous Holiday Toys,” “Terrorism Awareness Training for Security Guards,” and the “LifeSmarts” teen consumer skills championships. OPA also provided

media-relations, publications, and Web site development services for several campaigns, including “Help California Breathe Easier,” “Back to School Consumer,” and “Holiday Consumer.”

- The Office of Public Affairs issued approximately 40 press releases, responded to hundreds of media inquiries, and developed Web content and publications to inform the media and educate Californians on a variety of consumer topics.

BUREAU OF AUTOMOTIVE REPAIR

The Bureau of Automotive Repair (BAR) was established within the California Department of Consumer Affairs in 1972 with the enactment of the Automotive Repair Act (Act). The Act helps to protect consumers by requiring all automotive repair dealers to provide their customers with written estimates and itemized invoices that detail the parts provided and the labor performed. BAR has statutory oversight responsibilities for several statewide licensing programs, including the Smog Check and the Lamp and Brake Certification programs. BAR licenses and regulates more than 35,000 automotive repair dealers, nearly 2,000 lamp and brake stations, more than 7,500 Smog Check stations, nearly 4,000 lamp and brake technicians, and more than 16,000 Smog Check technicians.

Major Accomplishments for Fiscal Year 2004–05:

- Conducted more than 1,000 investigations and revoked 358 licenses as part of its enforcement and consumer protection efforts. BAR collected \$961,000 in unpaid license fees by registering 4,088 new repair facilities that had been operating illegally. In addition, a consumer fraud lawsuit brought by the Attorney General against a major auto body repair chain was settled for more than \$5 million.
- As part of a pilot Smog Check Program study, collected more than 2 million remote sensing measurements in major metropolitan areas and conducted nearly 900 roadside Smog Check tests.
- Implemented the enhanced Smog Check Program in the high-desert regions of San Bernardino County.
- Hosted government officials from Korea, India, and China who wanted to learn more about California's Smog Check Program.
- Helped return \$4.7 million to California consumers in refunds, rework and adjustments through its consumer complaint mediation efforts.

- Participated in five public outreach events sponsored by local district attorneys' offices in Northern California, conducted 46 industry forums throughout the State, made more than 659 consumer and industry presentations, and met quarterly with the BAR Advisory Group.
- Implemented the provisions of Senate Bill 1107 (Committee on Budget and Fiscal Review, Chapter 230, Statutes of 2004), which exempts vehicles up to six model-years old and those vehicles, four model-years old or less, involved in a transfer of ownership from a smog check inspection.
- Began work with the Enforcement Monitor on a two-year review of BAR's enforcement processes as required by the Joint Legislative Committee on Boards, Commissions and Consumer Protection, Senate Bill 1542 (Figueroa, Chapter 572, Statutes of 2004).

CONSUMER ASSISTANCE PROGRAM

The Bureau of Automotive Repair provides financial assistance to qualified consumers whose vehicle fails a Biennial Smog Check inspection. Through the Consumer Assistance Program, consumers, after making a co-payment, may receive up to \$500 to repair their high polluting vehicle and pass a smog check inspection. Consumers may also sell their vehicle through a state-contracted dismantler for \$1000.

Major Accomplishments in Fiscal Year 2004–05:

- In September 2004, reinstated the Vehicle Retirement option and retired 4,932 vehicles, eliminating 232 tons of airborne pollutants.
- Helped more than 35,000 consumers make emissions-related repairs to their high polluting vehicles, reducing the amount of hydrocarbons and nitrogen oxides released into California skies by 379 tons annually.



- In March 2005, Governor Arnold Schwarzenegger officially launched the “Breathe Easier” public awareness campaign to inform Californians about the importance of clean air and to make them aware of the retirement and repair assistance options offered by CAP.

CEMETERY AND FUNERAL BUREAU

The Cemetery and Funeral Bureau (Bureau) licenses, regulates, and investigates complaints against California funeral establishments, funeral directors, embalmers, apprentice embalmers, cemetery brokers, cemetery salespersons, cemetery managers, cremated remains disposers, crematories, crematory managers, and the nearly 200 licensed cemeteries in the state.

Major Accomplishments for Fiscal Year 2004–05:

- Established a 14-member Advisory Committee composed of consumers, licensees, and other stakeholders.
- Began the occupational analysis for Cemetery Managers and completed an occupational analysis for Crematory Managers in order to validate the examinations in both those license categories. The occupational analyses for Cemetery Managers will help ensure quality licensees because applicants will be tested on real-world knowledge specifically related to their prospective occupations.
- Eliminated backlogs in the Bureau’s licensing and enforcement.
- Fully staffed the audit unit that examines Endowment Care Fund reports from cemeteries and other financial issues related to the cemetery and funeral industry.
- Revised its Web site, making it more user-friendly and adding a section entitled “What’s New?” that provides information of special interest to licensees.

BUREAU OF ELECTRONIC AND APPLIANCE REPAIR

The Bureau of Electronic and Appliance Repair (Bureau) regulates the repair, maintenance, and service of consumer entertainment electronics, home office equipment, automobile stereo and alarm equipment, and major home appliances. The Bureau also regulates the sale and administration of service contracts on a wide variety of products including jewelry, furniture, power tools, and lawn and garden equipment. The service market is constantly evolving as technology advances and new products are introduced.

Major Accomplishments for Fiscal Year 2004–05:

- Increased the number of inspections from 411 in Fiscal Year 2003–04 to 1123, more than doubling the number of inspections performed.
- Using new procedures, staff training, and reorganized resources, decreased license processing times by approximately one week.
- Consolidated duplicate functions with the Bureau of Home Furnishings and Thermal Insulation.

Adopted regulations in response to legislation that changed the scope of products covered under the Bureau’s Service Contract Law. And the Bureau provided electronic and appliance manufacturers with an alternative to demonstrate fiscal solvency in their contracts.

FAMILY SUPPORT PROGRAM

The Department of Consumer Affairs’ Family Support Program (FSP) restricts the licenses of anyone who is delinquent in court-ordered family support obligations. As one of 15 state agencies belonging to the State Licensing Match System, DCA compares its licensees’ names and Social Security numbers with those of people listed as more than 30 days behind in their court-ordered child support payments

by the Department of Child Support Services. DCA's FSP improves the lives of children throughout the state by enforcing their child support regulations through their non-custodial parent's DCA licenses. In addition, when a DCA license is matched in error (such as a Social Security number mismatch, mistaken identity, or input error), the FSP ensures privacy protection for those licensees by contacting both the corresponding county(ies) and the enforcing board or bureau so corrections can be made.

Major Accomplishments for Fiscal Year 2004–05:

- Was instrumental in issuing more than 15,673 temporary licenses (an increase of 7,273 from Fiscal Year 2003–04), suspending more than 4,853 licenses (an increase of 353 from Fiscal Year 2003–04), and releasing more than 7,477 licenses (an increase of 1,977 from Fiscal Year 2003–04). The increase in licenses identified for lack of child support resulted in major reinstatements of child support payments.
- Expanded its computerized license look-up for child support arrearages to include all current licenses that were owned by corporations and partnerships in addition to the sole owner licenses. When the sole owner licensee list was expanded to include corporations and partnerships at the Bureau of Security and Investigative Services and the Contractors State License Board, the license matches increased dramatically.

HEARING AID DISPENSERS BUREAU

The Hearing Aid Dispensers Bureau prepares, conducts, and evaluates the examinations of applicants for a hearing aid dispenser's license, and enforces the laws and regulations related to the practice of hearing aid dispensing.

Major Accomplishments for Fiscal Year 2004–05:

- Responding to recommendations made by the Joint Committee on Boards, Bureaus, and Consumer Protection, held an informational

meeting and began researching and compiling information on further education requirements for hearing aid dispensers.

- Participated in various outreach events where informational packets about the fitting and selling of hearing aid instruments were distributed to groups and interested parties.
- Completed an initial study to convert its licensing system to the DCA's Applicant Tracking System.
- Produced fact sheets that help consumers by giving them valuable information about purchasing hearing aids. Adding an Applicant Tracking System will improve the Bureau's efficiency.

BUREAU OF HOME FURNISHINGS AND THERMAL INSULATION

The Bureau of Home Furnishings and Thermal Insulation (Bureau) regulates companies that produce and market furniture, bedding, and thermal insulation products. The Bureau enforces health and safety standards for furniture, bedding, and insulation products by taking samples from the market and testing them for flammability and sanitation. The Bureau then removes from the marketplace those products that fail to meet standards. The Bureau also investigates complaints and develops flammability standards for upholstered furniture, mattresses, and bedding.

Major Accomplishments for Fiscal Year 2004–05:

- Conducted 3,847 inspections in Fiscal Year 2004–05, compared to 2,023 inspections conducted the previous fiscal year.
- By implementing new procedures, staff training, and alignment of resources, the Bureau decreased its licensing processing times by approximately one week.



- Consolidated duplicate functions with the Bureau of Electronic and Appliance Repair.
- Introduced a regulation package to develop a compliance fee schedule to recover the costs associated with laboratory testing.

BUREAU OF NATUROPATHIC MEDICINE

Senate Bill 907 (Burton, Chapter 485, Statutes of 2003) established the Bureau of Naturopathic Medicine (BNM) to license and regulate naturopathic doctors in California. The Naturopathic Doctors Act defines naturopathic medicine as “a distinct and comprehensive system of primary health care practiced by a naturopathic doctor for the diagnosis, treatment, and prevention of human health conditions, injuries, and disease.” The BNM ensures that California naturopathic doctors meet the required education and competency standards for licensing. In addition, the BNM provides staff support to three statutory advisory committees: the Naturopathic Medicine Advisory Council, the Naturopathic Formulary Advisory Committee, and the Naturopathic Childbirth Attendance Advisory Committee.

Major Accomplishments for Fiscal Year 2004–05:

- Issued California’s first Naturopathic Doctor’s license in January 2005, followed by 104 more by the end of the fiscal year (California is the 13th of 14 states to license naturopathic doctors).
- Assembled and convened the first public Naturopathic Medicine Advisory Council meeting in December 2004, followed by the first Formulary Advisory Committee Meeting in June 2005.
- Prepared and adopted emergency regulations to administer the program provisions of the Naturopathic Doctors Act.

BUREAU FOR PRIVATE POSTSECONDARY AND VOCATIONAL EDUCATION

The Bureau for Private Postsecondary and Vocational Education (BPPVE) is responsible for approving and regulating private postsecondary educational institutions. The Bureau, in exercising its approval, regulatory, and disciplinary functions, has the protection of the public as its highest priority. BPPVE regulates approximately 1,500 approved degree-granting and vocational institutions serving an estimated 400,000 students. It oversees school compliance with minimum standards for instructional quality and financial stability, responds to student complaints, and administers a program that helps reimburse a student’s tuition if a school closes unexpectedly. Under contract with the United States Department of Veterans Affairs, BPPVE also approves education and training programs for veterans and their dependents. The Bureau’s objective is to develop a strong and widely respected sector of private postsecondary and vocational education.

Major Accomplishments for Fiscal Year 2004–05:

- Established an Advisory Committee composed of representatives from student advocacy groups, educational institutions, and other interested parties to provide input about BPPVE policies and procedures.
- Increased outreach to high school students through assistance from the Department of Consumer Affairs’ Consumer and Community Relations Division. This outreach helps to inform students about important issues to consider when choosing a post-secondary school.
- Streamlined the review of re-approval and change of ownership applications affecting vocational (non-degree-granting) schools. This reduced backlogs and provided more information to both students and institutions regarding a school’s licensed status.

- Increased efforts to collect past due fees owed by schools and recovered approximately \$ 275,000. This not only supports essential Bureau functions, but also demonstrates fairness to schools that pay their fees on time.
- Began work with program and administrative monitor on a review of its operations, as required by the Joint Legislative Committee on Boards, Commissions, and Consumer Protection, Senate Bill 1544 (Figuroa, Chapter 740, Statutes of 2004) to assess their administrative operations, school approvals, applicant review, revenue collection, complaint, and enforcement processes. Recommendations from this review will be used to improve the Bureau's overall efficiency, effectiveness and compliance with state requirements.
- Restructured its operations to provide more timely resolution of consumer complaints and more efficient investigation of non-compliant schools.

BUREAU OF SECURITY AND INVESTIGATIVE SERVICES

The Bureau of Security and Investigative Services (BSIS) licenses and regulates the private security industry. The Bureau has jurisdiction over security guards, private investigators, and alarm, locksmith, private patrol, and repossession companies (including their employees). Firearm and baton training facilities, as well as their instructors, also fall under the Bureau's jurisdiction.

Major Accomplishments for Fiscal Year 2004–05:

- Developed a 40-hour curriculum tailored to the needs of the private security industry. It includes a four-hour terrorism awareness component created in concert with the National Guard, the Commission on Peace Officer Standards and Training, and the State Office of Homeland Security. More than 2,500 state-licensed private patrol companies and training facilities have received a training workbook and a DVD

illustrating techniques for spotting possible terrorist activity. Private companies and government agencies in the United States and abroad have asked to use this course.

- Initiated an outreach program for private patrol companies and Bureau-certified training facilities. It involved site visits in which BSIS taught licensees about the new security guard training requirements, policies and regulations, and how to use the Bureau's Online Licensing Program.
- Streamlined the licensing process to allow applicants to provide most of the necessary paperwork online. A computer link was established between BSIS and the California Department of Justice (DOJ) for criminal background checks. This has reduced the approval time for new guard applicants from several weeks to a matter of days.

TELEPHONE MEDICAL ADVICE SERVICES BUREAU

The Telephone Medical Advice Services Bureau (TMAS) was established in 2000 to regulate businesses (located both in and out of state) that provide telephone medical advice services to California residents. Telephone medical advice is a relatively new method used by some health-care organizations to better meet the medical needs of their large client populations. By telephone, consumers are able to contact their health-care provider to explain their symptoms and receive immediate advice about the proper course of action that should be taken.

Major Accomplishment for Fiscal Year 2004–05:

- Received and closed 23 non-jurisdictional complaints for Fiscal Year 2004–05.

These complaints were referred to the Board of Registered Nursing or the Department of Managed Health Care for disposition.



CALIFORNIA BOARD OF ACCOUNTANCY

The California Board of Accountancy (CBA) regulates more than 73,000 licensees, the largest group of licensed accounting professionals in the nation. The CBA ensures that only qualified persons and firms are licensed to practice public accountancy and that appropriate standards of competency and practice, including ethics, objectivity, and independence are established and enforced. By authority of the Accountancy Act, CBA qualifies California candidates for the National Uniform Certified Public Accountant (CPA) Examination; certifies, licenses, and renews licenses of individual CPAs and Public Accountants (PA); and registers CPA partnerships, PA partnerships, and corporations.

Major Accomplishments for Fiscal Year 2004–05:

- Settled a major enforcement case. As part of the settlement, the Board will receive financial and other resources required to host a continuing education symposium on business ethics and other relevant topics for licensees and other interested parties to attend free of charge.
- Restructured the Licensing Division to maximize customer service, including reducing the response time to licensing, and examination application processing, which has been reduced by 50%. Replies to inquiries from constituents has been reduced from 10 business days to approximately 24 hours.
- Added all Board forms and publications to the new “DCA One-Stop Search for Documents” feature to their Web site. CBA also added a list of more than 200 out-of-state licensees with temporary California practice rights and the conversion of all licensee and candidate handbooks into a universal format. The License Lookup feature hits grew 14 percent in this period with overall Web site hits increasing 34 percent from the previous time period.

Major Legislation/Regulation for Fiscal Year 2004–05:

- Approved revisions to Section 54.1 of the Accountancy Regulations related to confidential client information. The amendments require CPAs to obtain written client consent for the disclosure of confidential information. Also, when confidential client information is to be outsourced to another country, the client must be informed in writing and give his or her written consent.
- Created the new Practice Privilege Program, that will take effect on January 1, 2006, as mandated by Senate Bill 1543 (Figueroa, Chapter 921, Statutes of 2004). The new law will require qualified, out-of-state CPAs who provide services in California to adhere to the Board’s regulatory and enforcement requirements.
- Completed its legislatively mandated study of issues related to the implementation of mandatory peer review in California. These study findings were reported to the Legislature to meet the September 1, 2005, deadline.

ACUPUNCTURE BOARD

The Acupuncture Board (Board) regulates the practice of acupuncture and Oriental medicine. Acupuncture treats health conditions by stimulating “acu-points” found at certain locations on the surface of the body. Acupuncturists stimulate acu-points by inserting very thin needles through the skin to produce physiological effects. The Board establishes the minimum qualifications individuals must meet in order to practice acupuncture and sets the standards of conduct within the profession, primarily through its authority to license acupuncturists.



Major Legislation/Regulations for Fiscal Year 2004–05:

- Filed emergency regulations requiring acupuncturists to use only single-use needles in order to protect the health, welfare, and safety of patients.
 - In compliance with Assembly Bill 1114 (Yee, Chapter 648, Statutes of 2005) the Board completed regulations regarding the education of licensees. They included increasing the number of hours a student must complete from 2,348 hours to 3,000 hours at a Board-approved school in order to be licensed.
 - Other proposed regulations, authorized by Business and Professions Code section 4945, will allow the Board to clarify and modify continuing education requirements for licensees and providers.
- Demonstrated the need for continued regulation of the practice of architecture to the Joint Committee on Boards, Commissions and Consumer Protection. Following a series of hearings before the Committee, Senate Bill 1549 (Figueroa, Chapter 691, Statutes of 2005) extended the sunset date for the Board.
 - Administered a California Supplemental Examination (CSE) on State-specific issues, such as seismicity, energy conservation, and State law. The Board worked towards developing new forms of the CSE, based on an occupational analysis conducted in 2001. This process involved item writing, training, script development, pilot testing, and review. The new forms of the CSE have been successfully used since January 2005.

CALIFORNIA ARCHITECTS BOARD

The California Architects Board, originally known as the State Board of Architecture, was created by the California Legislature in 1901 to safeguard the public's health, safety, and welfare. The Board licenses and regulates more than 22,000 architects who are responsible for designing structures worth billions of dollars.

Major Accomplishments for Fiscal Year 2004–05:

- Approved regulations to require participation in the nationally administered Intern Development Program (IDP) as a prerequisite to licensure in California beginning on January 1, 2005. In addition, the Board required an evidence-based record system to foster better communication between interns and their supervisors in conjunction with the IDP. The Board conducted a series of Internship Forums throughout the state to ensure that architects and interns were familiar with the new requirement.

CALIFORNIA STATE ATHLETIC COMMISSION

The California State Athletic Commission (Commission) regulates professional and amateur boxing and full-contact martial arts throughout the state by licensing all parties involved in an event. The Commission also maintains full control over the administration of each event. The Commission ensures that competitors meet specific qualifications by passing physical, eye, neurological, and HIV/HBV/HBC screening examinations. The Commission also controls administration of the Professional Boxers' Pension Plan, thus providing financial safeguards over boxer/manager contracts.



BOARD OF BARBERING AND COSMETOLOGY

The Board of Barbering and Cosmetology (BBC) licenses and regulates the professions of barbering, cosmetology, manicuring, esthetics, electrology, and establishments where barbering and cosmetology services are provided. The Board's mission is to promote and protect the interests of California consumers. The Board protects consumers' health and safety by enhancing public and industry participation in decision-making, promoting ethical and professional standards, and creating policies that are timely and effective.

Major Accomplishments for Fiscal Year 2004–05:

- Reviewed the Externship Program, the Apprenticeship Program's curriculum requirements, and the 1,600-hour training requirements for cosmetologists.
- Assessed the costs and benefits of same-day licensing, the validity of aggregate scoring, and the costs and benefits of requiring licensees to be fingerprinted. In addition, the Board evaluated the equivalency of the national exam. The Board approved the recommendations of the working groups to begin the implementation process and promulgate regulations.
- The Board completed a strategic plan covering all program areas. This was incorporated into a Sunset Review Report for Fiscal Year 2005, which included additional operational recommendations designed to increase the effectiveness of the Board's enforcement activities as well as streamline services to licensees.

BOARD OF BEHAVIORAL SCIENCES

The Board of Behavioral Sciences licenses and regulates Licensed Clinical Social Workers (LCSWs), Marriage and Family Therapists (MFTs), Licensed Educational Psychologists (LEPs), MFT Interns, Associate Clinical Social Workers (ASWs), and Continuing Education Providers (PCEs). As of January 1, 2005, the Board had more than 65,000 licensees and registrants under its jurisdiction.

Major Accomplishments for Fiscal Year 2004–05:

- Implemented clinical vignette licensing examinations for clinical social workers and marriage and family therapists as a replacement for the prior oral examinations. The clinical vignette examination is a more reliable test that benefits candidates for licensing through role-playing scenarios. In addition, these examinations are administered continuously, whereas the prior oral examinations were only available periodically.
- Completed revisions to its disciplinary guidelines.
- Eliminated a backlog in licensing applications for Marriage and Family Interns, Associate Clinical Social Workers, and Licensed Clinical Social Workers.
- Broadened the availability of mandated training in substance abuse.
- Established criteria for the acceptance of a Master of Social Work degree obtained outside the United States.
- Implemented a new feature on its Web site that allows individuals to subscribe to the Board's site and receive e-mail notifications when new content is posted.



Major Legislation/Regulations for Fiscal Year 2004–05:

- On January 1, 2005 Senate Bill 953 (Vasconcellos, Chapter 541, Statutes of 2002) took effect. This law requires Marriage and Family Therapists and Licensed Clinical Social Workers seeking to renew their licenses to complete a three-hour continuing education course in aging and long-term care.
- Completed and submitted its report to the Joint Committee on Boards, Commissions, and Consumer Protection as part of the sunset review process and hired a new executive officer in November 2004.

CONTRACTORS STATE LICENSE BOARD

The Contractors State License Board (CSLB) protects consumers by regulating the construction industry through policies that promote the health, safety and general welfare of the public in matters relating to consumers. The Board accomplishes this by ensuring that construction is performed in a safe, competent and professional manner; licensing contractors, enforcing licensing laws, and requiring that any person practicing or offering to practice construction contracting be licensed. The Board licenses and regulates contractors in the 43 classifications that constitute California's construction industry. As of June 30, 2005, there were 295,182 contractor licenses and 9,881 active home improvement salesperson registrations.

Major Accomplishments for Fiscal Year 2004–05:

- Obtained more than \$36 million in restitution for consumers.
- Became a partner in the Economic and Employment Enforcement Coalition (EEEC), a multi-agency task force targeting businesses that avoid labor, tax, and licensing laws in order to gain a competitive advantage over contractors who follow the law. Partner agencies include the Employment Development Department (EDD), the Department of

Industrial Relations Division of Occupational Safety and Health (Cal/OSHA), and the Division of Labor Standards Enforcement. CSLB helps the state reduce unlicensed activity and take disciplinary action against the “underground economy,” which is estimated at between \$60 billion and \$140 billion a year. Workers benefit since their employers will properly withhold payroll taxes. In addition, workers will be covered by Workers’ Compensation insurance and will be required to follow employee safety guidelines. Law-abiding contractors benefit by removing those who enjoy an illegal competitive disadvantage, making for a more fair marketplace.

Major Legislation/Regulation for Fiscal Year 2004–05:

- Implemented a new law effective January 1, 2005 that requires anyone who is seeking a new license, additional licensing classifications, or registration as a home improvement salesperson to be fingerprinted and have a background check performed by the California Department of Justice. The fingerprinting program benefits both consumers and CSLB licensees. For consumers, it enhances the Board’s capacity to deny a license to an applicant or to discipline a licensee who has been convicted of a crime that is substantially related to the qualifications, functions, or duties of a contractor. Before this program, truthful reporting of such convictions by applicants and licensees was inconsistent, hindering CSLB’s ability to take necessary action against them. Licensees also benefit because removing such individuals helps improve the credibility of the industry.



COURT REPORTERS BOARD OF CALIFORNIA

The Court Reporters Board of California (Board) administers a minimum level competency test to determine the entry level abilities of court reporters, regulates the minimum curriculum which court reporting schools and programs must offer, and disciplines licensees when necessary. Court reporters, also known in California as Certified Shorthand Reporters, are professionals who have met basic, minimum standards of competency that enables them to provide verbatim transcripts of oral court, grand jury hearings, depositions, and other proceedings. The Board provides oversight and recognition to the 17 California schools of court reporting.

Major Accomplishments for Fiscal Year 2004–05:

- Held a consumer advocacy meeting to identify issues and opportunities for the Transcript Reimbursement Fund. This fund provides monetary support for indigent litigants. The Board continues to work with the consumer advocacy group to ensure that this fund is adequately financed.
- Conducted multiple test validation sessions to conform to legal mandates.
- Used the staff mediation process to increase compliance among reporters who had complaints filed against them.

Major Legislation/Regulations for Fiscal Year 2004–05:

- Addressed many challenges this past year, including responding to the legislatively mandated Sunset Review process and the California Performance Review project. As a result of multiple hearings, the continuance of the Board was legislatively approved through July 2008. The Board elected new officers at its April 2005 meeting.
- Assembled a working group of licensees and association members to develop a new regulation to support a reporter code of ethics, entitled Professional Standards of Conduct. The Board conducted a town hall meeting to gain public input on the code, and this regulation is proceeding through the regulatory process.

COMMITTEE ON DENTAL AUXILIARIES

The Committee on Dental Auxiliaries (COMDA) is responsible for the examination and licensure of five different categories of dental auxiliaries. These medical professionals assist and support doctors of dentistry and their practice. COMDA develops and administers written, practical, and clinical licensure examinations, conducts occupational analyses of the various licensure categories, and evaluates dental assisting educational courses. It also makes recommendations to the Dental Board on all issues affecting dental auxiliaries, including scopes of practice and examination and licensure requirements.

Major Legislation/Regulations for Fiscal Year 2004–05:

- Completed detailed review, examination, and revision of the present dental assisting licensure scheme as mandated by Senate Bill 1546 (Figueroa, Chapter 667, Statutes of 2004). This will provide the foundation for COMDA's final plan of action and implementation for the new scheme.
- Completed preparations to implement Assembly Bill 539 (Laird, Chapter 294, Statutes of 2004), allowing qualified third and fourth year dental students to apply for the Registered Dental Hygienist examination and licensure.
- Supported legislative efforts to remove the requirement that Registered Dental Hygienists in Alternative Practice must receive a prescription from a doctor or dentist before performing hygiene services.
- Developed regulations defining teaching staff, instructional hours, curriculum, and associated laboratory equipment and apparatus that will govern the approval of several required educational programs and courses.



DENTAL BOARD OF CALIFORNIA

The Dental Board of California's mission is to protect and promote the health and safety of California consumers. The Board licenses those dental health care professionals who demonstrate competency, takes action to maintain the appropriate standard of care, and works to enhance the education of licensees and consumers.

Major Accomplishments for Fiscal Year 2004–05:

- Implemented the Dental Loan Repayment Program (Program). Those who qualify for the Program receive help paying their dental school debt in exchange for practicing in underserved areas for three years. The Program benefits consumers by increasing access to care by encouraging dentists to practice in areas lacking adequate numbers of dental health professionals.
- Completed the certification of the Universidad DeLaSalle in Guanajuato, Mexico. Graduates of this school who entered after December 2004 will be the first graduates of a foreign dental school to be eligible to apply for the California Dental Licensing Exam. A second school in Manipal, India is in the review process.

Major Legislation/Regulations for Fiscal Year 2004–05:

- Began implementing Senate Bill 1865 (Aanestad, Chapter 670, Statutes of 2004), which went into effect in January 2005. This legislation allows California to accept the Western Regional Examination Board (WREB) exam as an alternative to the California Dental Licensing Exam.
- Drafted the regulations for the use of oral conscious sedation of adult dental patients. The Board recognizes the need to ensure that all dental providers of anesthesia/sedation have appropriate training. Regulations had previously been completed for general anesthesia, conscious sedation, and oral conscious sedation for minors. This program for oral conscious sedation completes the regulation of all current forms of dental anesthesia.

- Fulfilled the statutory mandate of Business and Professions Code section 1635.5 to submit a report to the Legislature on the Licensure by Credential Program. The report, submitted in December 2004, found that at least some of the dentists obtaining licensure by credential became employed in public health care settings.

BOARD FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS

The Board for Professional Engineers and Land Surveyors (Board) safeguards life, health, property, and public welfare by regulating the practices of professional engineering and land surveying. The Board licenses professional engineers and land surveyors, establishes regulations, enforces laws and regulations, and helps the public make informed decisions when utilizing engineering and land surveying services.

Major Accomplishments for Fiscal Year 2004–05:

- In August 2004, Board member Gregg Brandow, SE, was elected Treasurer of National Council of Examiners for Engineering and Surveying (NCEES). This gave California a presence on the national Board of Directors of NCEES and a voice in the development of national engineering and land surveying examinations, laws, and rules.
- In October 2004, began administering the National Structural II examination in addition to the Board's state-specific structural engineering examination. The Board administered a total of 20,054 engineering and surveying examinations during Fiscal Year 2004–05.

Major Legislation/Regulations for Fiscal Year 2004–05:

- Worked with the Legislature's Joint Committee on Boards, Commissions and Consumer Protection on language for the Board's Sunset Bill, Senate Bill 288 (Figueroa, Chapter 657, Statutes of 2005). The Bill delayed the Board's sunset date by two years.



- Adopted changes to its regulations to help clarify responsibility for engineering and land surveying decisions by professional engineers and land surveyors. It also amended regulatory language to better specify the Board's criteria when evaluating the rehabilitation of a revoked license.
- Proposed and obtained approval for a regulation to decrease its renewal fees from \$150 to \$125 effective October 1, 2005.

BOARD FOR GEOLOGISTS AND GEOPHYSICISTS

The Board for Geologists and Geophysicists (Board) examines and licenses Professional Geologists, Professional Geophysicists, Certified Engineering Geologists, and Certified Hydrogeologists in California. The Board was created when the Geologist and Geophysicist Act was signed into law in 1968. The mission of the Board is to continuously enhance the quality and availability of geological and geophysical services offered in California. Licensed Professional Geologists and Professional Geophysicists ensure that the public has technically accurate information regarding seismic, environmental protection, forest practice, residential development and resource extraction (oil, gas, gold, and construction materials) issues.

Major Accomplishments for Fiscal Year 2004–05:

- Created a Geologist-in-Training program to help recruit and retain professionals in the geological and geophysical fields.
- Through vigorous enforcement efforts and an extensive outreach program, the Board greatly enhanced its enforcement presence in the regulated community.
- Completed the Professional Geophysicist Occupational Analysis with the assistance of the Department of Consumer Affairs' Office of Examination Resources. This was the fourth of four required Occupational Analyses to be performed on the Board's four licenses

(Professional Geologist, Professional Geophysicist, Certified Engineering Geologist and Certified Hydrogeologist).

- Created a Complaint Disclosure Policy consistent with the Department of Consumer Affairs' policy through regulations the Board adopted.
- Made improvements to the Board's Web site for a license look-up so consumers can check the license status of a California Geologist or Geophysicist, a posting of the Board's enforcement actions, and the availability of online applications for licensee examinations and licensures.

Major Legislation/Regulations for Fiscal Year 2004–05:

- Successfully guided the creation of new legislation with Senate Bill 363, (Figueroa, Chapter 874, Statutes of 2003) and regulations to improve its fund condition, which allowed an increase in the Board's staff, programs, and enforcement activities.
- Regulations (Title 16, California Code of Regulations Section 3067) were adopted that allowed for an increase in licensing renewal fees and an increase in the Cite and Fine Authority.

STATE BOARD OF GUIDE DOGS FOR THE BLIND

The California State Board of Guide Dogs for the Blind (Board) licenses and regulates schools and persons in California that train and supply guide dogs for the blind while promoting and protecting the interests of guide dog users. The mission of the Board is to maintain the high threshold of guide dog training that promotes the safety, independence, and self-reliance of consumers.

Major Accomplishments for Fiscal Year 2004–05:

- Added the use of a professional Orientation and Mobility Instructor as lead examiner in administering the Practical Examination for a Guide Dog Instructor License.



- Conducted Guide Dog Day activities at the Capitol on April 21, 2005.
- Working toward offering all the forms necessary to apply for a Guide Dog Instructor license on its Web site.

Major Legislation/Regulation for Fiscal Year 2004–05:

- Created a new regulation (Title 16, California Code of Regulations, Sections 2293 and 2294) that established a timeline for the arbitration procedure offered by the Guide Dog Board in their Act. The new regulation created specific time periods for the resolution of differences between the guide dog schools and graduated users of trained dogs.

LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE

In 1998, the Landscape Architects Technical Committee (LATC) was established under the purview of the California Architects Board, taking over for the Board of Landscape Architects, which had regulated the profession since 1953. The LATC licenses more than 3,400 Landscape Architects, protects the public, and safeguards the environment.

Major Accomplishments for Fiscal Year 2004–05:

- In October 2004, the Committee held a technical expert training session, which brought new and experienced landscape architects together to review and discuss their roles and responsibilities under the LATC's Enforcement Program.
- A new e-mail subscriber feature was added to the LATC Web site in March 2005.

Major Legislation/Regulation for Fiscal Year 2004–05:

- Demonstrated the need for the continued regulation of architecture by gathering and interpreting data and testifying before the Legislature.

As a result of their efforts, the Committee's sunset date was extended from July 1, 2005 to July 1, 2009 as specified in Senate Bill 1549 (Figueroa, Chapter 691, Statutes of 2005).

- Through a task force, reviewed all exemptions under the Landscape Architects Practice Act and proposed changes to the Committee. The changes, which went into effect January 2005, identified those professionals and practitioners who were exempt from licensing under the law and more clearly defined appropriate and safe practice parameters for them. The clarifications made as a result of the task force's efforts help licensees by better defining what is permissible under the law.

MEDICAL BOARD OF CALIFORNIA

The Medical Board of California (Board) protects consumers by licensing and regulating physicians. The Board comprises two divisions, the Division of Licensing and the Division of Medical Quality. The former sets standards for physician licensure, reviews applications for licensure and ovulates and approves certain medical education programs. The latter investigates complaints against physicians and imposes discipline against them as necessary. The Board also provides the public with helpful information, including consumer guides on a variety of health-care topics, licensing records, and disciplinary information on physicians.

Major Accomplishments for Fiscal Year 2004–05:

- The Board's Physician Corps Loan Repayment Program encourages recently licensed physicians to practice in underserved California communities by repaying their student loans (up to \$105,000) in exchange for their service (for a minimum of three years) in an area designated medically underserved. It received 65 applications from physicians. Nineteen were selected, and \$1.7 million in loan repayments



were funded. Sixty-six physicians now work in this program in 85 medically underserved sites around the state. During the fiscal year, a significant donation was made by a private individual, a \$500,000 matching grant was awarded, and \$3 million in state funding was allocated for the program in the budget most recently signed by the Governor. The Physician Corps Loan Repayment Program is helping to provide quality medical care in California communities that need it most.

- Beginning in November 2004, public documents concerning physician discipline dating back to September 2004 were made available on the Board's Web site. This move was welcomed by the public, the news media, hospitals, credentialing agencies, and others who need quick access to these records. Now they need not contact the Board with their requests, pay a copying fee, and wait for the documents to arrive in the mail. The most recent enforcement documents continue to be added first, with the goal of ultimately including all public documents.
- Enhanced its Web site with improvements that included a new, user-friendly www.caldocinfo.ca.gov address and pull-down-menu access for viewing and ordering publications. Enhanced online access to information on disciplinary actions against physicians helps consumers make informed decisions about their medical care. Web site access to disciplinary documents saves consumers, health-care employers, and other interested parties time and money.

Major Legislation/Regulation for Fiscal Year 2004–05

- Senate Bill 1950 (Figueroa, Chapter 1085, Statutes of 2002), part of the sunset review process by the Legislature's Joint Committee on Boards, Commissions and Consumer Protection, mandated two reports by an objective Medical Board Enforcement Program Monitor. The Initial Report of the Enforcement Program Monitor, released in November 2004, found generally that the enforcement program is too slow, primarily

due to lack of resources, and that the diversion program needs better management. To expedite investigations, the Board acted to use civil penalties and its subpoena authority against physicians who fail to comply in a timely manner to requests for records and interviews. To further address the report's findings, Senate Bill 231 (Figueroa, Chapter 674, Statutes of 2005) was developed and introduced which provides for many changes in the Board's operations and a licensing fee increase of \$95 per year, which becomes law January 1, 2006.

CALIFORNIA BOARD OF OCCUPATIONAL THERAPY

Occupational therapy, established in 1917 to treat World War I soldiers, is one of the oldest allied health professions in the United States. The California Board of Occupational Therapy (Board) was established on January 1, 2001 with the responsibility for licensing and regulating the state's occupational therapists and occupational therapy assistants. Practitioners provide important health and rehabilitation services to people of all ages who because of illness, injury, or developmental or psychological impairment, need specialized intervention to regain, develop, or build the skills necessary for independent living.

Major Accomplishments for Fiscal Year 2004–05:

- Proposed continuing competency requirements for licensees, defining the number of instructional hours, acceptable activities, reporting procedures, and exemptions. By establishing continuing competency requirements, the Board ensures that practitioners are using the most current methodologies and techniques in the profession. Consequently, consumers receive services that are on the cutting edge of the discipline.
- Set supervision requirements for assistants, permit holders, students and aides, identifying treatments that can be performed by those being supervised and tasks that can be delegated to aides. The Board also

set conditions under which a limited permit may be issued, the time frame for passing the examination, and the consequences of failing the examination. The Board's supervision requirements protect patients by making sure a competent professional is always ultimately in charge when an assistant, aide, permit holder, or student works with them.

- The Board created disciplinary guidelines for the profession. Disciplinary guidelines establish a fair disciplinary program and help the Board, the Office of the Attorney General, and administrative law judges sanction licensees who violate the Occupational Therapy Practice Act.

Major Legislation/Regulation for Fiscal Year 2004–05:

- Amended the Occupational Therapy Practice Act to grant specific authority to occupational therapists to apply topical medications under certain conditions.

STATE BOARD OF OPTOMETRY

The Legislature created the State Board of Optometry (Board) in 1913 to protect the public through the regulation of optometry. Protection of the public is the highest priority of the Board, which meets its public protection mandate by regulating the practice of optometry in California through licensing, enforcement, and public education programs.

Major Accomplishments for Fiscal Year 2004–05:

- Published fact sheets, a newsletter, and a brochure, *Focus on Your Eyes—A Consumer Guide to Eye Care*, that is available in English and Spanish. The Board also updated applications for licensure and renewal notices. All are available online, providing clear, concise and complete written information. This reduced the number of questions and deficient documentation that required special handling by staff, which in turn, improved the quality and timeliness of the Board's services.

- The Board made a major change in its probation-monitoring program by redirecting monitoring functions from sworn peace officers within the Department of Consumer Affairs' Division of Investigation to Board staff. The change was a necessary cost savings measure.
- In addition, the Board launched a new feature on its Web site that allows any interested party to sign up for e-mail alerts from the Board.

Major Legislation/Regulation for Fiscal Year 2004–05:

- Sponsored a bill to revise the Optometry Practice Act. Its provisions included requiring optometrists to provide detailed receipts to patients that include all services and products related to the patient's visit(s). This created a significant benefit to consumers by ensuring they have a full understanding of the fees charged.
- Initiated new rules regarding consumer notices, the Board's authority to issue citations and fines, and continuing education requirements.
- In 2004, the Board launched a two-year coordinated effort to update the Optometry Practice Act, beginning with the introduction of Assembly Bill 2464 (Pacheco, Chapter 2464, Statutes of 2004). AB 2464, which went into effect in January 2005 and revised and recast the first half of the Act.
- In February 2005, the Board sponsored Assembly Bill 488 (Bermudez, Chapter 393, Statutes of 2005), which completed the update. The Act now reflects current practices and is easier to read and understand for anyone interested in the practice and regulation of optometry.
- The Board also initiated regulatory changes affecting the Board's citation and fine authority, continuing education, and requirement for optometrists to post in their offices a notice regarding a consumer's right to obtain his or her prescription and how to contact the Board.



OSTEOPATHIC MEDICAL BOARD OF CALIFORNIA

The Osteopathic Medical Board (Board) of California oversees the practice of medicine by osteopathic physicians and surgeons by enforcing the Medical Practice Act and Rules and Regulations. Emphasizing the inter-relationship of the body's nerves, muscles, bones, and organs, doctors of osteopathic medicine consider the whole person to prevent, diagnose and treat illness, disease, and injury. Currently the Board oversees some 1,000 licensees across California.

Major Accomplishments for Fiscal Year 2004–05:

- Completed its first occupational analysis in December 2004. The study involved extensive interviews and occupational inventories of osteopathic practices in California. In addition, it analyzed patterns of patient use and treatment as well as emerging trends in health management and care within the osteopathic profession. The document is available upon request from the Board office. The Board's occupational analysis is of great use to the Board, the Legislature, and the public because it provides a clear picture of osteopathic medicine as it is practiced in California today.
- To demonstrate the need for the continued administration and oversight of osteopathic medicine, researched, analyzed, and prepared information that was presented to the Joint Committee on Boards, Commissions and Consumer Protection. That report convinced the Legislature to extend the Board's sunset date to 2010.

Major Legislation/Regulation for 2004–05:

- Assembly Bill 268 (Matthews, Chapter 216, Statutes of 2005) went into effect in January 2006. It requires county coroners, court clerks, prosecutors and professional liability insurers to report criminal indictments, criminal convictions, negligence, patient deaths, and other matters concerning an osteopathic physician to the Board.

BOARD OF PHARMACY

The California State Board of Pharmacy (Board) protects consumers by licensing and regulating all aspects of the practice of pharmacy in California including the pharmacist, the pharmacy, and prescription drugs and devices. The board also regulates drug wholesalers, specialized facilities, and other practitioners, such as pharmacist interns and technicians. In all, the board licenses more than 90,000 individuals and firms and enforces 12 regulatory programs.

Major Accomplishments for Fiscal Year 2004–05:

- Began offering the national pharmacist licensure exam and its new California Pharmacy Jurisprudence Examination (CPJE) nationwide, six days a week. The adoption of these new examination formats required the development of a new California examination content outline, a new candidate's review guide, approval of two major contracts, and significant changes to the board's operational procedures and application processes. The Board received 3,500 applications to take the exams in Fiscal Year 2004–05, more than double the number of the previous year. The Board also added a "Subscriber Alert" feature to its Web site.
- Presented more than 70 continuing education programs for pharmacists and 10 forums for consumers.
- Became a founding member of the California Health Communication Partnership. The partnership is an outreach program that brings together diverse health care providers and educators to promote health-related topics that are of interest to all, such as antibiotic misuse and generic medication.
- Developed and distributed four consumer fact sheets with the UC San Francisco School of Pharmacy: *Generic Drugs, Cut Your Drug Costs, Is Your Medicine in the News?* and *Antibiotics*.

Major Legislation/Regulations for Fiscal Year 2004–05:

- Sponsored Senate Bill 1307 (Figueroa, Chapter 857, Statutes of 2004), which made comprehensive changes to the wholesale drug distribution system to guard against counterfeit drugs. Specifically, the statute requires that beginning on January 1, 2007, a “pedigree” will be developed that will track each prescription drug through the distribution system. It also requires that out-of-state wholesalers be licensed in California and that all wholesalers post a \$100,000 surety bond. Finally, the bill authorizes the board to embargo drugs when it suspects they are adulterated or counterfeit. The board received recognition from the National Association of Boards of Pharmacy for its sponsorship of this legislation.
- Implemented a new law that significantly changed the prescribing and dispensing of controlled substances in California. This change affected virtually all health professionals by replacing the 60-year-old triplicate prescription form with a tamper-resistant security prescription document. The board also added Schedule III controlled substances to the electronic monitoring system designed to prevent drug diversion.
- Taking a leading role in the education and dissemination of these new rules, the board participated in more than 50 seminars for health care practitioners and law enforcement agencies statewide.

PHYSICAL THERAPY BOARD OF CALIFORNIA

The Physical Therapy Board of California (Board) licenses and regulates Physical Therapists (PT), Physical Therapist Assistants (PTA), and physical therapy aides in California. The Board was created to protect the public from the incompetent, unprofessional, or criminal practice of physical therapy.

Major Accomplishments for Fiscal Year 2004–05:

- Implemented the Department of Consumer Affairs’ Applicant Tracking System.

Major Legislation/Regulation for Fiscal Year 2004–05:

- Proposed revision of the Physical Therapy Practice Act for the Sunset Review Report that was presented to the Joint Committee on Boards, Commissions and Consumer Protection. The revision of the Physical Therapy Practice Act benefits consumers and licensees because the reorganization is more user friendly and reflects the most current professional and educational requirements of the physical therapy profession.
- Adopted into regulation Satisfactory Documentary Evidence of Equivalent Degree for Licensure as a Physical Therapist. This regulation benefits licensees by establishing clearly understood requirements on education standards for the licensure of foreign educated physical therapists. The Entry Level Education Equivalency Review (ELEER) Guidelines were developed as a result of this regulation and are now being considered adopted nationwide.
- The Board also amended CCR 1398.26 and adopted CCR 1398.26.5 to streamline the clinical service requirements for graduates of non-approved educational programs, formed a task force to rewrite the Physical Therapy Practice Act, and conducted item-writing workshops to update the California Law Examination.



PHYSICIAN ASSISTANTS COMMITTEE

Physician Assistants are highly skilled professionals who under the supervision of a physician provide medical care to patients. The Physician Assistants Committee of the Medical Board of California (Committee) protects consumers by licensing qualified physician assistants and approving the programs that train them.

Major Accomplishments for Fiscal Year 2004–2005:

- The public can now check the licensing status of all licensed physician assistants through the “verify a license” feature on the Committee’s Web site.
- Added a public document lookup to its Web site. This feature allows the public to view and print copies of disciplinary documents pertaining to enforcement actions taken against physician assistants.
- Replaced its phone system with a more efficient system that offers simplified access for consumers, licensees, and applicants.

Major Legislation/Regulation for Fiscal Year 2004–05:

- Amended Assembly Bill 2626 (Plescia, Chapter 452, Statutes of 2004) to require a supervising physician to countersign within seven days on the medical record of a patient when a Physician Assistant has issued a drug order for a Schedule II controlled substance medication. Prior to this amendment, a supervising physician was required to countersign any drug order issued by a physician assistant.

CALIFORNIA BOARD OF PODIATRIC MEDICINE

The California Board of Podiatric Medicine (Board) currently licenses and regulates the practice of over 2,100 Doctors of Podiatric Medicine (DPMs). The Board sets educational and licensing standards, and it annually reviews and approves podiatric medical schools and postgraduate training programs.

Major Accomplishments for Fiscal Year 2004–05:

- Maintained the pilot Continuing Competence Program, which saw consumer complaints drop to 147 in Fiscal Year 2004–05, compared to 271 in Fiscal Year 1998–99 when the program began. The Board is the first doctor-licensing authority in the U.S. to require compliance with at least one peer-reviewed indicator of continuing competence (in addition to continuing medical education credits) every two years at each license renewal.
- To prevent patient harm, enhanced initial licensing standards, disclosure, and continuing programs in its 2004–05 Strategic Plan.

Major Legislation/Regulation for Fiscal Year 2004–05:

- In compliance with Assembly Bill 932 (Koretz, Chapter 88, Statutes of 2004), revised the national licensure exam and increased the requirements for a passing score. Further program changes included requiring two years of graduate medical education prior to initial licensure.



CALIFORNIA BOARD OF PSYCHOLOGY

The California Board of Psychology (Board) protects the safety and welfare of consumers of psychological services through its licensing, enforcement, continuing education and educational outreach programs. The Board regulates psychologists, registered psychologists, and psychological assistants. The Board was established in 1958 when the first psychologists were certified in the state. In 1967, the Psychology Licensing Law was enacted by the Legislature. The Board is dedicated to ensuring that psychologists provide competent and ethical psychological services to consumers.

Major Accomplishments for Fiscal Year 2004–05:

- Collaborated with the Department of Consumer Affairs' Office of Examination Resources regarding the recommendations of the Occupational Analysis workshops. These will help the Board to integrate competency based questions into the supplemental licensing examination.
- Added a new option to its Web site, which allows interested parties to sign up for an e-mail alert on the subject of their choice. The Board amended several other regulations in Fiscal Year 2004–05.

Major Legislation/Regulations for Fiscal Year 2004–05:

- Completed the regulatory process to grant an exemption from mandatory continuing education requirements for licensed psychologists in active military duty and stationed in California or those who have been outside of California for less than one year.
- Completed the regulatory process to increase from 8 to 18 the number of hours allowed for mandatory continuing education through distance learning. This will allow licensed psychologists to complete required professional continuing education in a more convenient manner.

- Completed the regulatory process to update and enhance the regulations for supervised professional experience required for psychologist license applicants.

BOARD OF REGISTERED NURSING

The Board of Registered Nursing (Board) sets and enforces safe registered nursing practice standards, oversees nursing school programs, and educates the public. The Board licenses Registered Nurses and evaluates Registered Nurses for certification in the following specialty areas: Nurse Practitioner, Nurse Practitioner Furnishing, Nurse Anesthetist, Nurse Midwife, Nurse Midwife Furnishing, Clinical Nurse Specialist, Public Health Nurse, and Psychiatric/Mental Health Nurse.

Major Accomplishments for Fiscal Year 2004–05:

- Published its *Survey of Registered Nurses in California—2004* and *RN Employer Survey* in December 2004. The Board published its *Forecasts of the RN Workforce in California* in June 2005. The surveys and forecasts have proven to be invaluable to researchers, policy makers, and educators who look at trends in the nursing workforce and make important decisions about where to target efforts to relieve the shortage of registered nurses in California.
- The Board established a new Web site feature that provides online verification of temporary licenses and interim permits. Employers have found the online license verification feature especially valuable. Before license information was posted online, employers had to talk directly with Board staff only during normal work hours in order to verify temporary licenses and interim permits.



Major Legislation/Regulation for Fiscal Year 2004–05:

- Regulations regarding Public Health Nurses were approved and took effect in June 2005. The law authorizes the Board to issue Public Health Nurse certificates to RNs who meet certain classroom and clinical experience requirements.

RESPIRATORY CARE BOARD OF CALIFORNIA

The Respiratory Care Board of California is mandated to protect and serve consumers by administering and enforcing the Respiratory Care Practice Act. Respiratory care practitioners work under the direction of a physician and specialize in evaluating and treating patients who have breathing difficulties as a result of heart and lung disorders. They also provide diagnostic, educational, and rehabilitation services.

Major Accomplishments for Fiscal Year 2004–05:

- Published an informational brochure aimed at assisting home-care consumers and developed an informational DVD for use as a professional recruitment tool.
- Established an e-mail subscription feature, which allowed interested parties to receive updates, notices, and special bulletins.
- Added the Consumer Affairs One-Stop Search for Documents feature to the Board's Web site.

Major Legislation/Regulations for Fiscal Year 2004–05:

- Developed the Law and Professional Ethics Course in response to Senate Bill 1913 (Business and Professions Committee, Chapter 695, Statutes of 2004) that requires the successful completion of a professional course prior to initial licensure, as part of continuing education, and prior to reinstatement of a revoked license.

- Worked to address the potential need to regulate several unregulated practices and provided findings to the Joint Committee on Boards, Commissions, and Consumer Protection for consideration during the next legislative session.
- Focused on the unlicensed practice of respiratory care in a home care setting and researched the potential need for regulation of polysomnography, pulmonary function testing, and hyperbaric oxygen therapy.

SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY BOARD

The Speech-Language Pathology and Audiology Board (Board) protects the public from unskilled and incompetent practitioners by requiring educational and training standards. Speech-language pathology and audiology are separate professions. Speech-language pathologists help people with speech, voice, language, and swallowing disorders or impairments. Audiologists help people with hearing, balance, and related disorders. To ensure the on-going protection of consumers of speech-language pathology and audiology services, the Board investigates applicants' backgrounds, investigates complaints against licensed and unlicensed practitioners, and takes disciplinary action whenever appropriate.

Major Accomplishments for Fiscal Year 2004–05:

- The Board completed an initial study to redefine academic standards for professional degrees in speech-language pathology and audiology. The profession of audiology has experienced explosive growth in its scope of practice over the last several decades. Audiology training programs are responding to this revolution and have significantly enhanced both the didactic and clinical training of audiologists. The new academic training standards for audiology will ensure that practitioners entering

the profession are experts at addressing even the most complex hearing and balance issues afflicting the public. Likewise, the practice of speech-language pathology is transitioning, and in the near future it may require extended academic preparation. Further, recent changes in the Board's Continuing Professional Development program will assist the Board in maintaining the highest standards of continuing education and development among the Board's licensees.

- Posted documents on its Web site to educate both licensees and consumers. These included: *Legal Guidance on Speech-Language Pathologists Using Electrical Stimulation to Treat Swallowing Disorders*, *Utilization of Speech-Language Pathologists and Audiologists in Nonpublic Schools*, and *Notification on Auditory Processing Disorders (APD)*.

Major Legislation/Regulations for Fiscal Year 2004–05:

- The Board developed a regulatory proposal establishing the Board's Information Disclosure Guidelines.

STRUCTURAL PEST CONTROL BOARD

The Structural Pest Control Board (Board) regulates individuals and companies engaged in the business of controlling various household pests, including rodents, vermin and insects, as well as wood-destroying pests and organisms in homes and other structures. The SPCB regulates pest control operators, field representatives, applicators and structural pest control companies. The Board's primary goal is to ensure the health and safety of California consumers.

Major Accomplishments for Fiscal Year 2004–05:

- Established an online filing system for Wood Destroying Organism inspection reports and notices of work completed. This allows online access by consumers, licensees, the industry, and Board staff.

- Began requiring criminal background checks for all new applicants.
- Added a "Consumer Information" link to its Web site that allows easy access to consumer-related forms and information.
- The Board was recognized in 2004 for the excellence of its online database by the Center for Digital Government and received an award for the Best Application Serving Department/Agency Business Needs.

VETERINARY MEDICAL BOARD

The Veterinary Medical Board (Board) protects the public's health and safety through development of professional licensing standards and vigorous enforcement of the laws governing veterinary medicine in California. The Board provides protection for consumers and animals through proper licensing of veterinarians and registered veterinary technicians and through vigorous, objective enforcement of the California Veterinary Practice Act.

Major Accomplishments for Fiscal Year 2004–05:

- Supported Senate Bill 1548 (Figueroa, Chapter 467, Statutes of 2004) which allows an extension of VMB's temporary license for out-of-state veterinarians applying for licensure in California.
- Streamlined consumer access to online information by adding complaint and examination information to its Web site.
- Processed more than 650 consumer complaints.
- By participating in numerous seminars, conferences and forums, the Board was able to maintain currency with common consumer protection issues. National health and safety issues involved animals and humans. Other areas of concern included the illegal sale of prescription drugs via Internet pharmacies, unlicensed activity, collaborative practice,



alternative therapies for animals, the national licensing database, foreign veterinary graduate education equivalence, animal cruelty issues, attempts to avoid discipline by crossing state lines, and diseases such as West Nile, Newcastle (poultry), and Mad Cow.

- The Registered Veterinary Technician Committee (RVTC) conducted several informational public hearings to evaluate existing registered veterinary technician job tasks, which have not been evaluated since 1984.

BOARD OF VOCATIONAL NURSING AND PSYCHIATRIC TECHNICIANS

The Board of Vocational Nursing and Psychiatric Technicians (Board) was established to regulate and enforce laws related to the discipline, education, and practice of Licensed Vocational Nurses (LVNs) and Psychiatric Technicians (PTs). LVNs and PTs care for patients ranging from newborns to the elderly who have physical and mental impairments. The Board currently regulates the practice of more than 96,600 LVNs and 12,800 PTs, the largest groups of LVNs and PTs in the nation.

Major Accomplishments for Fiscal Year 2004–05:

- The Board helped decrease the nursing shortage by expediting the approval and accreditation of qualified vocational nursing programs. The number of accredited programs increased from 121 to 139, or 15 percent. Additionally, most of the Board's existing nursing programs obtained approval to increase their enrollment. As a result, total enrollment for new and existing Vocational Nursing (VN) programs more than doubled to 1,488 students during the past year.
- In October 2004, the Board conducted a survey of all VN and PT Programs, as well as the clinical facilities of several programs, to determine what challenges LVNs, PTs, and new graduates may face in the next five years. The survey revealed that the major factors currently affecting both

nursing education and practice were the nationwide nursing shortage, the nurse-to-patient ratios for acute-care hospitals, and the California budget crisis. Areas identified by employers as needing improvement were critical thinking/problem solving skills, effective time management, and refinement in written and verbal communication skills. Finally, there was a consensus that LVN and PT education will have to teach more advanced skills in order to meet patient care needs in the next five years. The survey information will be used to improve the effectiveness and efficiency of the Board and identify future educational and technological programs. These accomplishments benefited consumers, constituents, and licensees by helping decrease the nursing shortage.

- Other major activities of the Board included a Director Forum that provided directors and faculty of VN and PT programs with information on legislation, statutes, regulations, current issues, and changes in examination processes.
- Significant updates were made to the Web site, including the addition of citations to the disciplinary portion of the online license verification system.
- The Board also began the process of conducting an occupational analysis that will identify tasks commonly performed by entry-level PTs and the relevant knowledge and skills required for safe and competent practice. The analysis will be used to determine the content of the California Psychiatric Technician licensure examination.

Major Legislation/Regulations for Fiscal Year for 2004–05:

- The Board proposed new regulations to clarify the requirements for its accredited programs in the areas of admissions, nurse faculty, and clinical experience. The regulations became effective in January 2005. The new regulations ensure that accredited VN and PT programs are relevant to today's health care system and that licensees will be able to function safely and competently in the current health care environment.